ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

****

Cap. ccix.

An Act for granting further Powers in reference to the leasing and selling the Undertaking of the *South Wales* Railway Company to the *Great Western* Railway Company, and authorizing working Arrangements between the said Companies, and for other Purposes.

[20th *August* 1853.]

WHEREAS an Act was passed in the Session of Parliament held in the Eighth and Ninth Years of the Reign of Her present Majesty, called "The *South Wales* Railway Act, 1845," whereby certain Persons were incorporated by the Name or Style of "The *South Wales* Railway Company:" And whereas an Act was passed in the Session of Parliament held in the Ninth and Tenth Years of the Reign of Her present Majesty, called "The *South Wales* Railway Amendment Act, 1846:" And whereas an Act was passed in the Session of Parliament held in the Tenth and Eleventh Years of the Reign of Her present Majesty, called "The *South Wales* Railway Amendment Act, 1847:" And whereas Two Acts were passed in the Session of Parliament held in the Thirteenth and Fourteenth Years of the Reign of Her present Majesty, called respectively "The *South Wales* Railway Extension of Time Act, 1850," and "The *South Wales*

8 & 9 Vict. c. cxc.

9 & 10 Vict. c. ccxxxix.

10 & 11 Vict. c. cix.

13 & 14 Vict. cc. vii. & xliv.

Railway Capital Act, 1850:" And whereas Two Acts were passed in the Session of Parliament held in the Fourteenth and Fifteenth Years
14 & 15 Vict. cc. lii. & lxxiv. of the Reign of Her present Majesty, called respectively "The *South Wales* Railway New Works Act, 1851," and "The *South Wales* Railway Capital Act, 1851:" And whereas an Act was passed in the
15 & 16 Vict. c. cxvii. last Session of Parliament, called "The *South Wales* Railway Act, 1852:" And whereas it is expedient that the Provisions of "The *South Wales* Railway Act, 1845," and of "The *Great Western* Railway Act, 1851," with respect to the Leasing or Sale of the Undertaking of the *South Wales* Railway Company to the *Great Western* Railway Company, should be extended, and that the said Two Companies should be empowered to make Arrangements with respect to the Management, Use, and Working by the *Great Western* Railway Company of all or any Railways, Branch Railways, or Works which the Company may by any Act of the present Session be authorized to construct, or in respect of which any further Time may be granted by any Act of the present Session, and also with respect to the Traffic thereon: And whereas the Purposes aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

I. That in citing this Act for any Purpose whatsoever it shall be sufficient to use the Expression "The *South Wales* Railway (Leasing) Act, 1853."

"The Company."

II. That in this Act wherever the Words "the Company" are used the same shall be held to mean the *South Wales* Railway Company, except where there is something in the Context repugnant to such Construction.

Provisions of existing Acts as to Lease or Sale of South Wales Railway to Great Western Railway Company extended.

III. And whereas by "The *South Wales* Railway Act, 1845," the *South Wales* Railway Company was empowered, with such Consent as is therein provided, to lease and also to sell the Railway, Branch Railway, and Works thereby authorized to be constructed to the *Great Western* Railway Company, and the *Great Western* Railway Company was thereby empowered, with such Consent as is therein also provided, to accept such Lease, and also to purchase the said Railway, Branch Railway, and Works: And whereas by "The *Great Western* Railway Act, 1851," it was enacted that a certain Agreement entered into between the Directors of the *South Wales* Railway Company of the one Part, and certain Directors of the *Great Western* Railway Company of the other Part, for a Lease of a Portion of the Undertaking of the *South Wales* Railway Company to the *Great Western* Railway Company, and any Lease which might either before or after the passing of that Act be granted and made in pursuance thereof and in conformity

formity therewith, should be binding upon the said Two Companies: And whereas it is expedient that the *South Wales* Railway Company should be empowered to lease or sell to the *Great Western* Railway Company all or any Railways, Branch Railways, or Works which the Company may by any Act of the present Session be authorized to construct, or in respect of which any further Time may be granted by any Act of the present Session, and that the *Great Western* Railway Company should be empowered to accept such Lease, or to purchase such Railways, Branch Railways, and Works, or any or either of them, or any Part or Parts thereof respectively: Be it therefore enacted, That the Powers and Provisions contained in the Sections of the "*South Wales* Railway Act, 1845," numbered respectively 55, 56, 57, and 58, shall extend to and may from Time to Time be exercised in respect of the Railways, Branch Railways, and Works which the *South Wales* Railway Company may by any Act of the present Session be authorized to construct, or in respect of which any further Time may be granted by any Act of the present Session, or any or either of them, or any Part or Parts thereof respectively.

Power to make Arrangements with Great Western Railway Company as to working South Wales Railway, &c.

IV. That it shall be lawful for the *South Wales* Railway Company and for the *Great Western* Railway Company from Time to Time to enter into and carry into effect such Agreements as they may think fit for or in respect of the Conduct and Management, Use, and Working by the *Great Western* Railway Company of all or any Railways, Branch Railways, or Works which the Company may by any Act of the present Session be authorized to construct, or in respect of which any further Time may be granted by any Act of the present Session, or of any Part or Parts thereof respectively, and for or in respect of the Traffic passing along or over such Railways and Branch Railways, or any or either of them, and for or in respect of the Payment, and also the Division and Apportionment between the said Two Companies, of the Charges and Expenses of such Conduct, Management, Use, and Working, and of the Tolls, Rates, and Duties received in respect of such Traffic.

Agreements between the Companies not to prejudice Third Parties.

V. Provided always, That no Agreement which shall be made under the Provisions of this Act between the *Great Western* Railway Company and the *South Wales* Railway Company shall in any Manner alter, affect, increase, or diminish any of the Tolls which the said Companies respectively shall for the Time being be authorized and entitled to demand and receive from any Person or any other Company; but that all other Persons and Companies shall, notwithstanding any such Agreement, be entitled to the Use and Benefit of such respective Railways or Portions thereof upon the same Terms and Conditions, and on Payment of the same Tolls, as they would have been in case no such Agreement had been entered into.

Deposits for future Bills not to be

VI. That it shall not be lawful for either of the said Companies, out of any Money by this Act or any other Act relating to them authorized to

paid out of the Companies Capital.

to be raised for the Purposes of such Act or Acts, to pay or deposit any Sum of Money which by any Standing Order of either House of Parliament, now in force or hereafter to be in force, may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining any Act authorizing the said Companies to construct any other Railway or execute any other Work or Undertaking.

Railways and Companies to be subject to Provisions of 1 & 2 Vict. c. 98., 3 & 4 Vict. c. 97., 5 & 6 Vict. c. 55., 7 & 8 Vict. c. 85., 9 & 10 Vict. c. 57., and 14 & 15 Vict. c. 64.

VII. And whereas an Act was passed in the Second Year of the Reign of Her present Majesty, intituled *An Act to provide for the Conveyance of the Mails by Railways;* and another Act was passed in the Fourth Year of the Reign of Her said Majesty, intituled *An Act for regulating Railways;* and another Act was passed in the Sixth Year of the Reign of Her said Majesty, intituled *An Act for the better Regulation of Railways, and for the Conveyance of Troops;* and another Act was passed in the Eighth Year of the Reign of Her said Majesty, intituled *An Act to attach certain Conditions to the Construction of future Railways authorized or to be authorized by any Act of the present or succeeding Sessions of Parliament, and for other Purposes in relation to Railways;* and another Act was passed in the Session of Parliament held in the Ninth and Tenth Years of the Reign of Her said Majesty, intituled *An Act for regulating the Gauge of Railways;* and another Act was passed in the Session of Parliament held in the Fourteenth and Fifteenth Years of the Reign of Her said Majesty, intituled *An Act to repeal the Act for constituting Commissioners of Railways:* Be it enacted, That nothing in this Act contained shall be held to exempt either of the said Companies or their Undertakings from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect to the said Undertakings and Companies, so far as the same are applicable.

Railways and Companies not exempt from Provisions of future General Acts.

VIII. That nothing herein contained shall be deemed or construed to exempt the Undertakings of the Companies as authorized by the several Acts relating thereto, or the said Companies, from the Provisions of any General Act relating to such Acts, or of any General Act relating to Railways, or to the better and more impartial Audit of the Accounts of Railway Companies, now in force or which may hereafter pass during this or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges, and of the Rates for small Parcels, authorized by the said recited Acts or this Act.

Expenses of Act.

IX. That all the Costs, Charges, and Expenses of and attending the passing of this Act, and incidental thereto, shall be paid by the Company.

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