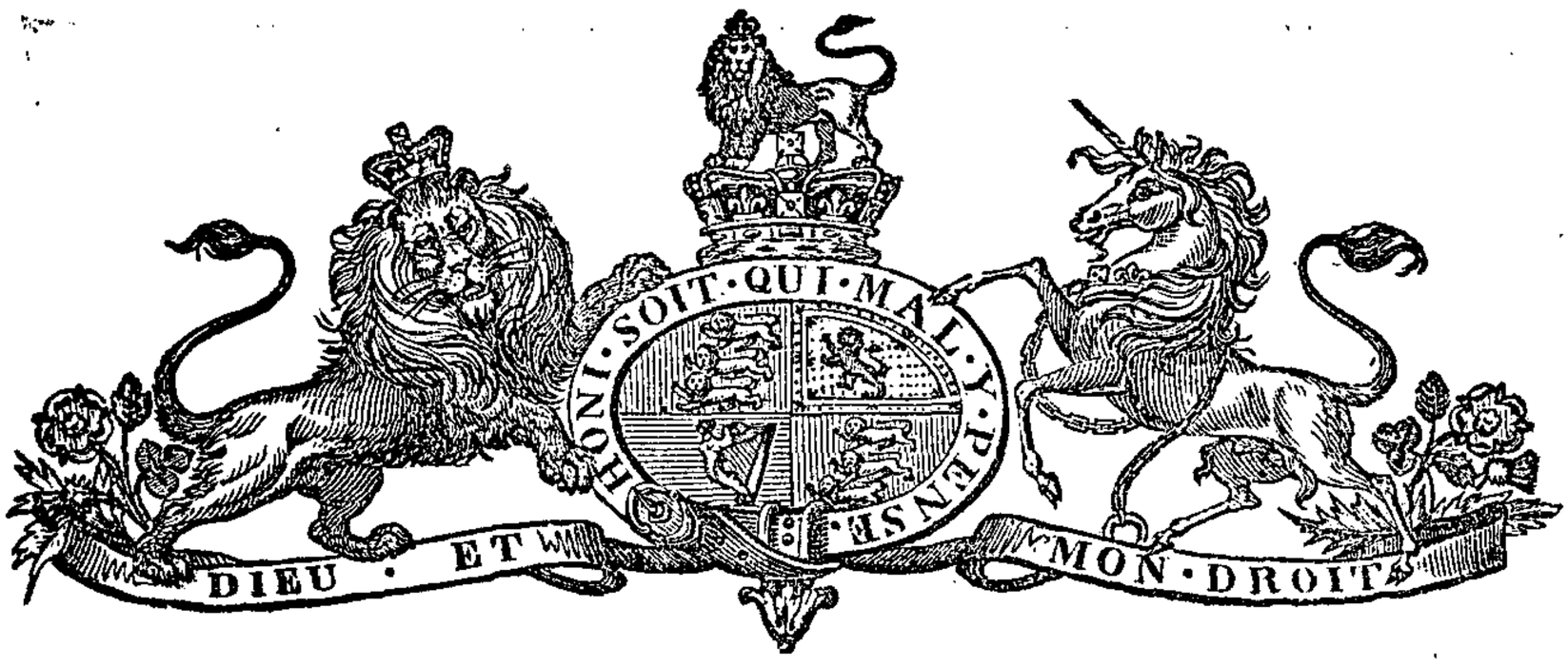


ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

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The South Wales Railway (Pembroke Line, &c.) Act, 1853.

"The *South Wales* Railway Capital Act, 1850:" And whereas Two Acts were passed in the Session of Parliament held in the Fourteenth and Fifteenth Years 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 last Session of Parliament, called "The *South Wales* Railway Act, 1852:" And whereas it is expedient that the *South Wales* Railway Company should be empowered to extend the *Pembroke* Line of their Railway to *Pennar Mouth*, and to make a Deviation in their said *Pembroke* Line: And whereas it is also expedient that the Time and Powers granted for the Purchase by Compulsion of Lands and Houses required for the Purposes of so much of the *South Wales* Railway as is authorized to be made between *Pembroke* Dock otherwise *Pater* in the County of *Pembroke* to or near to a certain Field numbered on the Plans referred to in "The *South Wales* Railway Act, 1845," 16 in the Parish of *Llangan* in the County of *Carmarthen*, should be extended and revived, and that the Time limited for the Construction of the said Portion of Railway or some Part thereof should be extended: And whereas it is expedient that the *South Wales* Railway Company should be empowered to raise a further Sum of Money for carrying the Purposes aforesaid or some of them into effect, and also to create and issue new Shares or Stock in their Undertaking, in the Place of exercising their Powers of borrowing Money on Mortgage or Bond, and for the Purpose of paying off Money borrowed on Mortgage or Bond, and to attach to such new Shares, and also to certain Shares which by "The *South Wales* Railway (Amendment) Act, 1846," the Company were authorized to create and issue a Preference or Priority in the Payment of Dividends and other Rights and Privileges, and also to convert their Mortgage or Bond Debt for the Time being into perpetual Annuities, with a Preference attached: And whereas there are no existing Preference Shares whatever in the Capital of the said Company: 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; (that is to say,)

14 & 15 Vict. cc. lii. & lxxiv.

15 & 16 Vict. c. cxvi.

8 & 9 Vict. cc. 18. and 20. incorporated with this Act.

I. That the Provisions of "The Lands Clauses Consolidation Act, 1845," and of "The Railways Clauses Consolidation Act, 1845," shall respectively be incorporated with and form Part of this Act.

Short Title.

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

III. That

"Company."

III. That in this Act wherever the Words "the Company" or "the said 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.

Power to make Railway according to deposited Plans.

IV. And whereas Plans of the Lines of Railway by this Act authorized, and of the Lands proposed to be taken for additional Accommodation at *Swansea*, and Sections showing the Lines and Levels of the said intended Railways respectively, together with Books of Reference to such Plans, containing the Names of the reputed Owners and Lessees, and of the Occupiers of the Lands and Houses proposed to be taken under the Authority of this Act, have been deposited with the Clerks of the Peace for the Counties of *Pembroke*, *Glamorgan*, and *Monmouth* respectively: Be it enacted, That, subject to the Provisions in this Act, and "The Lands Clauses Consolidation Act, 1845," and "The Railways Clauses Consolidation Act, 1845," contained, the Company may make and maintain the Railways herein-after mentioned (with all requisite and necessary Works and Conveniences connected therewith) in the Lines and according to the Levels shown upon the said Plans and Sections relating to such Railways, and upon the Lands delineated on the said Plans and described in the said Books of Reference thereto, and may enter upon, take, and use all or any of the said Lands; that is to say,

First, a Railway commencing from and out of the authorized *Pembroke* Dock Line of the *South Wales* Railway in the Parish of *Nash* in the County of *Pembroke*, and terminating at or near and on the West Side of the Entrance to the Pill or Estuary known as *Pennar Mouth* or *Pennar Pill* in the Parish of *Pwllcroghan* in the same County:

Second, a Railway commencing from and out of the *South Wales* Railway as now authorized in the Parish of *Begelly* in the County of *Pembroke*, and terminating by a Junction with the *South Wales* Railway in the said Parish of *Nash*:

And the Company may also, subject as aforesaid, enter upon, take, and use, for the Purpose of providing additional Accommodation in connexion with their Railway, all or any of the Lands and Houses in the Parishes of *Swansea* and *Saint John, Swansea*, at or near the Company's *Swansea* Station, described on the Plans and in the Books of Reference so deposited as aforesaid, and the said Lines of Railway shall be and become Part of the Undertaking of the *South Wales* Railway Company.

Limiting Powers of Deviation in the Bush Estate.

V. That in constructing the Railway first hereby authorized to be made through the Lands numbered respectively Seventy-five and Eighty-

Eighty-three in the Parish of *St. Mary*, *Pembroke*, or any Works or Conveniences connected therewith, it shall not be lawful for the Company to take Lands to the Northwards of the centre Line of the said Railway as laid down upon the said Plans to a greater Extent than Twenty Yards from the said centre Line, without the previous Consent in Writing of the Owner or Owners for the Time being of the *Bush* Estate; and the Company shall not at any Time, without the Consent as well of the Owner or Owners of the *Bush* Estate as of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, and the Lords of the Admiralty, execute any Works to the Northward of the Channel of *Pennar Pill* as shown on those Plans between the Lands numbered respectively 84 to the East and the Land numbered 111 in the Parish of *Saint Mary*, *Pembroke*, on the West.

Company not to interfere with Crown Land without Consent of the Board of Ordnance.

VI. And whereas it is necessary that the Fortifications and other public Property belonging to Her Majesty, and under the Charge of the Board of Ordnance, should be preserved from Injury or Obstruction: Be it therefore enacted, That nothing in this Act contained shall authorize the said Company to enter upon or possess or occupy any Buildings or Land belonging to Her Majesty, and under the Control or Management of the Board of Ordnance, without the Consent of the principal Officers of Her Majesty's Ordnance in Writing first had and obtained.

Approval of Admiralty to be obtained where Works affect tidal or navigable Waters.

VII. That previously to commencing any Work interfering with or affecting any tidal or navigable Water, or the Works connected therewith, or any Works where the Limits of Deviation of the said Railway trench on any such Water, the Company shall deposit at the Admiralty Office Plans, Sections, and Working Drawings of such Works, for the Approval of the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral aforesaid, such Approval to be signified in Writing under the Hand of the Secretary of the Admiralty, and such Works shall be constructed only in accordance with such Approval; and where any such Works shall have been constructed it shall not be lawful for the Company at any Time to alter or extend the same without obtaining, previously to making any such Alteration or Extension, the like Consent or Approval; and if any such Works shall be commenced or completed, or altered or extended, contrary to the Provisions of this Act, it shall be lawful for the said Lord High Admiral, or the said Commissioners for executing the Office of Lord High Admiral, to abate, alter, and remove the same, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Company, and the Amount thereof shall be a Debt due from the

Company to the Crown, and be recoverable accordingly, with Costs of Suit.

Power to Admiralty to order a local Inquiry at Expense of Company.

VIII. That if at any Time or Times it shall be deemed expedient by the Lord High Admiral of the United Kingdom, or the Commissioners for executing the Office of Lord High Admiral, to order a local Survey and Examination of any Works of the Company in, over, or affecting or trenching on any tidal or navigable Water or River, or of the intended Site thereof, the Company shall defray the Costs of every such local Survey and Examination, and the Amount thereof shall be a Debt due to Her Majesty from the Company, and if not paid, upon Demand, may be recovered as a Debt due to the Crown, with the Costs of Suit, or may be recovered, with Costs, as a Penalty is or may be recoverable from the Company.

Works abandoned &c., affecting tidal Waters, may be removed by Admiralty, at Expense of Company.

IX. That if any Work heretofore constructed or to be constructed by the Company in, under, over, or across or trenching on any tidal or navigable Water or River, or if any Portion of any such Work shall be abandoned, or suffered to fall into Disuse or Decay, it shall be lawful for the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, to abate and remove the same, or such Part or Parts thereof as he or they may at any Time or Times deem fit and proper, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Company, and the Amount thereof shall be a Debt due from the Company to the Crown, and be recoverable accordingly, with Costs of Suit.

Power to cross certain Highways on a Level.

X. That, subject to the Provisions of "The Railways Clauses Consolidation Act, 1845," in reference to the crossing of Roads on a Level, it shall be lawful for the Company, in the Construction of the Railways by this Act authorized to be made, to carry the same across and on the Level of the several public Roads or Highways numbered on the Plans deposited as herein-before mentioned, as follows; (that is to say,)

——	Number on Plan.	Parish.
Extension and Deviation of Pembroke Line	6	Cosheston.
	5	Nash.
	85*a*	Carew.
	82*a*	Carew.
	61	Carew.
	51	Carew.
	18	Carew.
	33	Reynalton.

Company to erect a Station or Lodge at Points of crossing, and abide by Rules, &c. of Board of Trade.

XI. That for the greater Convenience and Security of the Public the Company shall erect and permanently maintain either a Station or Lodge at the several Points where the said Railways cross the before-mentioned Roads on the Level; and the said Company shall be subject to and shall abide by all such Rules and Regulations with regard to the crossing of such Roads on the Level, or with regard to the Speed at which Trains shall pass such Roads, as may from Time to Time be made by the Board of Trade; and if the said Company shall fail to erect or at all Times maintain any such Station or Lodge, or appoint a proper Person to watch or superintend the crossing at any such Point or Station, or to observe or abide by any such Rule or Regulation as aforesaid, they shall for every such Offence be liable to a Penalty of Twenty Pounds, and also to a daily Penalty of Ten Pounds for every Day such Offence shall contiuue after such Penalty of Twenty Pounds shall have been imposed.

Board of Trade may require a Bridge to be erected in lieu of level Crossing.

XII. That it shall be lawful for the Board of Trade, if it shall appear to them to be necessary for the Public Safety, at any Time, either before or after the Railways by this Act authorized to be made shall have been completed and opened for public Traffic, to require the Company, within such Time as the said Board of Trade shall direct, and at the Expense of the Company, to carry any or either of the before-mentioned Roads either under or over the Railway by means of a Bridge or Arch in lieu of crossing the same on the Level, and to execute such other Works as under the Circumstances of the Case shall appear to the said Board of Trade the best adapted for removing or diminishing the Danger arising from any such level Crossing.

Regulating Inclination of certain Roads.

XIII. That as regards the Roads herein-after mentioned it shall be lawful for the Company to make the Rates of Inclination of such Roads respectively, when altered, as follows; (that is to say,)

Number on Plan.	Parish.	Description of Road.	Proposed Inclination.
37	Cosheston - -	Turnpike Road - -	1 in 15.
69	Monkton - -	Parish - - -	1 in 14.
5	Nash - - -	Parish - - -	1 in 16.
15	Begelly - -	Parish - - -	1 in 16.

Lands for extraordinary Purposes.

XIV. That it shall be lawful for the Company to purchase any Quantity of Land for extraordinary Purposes, not exceeding Thirty Acres, in addition to the Lands which the Company are by the recited Acts authorized to take for such Purposes.

XV. That

Limiting Period for compulsory Purchase of Lands.

XV. That the Powers of the Company for the compulsory Purchase of Lands and Houses for the Purposes of the Railways and Works by this Act authorized shall not be exercised after the Expiration of Three Years from the passing of this Act.

Period for Completion of Works.

XVI. That the Railways by this Act authorized shall be completed within Five Years from the passing of this Act; and on the Expiration of such Period the Powers granted to the Company for executing the same, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the said Railways as shall then be completed.

Gauge of Railways.

XVII. That the Railways by this Act authorized may be constructed upon the Broad Gauge of Seven Feet.

Company to abandon Portions of Line from Pembroke Dock rendered unnecessary by Deviation, &c.

XVIII. That the Company shall abandon and relinquish the Formation of so much and such Parts of their said Line of Railway from *Pembroke* Dock as now authorized as may become unnecessary by reason of the Construction of the Railways by this Act authorized: Provided always, that the Company shall not for the Period of Twelve Months after the passing of this Act abandon the Construction of so much of their said Railway from *Pembroke* Dock as lies between the said Dock and the Point of Divergence of the intended Railway firstly herein-before described in the Parish of *Nash*; and if at any Time within Six Months after the Expiration of the said Period of Twelve Months the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral, shall by Writing under the Hand of the Secretary of the Admiralty so require, the Company shall commence and with all reasonable Despatch complete the said Portion of their *Pembroke* Branch aforesaid.

Compensation to be made where Contracts have been entered into or Notices given.

XIX. Provided always, That in any Case where before the passing of this Act any Contract hath been entered into or Notice given by the Company for purchasing any Lands which the Company were empowered to purchase for the Purpose of constructing the Portions of Railway so authorized to be abandoned as aforesaid, the Company shall make to the Owners or Occupiers of and other Parties interested in such Lands full Compensation for all Injury or Damage sustained by such Owners, Occupiers, and other Parties by reason of such Purchase not being completed pursuant to such Contract or Notice; and the Amount and Application of such Compensation shall be determined in the Manner provided by "The Lands Clauses Consolidation Act, 1845," for determining the Amount and Application of the Compensation to be paid for Lands taken under the Provisions thereof:

thereof: Provided also, that the Authority hereby given for abandoning the Formation of the aforesaid Portions of Railway shall not prejudice or affect the Right of the Owner or Occupier of any Lands which the Company were so empowered to purchase as aforesaid to receive from the Company Compensation for any Damage that may have been occasioned by the Entry of the Company upon such Lands for the Purpose of surveying and taking Levels and of probing or boring to ascertain the Nature of the Soil, or of setting out the Line of the Railway, pursuant to the Provisions for that Purpose in the said Lands Clauses Consolidation Act contained.

Tolls.

XX. That it shall be lawful for the Company to demand any Tolls for the Use of the Railways by this Act authorized, or for the Completion of which further Time is by this Act granted, not exceeding the following; (that is to say,)

Tonnage on Articles of Merchandise.

First, in respect of the Tonnage of all Articles conveyed thereon, or on any Part thereof, as follows:

For all Dung, Compost, and all Sorts of Manure, Lime and Limestone, and all undressed Materials for the Repair of public Roads or Highways, *per* Ton *per* Mile not exceeding One Penny; and if conveyed by Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Halfpenny:

For all Coals, Coke, Culm, Charcoal, and Cinders, all Stones for building, pitching, and paving, all Bricks, Tiles, Slates, Clay, Sand, Ironstone and Iron Ore, Pig Iron, Bar Iron, Rod Iron, Hoop Iron, and all other similar Descriptions of Wrought Iron and Iron Castings not manufactured into Utensils or other Articles of Merchandise, *per* Ton *per* Mile not exceeding Three Halfpence; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Halfpenny:

For all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber, Staves, and Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, *per* Ton *per* Mile not exceeding Twopence; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding Three Farthings:

For all Cotton and other Wools, Drugs, manufactured Goods, and all other Wares, Merchandise, Fish, Articles, Matters, or Things, *per* Ton *per* Mile not exceeding Threepence; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Penny:

And for every Carriage, of whatever Description, having more than Two Wheels, not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, carried

carried or conveyed on a Truck or Platform, *per* Mile not exceeding Sixpence:

And a further Sum of Twopence *per* Mile for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton which any such Carriage may weigh; and if conveyed on a Truck or Platform belonging to the Company, an additional Sum *per* Mile not exceeding Twopence:

Tolls for Passengers or Cattle.

Second, in respect of Passengers and Animals conveyed in Carriages upon the Railway, as follows:

For any Person conveyed in or upon any such Carriage, *per* Mile not exceeding Twopence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Penny:

For every Horse, Mule, Ass, or other Beast of Draught or Burden, *per* Mile not exceeding Threepence; and for every Ox, Cow, Bull, or Neat Cattle, *per* Mile not exceeding Twopence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Penny:

For every Calf or Pig, *per* Mile not exceeding One Penny; and for every Sheep, Lamb, or other small Animal, *per* Mile not exceeding Three Farthings; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Farthing.

Tolls for propelling Power.

XXI. That the Toll which the Company may demand for the Use of Engines for propelling Carriages on the Railway shall not exceed One Penny *per* Mile for each Passenger or Animal, or for each Ton of Goods or other Articles, in addition to the several other Tolls or Sums by this Act authorized to be taken.

Regulations as to the Tolls.

XXII. That the following Provisions and Regulations shall be applicable to the fixing of such Tosll; (that is to say,)

For Articles or Persons conveyed on the Railway for a less Distance than Six Miles (including any other Portion of the *South Wales* Railway on which such Articles or Persons may be conveyed) the Company may demand Tolls and Charges as for Six Miles:

For a Fraction of a Mile beyond Six Miles (including as aforesaid) or beyond any greater Number of Miles the Company may demand Tolls and Charges as for One Mile:

For a Fraction of a Ton the Company may demand Toll according to the Number of Quarters of a Ton in such Fraction, and if

there be a Fraction of a Quarter of a Ton such Fraction shall be deemed a Quarter of a Ton:

With respect to all Articles, except Stone and Timber, the Weight shall be determined according to the usual Avoirdupois Weight:

With respect to Stone and Timber, Fourteen Cubic Feet of Stone, Forty Cubic Feet of Oak, Mahogany, Teak, Beech, or Ash, and Fifty Cubic Feet of any other Timber, shall be deemed One Ton Weight, and so in proportion for any smaller Quantity.

Tolls for small Parcels and Articles of great Weight.

XXIII. That, notwithstanding the Rate of Tolls prescribed by this Act, the Company may, with respect to small Packages and single Articles of great Weight, lawfully demand the Toll following; (that is to say,)

For the Carriage of small Parcels (that is to say, Parcels not exceeding Five hundred Pounds Weight each,) on the Railway or any Part thereof, as follows:

For any Parcel not exceeding Seven Pounds in Weight, Fourpence;

For any Parcel not exceeding Fourteen Pounds in Weight, Eightpence;

For any Parcel not exceeding Twenty-eight Pounds in Weight, One Shilling and Fourpence;

For any Parcel not exceeding Fifty-six Pounds in Weight, Two Shillings;

And for any Parcel exceeding Fifty-six Pounds in Weight, the Company may demand any Sum which they think fit:

Provided always, that Articles sent in large aggregate Quantities, although made up of separate Parcels, such as Bags of Sugar, Coffee, Meal, and the like, shall not be deemed small Parcels, but such Term shall apply only to single Parcels in separate Packages:

For the Carriage of any One Boiler, Cylinder, or single Piece of Machinery, or single Piece of Timber or Stone, or other single Article, the Weight of which, including the Carriage, shall exceed Four Tons but shall not exceed Eight Tons, the Company may demand such Sum as they think fit, not exceeding Sixpence *per* Ton *per* Mile:

For the Carriage of any single Piece of Timber, Stone, Machinery, or other single Article, the Weight of which, with the Carriage, shall exceed Eight Tons, the Company may demand such Sum as they think fit.

Passengers Luggage.

XXIV. That every Passenger travelling upon the Railway may take with him his ordinary Luggage, not exceeding One hundred Pounds

Pounds in Weight for First-class Passengers, Sixty Pounds in Weight for Second-class Passengers, and Forty Pounds in Weight for Third-class Passengers, without any Charge being made for the Carriage thereof.

Maximum Rates of Charges for Passengers.

XXV. That the maximum Rate of Charge to be made by the Company for the Conveyance of Passengers upon the Railway, including the Tolls for the Use of the Railway, and of Carriages, and for locomotive Power, and every other Expense incidental to such Conveyance, shall not exceed the following Sums:

For every Passenger conveyed in a First-class Carriage, the Sum of Threepence *per* Mile:

For every Passenger conveyed in a Second-class Carriage, the Sum of Twopence *per* Mile:

For every Passenger conveyed in a Third-class Carriage, the Sum of One Penny Halfpenny *per* Mile.

For Cattle, Goods, &c.

XXVI. That with respect to the Conveyance of Horses, Cattle, Carriages, and Goods, the maximum Rate of Charge to be made by the Company, including the Tolls for the Use of the Railway, and Waggons or Trucks and locomotive Power, and every Expense incidental to such Conveyance (except the loading and unloading of Goods, where such Service is performed by the Company), shall not exceed the following Sums:

For every Horse, Mule, Ass, or other Beast of Draught or Burden, the Sum of Fivepence *per* Mile:

For every Ox, Cow, Bull, or Neat Cattle, the Sum of Twopence *per* Head *per* Mile:

For every Calf or Pig, the Sum of One Penny *per* Mile:

For every Sheep, Lamb, and other small Animal, the Sum of Three Farthings *per* Mile:

For every Carriage, the Sum of Sevenpence *per* Mile:

For Manure, and other Articles herein-before classed therewith, the Sum of One Penny Halfpenny *per* Ton *per* Mile:

For Coals, and other Articles herein-before classed therewith, the Sum of Twopence *per* Ton *per* Mile:

For Sugar, and other Articles herein-before classed therewith, the Sum of Threepence *per* Ton *per* Mile:

For Cotton, and other Goods and Articles herein-before classed therewith, the Sum of Fourpence *per* Ton *per* Mile.

Restriction as to Charges not to apply to special Trains.

XXVII. Provided always, That the Restriction as to the Charges to be made for Passengers shall not extend to any special Train that may

may be required to be run upon the said Railway, but shall apply only to the ordinary or express Trains appointed or to be appointed from Time to Time by the said Company for the Conveyance of Passengers upon the said Railway.

Company may take increased Charges by Agreement.

XXVIII. Provided further, That nothing herein contained shall be held to prevent the said Company from taking any increased Charges, over and above the Charges herein-before limited, for the Conveyance of Goods of any Description, by Agreement with the Owners of or Persons in charge of such Goods, either in respect of the Conveyance of the same (except small Parcels) by Passenger Trains, or by reason of any other special Service performed by the said Company in relation thereto.

Extending Period for compulsory Purchase of Lands for Portions of Pembroke Line.

XXIX. That the Period limited for the compulsory Purchase of Lands and Houses for the Purposes of the said Portion of Railway from *Pembroke* Dock otherwise *Pater* in the County of *Pembroke* to or near to the said Field numbered 16 in the Parish of *Llangan* in the County of *Carmarthen* shall, as regards the Lands and Houses required for the Purposes of so much of that Portion of Railway as may not by virtue of this Act be abandoned, be and the same is hereby revived, extended, and enlarged for the Period of Two Years from the passing of this Act.

Extending Time for Completion of Portions of Pembroke Line.

XXX. That the Period limited for the Completion of the before-mentioned Portion of Railway from *Pembroke* Dock otherwise *Pater* in the County of *Pembroke* to or near to the said Field numbered 16 in the Parish of *Llangan* in the County of *Carmarthen* shall, as regards so much of that Portion of Railway as may not by virtue of this Act be abandoned, be and the same is hereby accordingly extended for the Period of Three Years from the passing of this Act.

Parties aggrieved by Extension of Time being granted may have Compensation for additional Damage

XXXI. That the Justices, Arbitrators, Umpires, or Juries respectively (as the Case may be) who shall award or assess the Compensation to be made by the *South Wales* Railway Company to the Owners or Occupiers of or other Persons interested in any of the Lands or Houses for the Purchase of which the Period is by this Act extended, and which shall be taken or used for the Purposes of the herein-before mentioned Portion of Railway from *Pembroke* Dock to or near to the said Field numbered 16 in the Parish of *Llangan*, or any Part thereof, or which may be injuriously affected by the Construction thereof, shall, in estimating the Amount of such Compensation, have regard to and make Compensation for the additional Damage (if any) sustained

sustained by such Owners, Occupiers, or other Persons by reason of the Extension of Time hereby authorized as aforesaid.

Existing Contracts and Notices to take Lands not to be affected.

XXXII. That the Extension of Time by this Act authorized shall not prejudice or affect any Contract or Agreement entered into or any Notice given by the *South Wales* Railway Company before the passing of this Act for purchasing, taking, or using any Lands for the Purposes of so much of the said Portion of Railway from *Pembroke* Dock to or near to the said Field numbered 16 in the Parish of *Llangan* in the County of *Pembroke* as may not by virtue of this Act be abandoned.

Dividends suspended if Railways not completed within limited Period.

XXXIII. That if the Portions of the *Pembroke* Line the Time for the Completion whereof is by this Act extended shall not be completed and opened for public Traffic within Three Years from the passing of this Act, or if the Lines of Railway by this Act respectively authorized, or any or either of them, shall not be completed and opened for public Traffic within Five Years from the passing of this Act, then and from thenceforth it shall not be lawful for the Company to declare or pay any Dividend on the ordinary or unguaranteed Capital of the Company until such Works respectively shall have been completed and opened for public Traffic.

16 & 17 Vict. c. clxxiii.

XXXIV. And whereas a Bill is now pending in Parliament, intituled *A Bill for constructing and maintaining Docks and other Works at or near to* Milford Haven, *and for other Purposes:* And whereas the Railway herein-before firstly described is projected for the sole Purpose of communicating with the said intended Docks and Works, and the Extent to which it may be necessary to construct the said Railway may be dependent upon the Mode of Construction of the said Docks and Works: Be it therefore enacted, That it shall be lawful for the Board of Trade, at any Time within Three Years from the passing of this Act, on the Application of the *South Wales* Railway Company, to fix and determine the Point at which such Railway shall terminate, and thereupon the Provisions of this Act restraining the Company from declaring or paying any Dividend on the ordinary or unguaranteed Capital of the Company until the Railways by this Act authorized shall have been completed and opened for public Traffic shall not apply to the Completion and opening of such Portion (if any) of the said Railway as shall be situate between the Point which the Board of Trade shall fix for the Termination of the said Railway and the Point of the Termination thereof as shown on the said Plans.

Board of Trade may, on Application of Company, within Three Years, fix Point of Termination of Railway.

Power to raise additional Capital by Creation of new Shares.

XXXV. That it shall be lawful for the Company to raise, by creating new Shares, in addition to the Capital which they now are or by any other Act of the present Session may be authorized to raise, any further Sum of Money not exceeding in the whole the Sum of One hundred and twenty thousand Pounds; and (subject to the Provisions herein-after contained as to the Order in which the Holders of Preference Shares are to be entitled to rank as among themselves) it shall be lawful for the Company, if they think fit, with the Consent of Three Fifths at least of the Votes of the Proprietors present, personally or by Proxy, at a Meeting of the Company specially convened for the Purpose, to assign to any Shares which may be created for the Purpose of raising the said Sum of One hundred and twenty thousand Pounds such special Advantages with respect to Priority over any other Class of Shares or Stock in the Company (except any Shares or Stock that may be or may have been created under the Provisions of this Act, or any other Act of the present Session, for paying off borrowed Money, or in lieu of borrowing), or with respect to the Amount of Dividend payable thereon, not exceeding Five Pounds *per Centum per Annum*, or subject to such other special Terms and Conditions with respect to such Shares as by the Order of any such Meeting shall be fixed and determined; and it shall be lawful for the Company to issue such Shares to such Persons at such Times and in such Manner, and to demand such Price for the same, or to dispose of the same in such Manner and on such Terms, as by the Order of any such Meeting shall be fixed and determined; and all and every Part of the Money to be received by the Company in respect of the said Shares shall be applied to the Purposes of the Undertaking of the Company authorized by their existing Acts and this Act, and to no other Purpose whatsoever.

Application of existing Capital.

XXXVI. That the Company may apply and appropriate towards the Purposes of this Act, and so far as may be requisite for such Purposes, any Portion of the Monies which they are authorized to raise under the said recited Acts, and which may not under the Act authorizing the raising of the same have been specifically directed to be appropriated to any particular and defined Purpose, or which may not be required for any particular or defined Purpose to which the same may have been specifically directed to be appropriated.

Power to create new Shares or Stock in lieu of certain Shares authorized to be created

XXXVII. And whereas by "The *South Wales* Railway Amendment Act, 1846," the Company were empowered to raise the Sum of Two hundred thousand Pounds, or any Part thereof, by the Creation of new Shares, as therein mentioned; and it is expedient that the Company should be empowered to assign to the Shares to be created for raising

raising the said Sum of Two hundred thousand Pounds such Rights and Privileges as are next herein-after mentioned: Be it enacted, That, subject to the Provisions hereinafter contained as to the Order in which the Holders of Preference Shares are to be entitled to rank as among themselves, it shall be lawful for the Company from Time to Time, with the Consent of Three Fifths at least of the Votes of the Proprietors present, in Person or by Proxy, at a Meeting of the Company specially convened for the Purpose, to assign to any Shares which may be created for the Purpose of raising the said Sum of Two hundred thousand Pounds such special Advantages with respect to Priority or Amount of Dividend payable thereon (not exceeding Seven Pounds *per Centum per Annum*) over all or any other Class of Shares or Stock in the Company (except any Shares or Stock that may be or may have been created under the Provisions of this Act, or any other Act of the present Session, for paying off borrowed Money, or in lieu of borrowing, or subject to such other special Terms and Conditions with respect to such Shares), as by the Order of any such Meeting shall be fixed and determined; and it shall be lawful for the Company to issue such Shares to such Persons at such Times and in such Manner, and to demand such Price for the same, or to dispose of the same in such Manner and on such Terms, as by the Order of any such Meeting shall be fixed and determined; and all and every Part of the Money to be received by the Company in respect of the said Shares or Stock shall be applied to the Purposes of the Undertaking of the Company authorized by their existing Acts and this Act, and to no other Purposes whatsoever: Provided always, that the Company shall not by the Creation of such new Shares or Stock as aforesaid increase the aggregate Amount of Capital which they are authorized to raise by their existing Acts.

by existing Acts.

XXXVIII. And whereas under the Provisions of the recited Acts or some of them the Company were authorized to borrow on Mortgage or Bond certain Sums of Money, Part whereof has been borrowed and is now owing by the Company, and the Company are desirous of creating Shares or Stock for the Purpose of raising so much of the Sums authorized to be borrowed as has not yet been borrowed, instead of borrowing the same, and also of paying off the Amount already borrowed and now owing as aforesaid: Be it enacted, That it shall be lawful for the Company, if they shall think fit, to create new Shares or Stock of the Company for the Purpose of raising and in lieu of borrowing the whole Amount which by the recited Acts relating to the said Company, or some of them, is authorized to be borrowed, but which has not yet been borrowed, or any Part thereof, and also for the Purpose of paying off any Money which they may from

Power to convert borrowed Money into Capital.

from Time to Time have borrowed, which new Shares or Stock shall be called "*South Wales* Railway Debenture Shares," or "*South Wales* Railway Debenture Stock;" and it shall be lawful for the Company, if they think fit, with the Consent of Three Fifths at least of the Votes of the Proprietors present, personally or by Proxy, at a Meeting of the Company specially convened for the Purpose, to guarantee any Rate of Interest or Dividend upon all or any of the new Shares, or, as the Case may be, upon the Stock or any Part thereof which may be so created as aforesaid, (not exceeding Five Pounds *per Centum per Annum*,) to be paid in preference to and before any other Dividend upon or in respect of any other Class of Shares or Stock in the Company, whether created under the Provisions of the recited Acts relating to the Company or this Act: Provided always, that no such Augmentation of Capital shall take place without the previous Order of a General Meeting of the Company specially convened for that Purpose; and all and every Part of the Money to be received by the Company in respect of the said Shares or Stock shall be applied to the Purposes of the Undertaking of the Company authorized by their existing Acts and this Act, and to no other Purpose whatsoever: Provided also, that the Powers of borrowing by the Company shall, to the Extent of the Sums so from Time to Time raised by the Creation of Shares or Stock, be extinguished.

New Shares how to be created.

XXXIX. That the new Shares to be created by virtue of this Act may be of such Amount, and may be issued to such Persons, at such Times, and at such Price or Prices, and in such Manner, or may otherwise be disposed of in such Manner and on such Terms, as by the Order of any Meeting of the Company specially convened for the Purpose shall be fixed and determined; and all such new Shares shall be deemed Personal Estate, and shall be transmissible and transferable as such in the Manner provided and directed by "The Companies Clauses Consolidation Act, 1845;" and all Persons and Corporations who shall become entitled to any such new Share or Shares, and their several and respective Successors, Executors, Administrators, and Assigns, shall be and they are hereby declared to be Owners and Proprietors of Shares in the said Undertaking, and to be interested therein, and entitled to Dividends and Profits, and to vote in respect thereof, in proportion to the Amount of such new Share or Shares; and all the Powers to make Calls, and charge Interest thereon, to sue for Calls and Interest, to forfeit and to sell Shares in case of Nonpayment of Calls, and all other the Powers, Provisoes, Indemnities, Remedies, Clauses, Matters, and Things contained in the first-recited Act with reference to the Shares in the *South Wales* Railway Company, shall apply to such new Shares and the Proprietors thereof, except as to the

the Time of making Calls for the said new Shares and the Amount of such Calls; which Calls the Directors of the Company (subject as herein-after mentioned) are hereby empowered to appoint to be of such Amount and payable at such Times as they may think fit, and save so far as any other of such Powers, Provisoes, Indemnities, Remedies, Clauses, Matters, or Things are hereby expressly varied or altered; and the several Proprietors of such new Shares shall be united to and incorporated with the *South Wales* Railway Company.

Calls.

XL. That Twenty Pounds *per Centum* on the Amount of each Share shall be the greatest Amount of any One Call which the Directors may make on or in respect of any Shares created by virtue of this Act, and Three Months at the least shall be the Interval between successive Calls; and the aggregate Amount of Calls to be made on any One Share in One Year shall not exceed Three Fourths of the Amount of such Share.

Saving Rights of Holders of existing Preference Shares.

XLI. Provided always, That any Preference or Priority in the Payment of Dividends which may be assigned to any Shares or Stock other than "*South Wales* Railway Debenture Shares" or "*South Wales* Railway Debenture Stock," to be created by virtue of this Act, shall not prejudice or affect any Preference or Priority in the Payment of Interest or Dividends which may have been assigned to any other Shares or Stock which shall have been granted by the Company in pursuance of or which may have been confirmed by any Act passed prior to the passing of this Act, or which may otherwise be lawfully subsisting.

Power to borrow on Mortgage, &c.

XLII. That after Shares for the whole of the Sum of One hundred and twenty thousand Pounds by this Act authorized to be raised shall have been taken, and One Half of such Capital shall have been paid up, it shall be lawful for the Company to borrow on Mortgage or Bond such Sums of Money as shall from Time to Time be authorized to be borrowed by an Order of any General or Special General Meeting of the Company, not exceeding in the whole the Sum of Forty thousand Pounds, in addition to the Sums which they are by their existing Acts or may by any other Act of the present Session be authorized to borrow; and all the Provisions of "The Companies Clauses Consolidation Act, 1845," with respect to the borrowing of Money by the Company, and to the Conversion of Money borrowed or authorized to be borrowed into Capital, shall be held applicable to the borrowing by the said Company of the Money hereby authorized to be borrowed by them, and to the Conversion thereof, if they think fit, into Capital; provided that all and every Part of the Money so to

be borrowed shall be applicable only to the Purposes of the Undertaking of the Company authorized by their existing Acts and this Act, and no other Purpose whatsoever.

Former Mortgages to have Priority.

XLIII. That all Mortgages or Bonds granted under the Authority of the recited Acts, and which shall be in force at the Time of the passing of this Act, shall during the Continuance thereof have Priority over any Mortgages or Bonds created by virtue of this Act.

Holders of Preference Shares to be entitled to Dividends pari passu.

XLIV. Provided always, That the Holders of any Shares to which, under the Provisions of this Act or any other Act of the present Session, any special Advantages, with respect to Priority or Amount of Dividend, shall be attached, (not being "*South Wales* Railway Debenture Shares" or "*South Wales* Railway Debenture Stock," which it is hereby declared shall have Priority over all other Classes of Preference Shares,) shall be entitled to receive the Amount of Dividends payable in respect of such Shares *pari passu*, without any Preference or Priority, one over another, by reason of the Priority in the Creation of any such Shares, or of the Meeting at which the same was authorized, or on any other Account whatsoever.

Conversion of Mortgage or Bond Debt into perpetual Annuities.

XLV. That in lieu of creating and issuing new Shares or Stock for the Purpose of paying off Money borrowed, it shall be lawful for the Company from Time to Time, with the Consent of Three Fifths of the Votes of the Shareholders present, in Person or by Proxy, at any General Meeting of the Company convened with due Notice of that Object, to resolve that any Portion of the borrowed Capital of the Company or any Debenture or other Security for which, or for the Interest whereof, the Company are lawfully liable, then subsisting on the Security of outstanding Mortgages or Bonds, not exceeding an Amount to be defined in and by such Resolution, may be converted into perpetual irredeemable Annuities at a Rate not exceeding Five Pounds *per Centum per Annum*; such Conversion to take place either by Agreement with the Holders of such Mortgages or Bonds respectively before the same respectively became due, or by paying off the same respectively when due, and creating perpetual irredeemable Annuities as aforesaid, instead of reborrowing the Sums so paid off; and it shall thereupon be lawful for the Directors of the Company to carry into effect such Resolution or Resolutions by the Creation of such perpetual irredeemable Annuities as aforesaid as may from Time to Time be necessary for such Purpose, and the Annuities so created shall be a Charge upon the Tolls and Undertaking, and Lands, Tenements, and Hereditaments of the Company, but shall be distributable, transmissible, and transferable as and in other respects have

have the Incidents of Personal Estate; and the Amount of the said Annuities and all Arrears thereof shall for ever have Priority of Payment over all Dividends on any other Stock or Shares of the Company, whether ordinary, or preference, or guaranteed, (except the "*South Wales* Railway Debenture Shares" and "*South Wales* Railway Debenture Stock" by this Act authorized to be created, the Interest or Dividends on which last-mentioned Shares or Stock and all Arrears thereof shall be paid, *pari passu*, with the said Annuities and the Arrears thereof); and the Annuities, when so created, shall be termed "*South Wales* Debenture Annuities;" provided that nothing herein contained shall in anywise prejudice or affect the Rights of the Holders of Mortgages or Bonds of the Company; provided also, that after the Conversion of any such Mortgages or Bonds into Annuities it shall not be lawful for the Company again to borrow the Sum so converted, but the Powers of borrowing by the Company shall to the Extent of the Sums so from Time to Time converted into Annuities be extinguished.

Annuitants not to vote.

XLVI. That the Holders of the said Annuities shall not be entitled to vote in the Affairs of the Company.

Transfer of Annuities.

XLVII. That the several Holders of any perpetual irredeemable Annuities to be created under the Authority of this Act may transfer the Annuities for the Time being held by them, or any Part thereof, in the same Manner, and subject to the same Regulations and Provisions, (*mutatis mutandis*,) as or according to which the Capital Stock of the Company, or any Interest therein, may be transferred, under the Provisions of the Act or Acts of the Company applicable thereto; and the Company shall cause an Entry to be made in some Book to be kept for that Purpose of every such Transfer, and for every such Entry they may demand any Sum not exceeding Two Shillings and Sixpence.

Register of Holders of Annuities to be kept.

XLVIII. That the Company shall from Time to Time cause the Names of the several Parties who may be entitled to any such Annuities as aforesaid, with the Amount thereof to which they are so respectively entitled, to be entered in a Book to be kept for that Purpose, to be called "The Register of Holders of Perpetual Annuities;" and such Book shall be accessible at all seasonable Times to every Mortgagee, Bondholder, Annuitant, or Share or Stock Holder of the Company.

Arrears may be enforced by Appointment of a Receiver.

XLIX. That if within Thirty Days after any half-yearly or other Payment in respect of any Annuity to be granted under the Authority of

of this Act shall have become due, and after Demand thereof in Writing, the same be not paid, the Holder or Holders of any such Annuity or Annuities entitled individually or collectively to One Tenth Part of the Sum annually payable by the Company from Time to Time by means of Annuities may, without Prejudice to his and their Right to sue for the Annuity or Portion thereof so in arrear in any Court of competent Jurisdiction, require the Appointment of a Receiver, by an Application to be made as hereafter provided.

Appointment of a Receiver.

L. That every Application for a Receiver in the Cases aforesaid shall be made to Two Justices; and on any such Application, it shall be lawful for such Justices by Order in Writing, after hearing the Parties, to appoint some Person to receive the whole or a competent Part of the Tolls or Sums liable to the Payment of such Annuity, until all Arrears of such Annuity, together with all Costs, including the Charges of receiving the Tolls or Sums aforesaid, be fully paid; and upon such Appointment being made all such Tolls and Sums of Money as aforesaid shall be paid to and received by the Person so to be appointed, and the Monies so to be received shall be so much Money received by or to the Use of the Holders of the said Annuities, or to the Use of those of the Holders of Annuities whose Annuities shall be in arrear; and so soon as the full Amount of such Annuities and Costs has been so received the Power of such Receiver shall cease: Provided always, that such Receiver shall distribute rateably and without Priority among all such Holders of Annuities in arrear the Tolls or Monies which shall so come to his Hands.

Interest not to be paid on Calls paid up.

LI. That it shall not be lawful for the said Company, out of any Money by this Act or any other Act relating to the said Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay Interest or Dividend to any Shareholder on the Amount of the Calls made in respect of the Shares held by him in the Capital by this Act authorized to be raised: Provided always, that nothing herein-before contained shall be deemed to prevent the said Company from paying to any Shareholder such Interest on Money advanced by him beyond the Amount of the Calls actually made as shall be in conformity with the Provisions in "The Companies Clauses Consolidation Act, 1845," in that Behalf contained.

Deposits for future Bills not to be paid out of the Company's Capital.

LII. That it shall not be lawful for the said Company, out of any Money by this Act authorized to be raised for the Purposes of such Act, to pay or deposit any Sum of Money which by any Standing Order of either House of Parliament now in force or hereafter

to

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 Company to construct any other Railway or execute any other Work or Undertaking.

Power to close Transfer Books at certain Periods

LIII. That it shall be lawful for the Directors to close the Registers of Transfers for a Period not exceeding Ten Days previous to each extraordinary Meeting of the Company, and they may fix a Day for the closing of the same, of which Seven Days Notice shall be given by Advertisement in some Newspaper published in *London*, and any Transfer made during the Time when the Transfer Books are so closed shall, as between the Company and the Party claiming under the same, but not otherwise, be considered as made subsequently to any such Meeting.

Railways 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.

LIV. 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 the said Railways and Works, or the said Company, from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect to the said Railways and Works and Company, so far as the same are applicable.

Railways not exempt from Provisions of future General Acts.

LV. That nothing herein contained shall be deemed or construed to exempt the Railways by this Act authorized to be made, or the Company, from the Provisions of any General Act relating to such Act, 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 this Act.

Expenses of Act.

LVI. That all the Costs, Charges, and Expenses of and incidental to the obtaining of this Act and preparatory thereto shall be paid by the Company.

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