



ANNO UNDECIMO & DUODECIMO

# VICTORIÆ REGINÆ.

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## Cap. xxiii.

An Act to authorize the leasing of the *Aberdare* Railway, with the Branch Railway and Works connected therewith, to the *Taff Vale* Railway Company. [30th June 1848.]

**W**HEREAS by an Act of Parliament passed in the Sixth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for making a Railway from Merthyr Tydfil to Cardiff, to be called the Taff Vale Railway, with Branches*, a Company was incorporated by the Name of "The *Taff Vale* Railway Company," for the Purpose of making and maintaining the said Railway and Branches, and was empowered for that Purpose to raise a Share Capital of Three hundred thousand Pounds: And whereas by an Act passed in the Session of Parliament held in the Third and Fourth Years of the Reign of Her present Majesty, intituled *An Act to amend the Acts relating to the Taff Vale Railway*, the said Company were empowered to raise for the Purposes therein mentioned a further Share Capital of One hundred and sixty-five thousand Pounds: And whereas by an Act passed in the Session of Parliament held in the Seventh and Eighth Years of the Reign of Her present Majesty, intituled *An Act to amend the Acts relating to the Taff Vale Railway, to authorize the Alteration of certain Works thereby authorized and the Formation of additional* [Local.] 3 S. Works,

6 & 7 W. 4. c. 82.  
3 & 4 Vict. c. 110.  
7 & 8 Vict. c. 84.

9 & 10 Vict.  
c. 393.

Power to  
lease the  
Aberdare  
Railway,  
Branch, and  
Works to the  
Taff Vale  
Railway  
Company.

*Works, and to enlarge the Powers of the Company, the said Company were empowered to raise for the Purposes therein mentioned a further Share Capital of One hundred and twenty thousand Pounds: And whereas the whole of the Capital authorized to be raised by the said recited Acts by means of Shares hath been long since fully paid up, and hath been expended for the Purposes of the said Acts respectively: And whereas by an Act passed in the Session of Parliament held in the Ninth and Tenth Years of the Reign of Her present Majesty, intituled *An Act to empower the Taff Vale Railway Company to construct certain Branch Railways and Extensions, and to make Arrangements for the Use of certain Wharfs adjoining to the "Bute Ship Canal,"* the said Company was empowered to raise for the Purposes therein mentioned a further Share Capital of Two hundred and sixteen thousand Pounds: And whereas out of the Share Capital authorized to be raised by the said lastly-recited Act the Sum of Seventy-eight thousand six hundred and ninety-eight Pounds has been already paid up, and expended for the Purposes of such Act: And whereas by "*The Aberdare Railway Act, 1845,*" a Company was incorporated by the Name of "*The Aberdare Railway Company,*" for the Purpose of making and maintaining a Railway from the *Taff Vale* Railway to *Aberdare*, together with the Branch Railway in the same Act mentioned, with proper Works and Conveniences belonging thereto; and by the same Act, and the Acts incorporated therewith, the said *Aberdare* Railway Company were empowered to raise a Share Capital of Fifty thousand Pounds: And whereas the whole of the Share Capital authorized by the said lastly-recited Act to be raised has been fully paid up, and expended for the Purposes of the same Act: And whereas the said last-mentioned Railway, Branch Railway, and Works have been completed, and opened for Traffic; but by reason of their Connexion with the said *Taff Vale* Railway the same might be worked more economically and with greater Benefit to the Public by the said *Taff Vale* Railway Company than by the said *Aberdare* Railway Company, and it is expedient that the said *Aberdare* Railway Company should be empowered to lease the said last-mentioned Railway, Branch Railway, and Works to the said *Taff Vale* Railway Company, and that the said *Taff Vale* Railway Company should be empowered to accept such Lease; but the same 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, That it shall be lawful for the said *Aberdare* Railway Company, with the Authority and Approbation of Three Fifths in Value of the Proprietors present, either personally or by Proxy, at some Extraordinary General Meeting of the said *Aberdare* Railway Company specially convened, to demise and lease, for such Consideration or annual Rent or Reservations, and under and subject to such Covenants, Clauses, Powers, Provisions, and Conditions as they shall think proper, the Railway, Branch Railway, and Works by the said lastly-recited Act authorized to be constructed, or any or either of them, or any Part or Parts thereof, or any Share or Interest therein, and the Tolls to be taken*

taken on the same Railway, Branch Railway, and Works, or any of them, unto the said *Taff Vale* Railway Company, for any Term which may be agreed upon; and the said *Taff Vale* Railway Company are hereby authorized, if they think fit, with the like Authority and Approbation on the Part of the Proprietors in the said *Taff Vale* Railway Company, to enter into and accept such Lease or Leases; and such Lease or Leases shall entitle the Lessees to the free Use and Enjoyment of the said Railway, Branch Railway, and Works connected therewith, authorized by the said lastly-recited Act, or of such of them, or of such Part or Parts thereof, or of such Share or Interest therein, and of such of the said Tolls as shall be demised by such Lease or Leases respectively; and during any such Lease or Leases respectively all the Powers, Privileges, and Authorities granted to or which at the Time of the making of such Lease or Leases respectively shall or might be used, held, exercised, and enjoyed by the said *Aberdare* Railway Company or the Directors thereof, or their Officers, Agents, or Servants, (except such of the same Powers, Privileges, and Authorities, if any, as shall by such Lease or Leases be expressly reserved to the said *Aberdare* Railway Company,) shall, in like Manner, and to the same Extent in all respects, apply to, and be held, exercised, used, and enjoyed by the Lessees, and their Directors, Officers, Agents, and Servants, under the same Restrictions and Regulations to which the said *Aberdare* Railway Company would be liable in the Exercise of such Powers, Privileges, and Authorities.

II. And be it enacted, That it shall be lawful for the Directors of the said Companies respectively to make and enter into any Contract or Agreement, Contracts or Agreements, for effecting all or any of the Purposes and Objects authorized by this Act, or incidental to the Execution thereof; and every such Contract or Agreement may contain such Covenants, Clauses, Powers, Provisions, and Conditions as may be consistent with Law, and be mutually agreed upon between the Parties thereto.

Power to enter into Contracts.

III. And be it enacted; That it shall not be lawful for either of the said Companies, out of any Money by any Act relating to such Company 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 be in force, may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing such Company to construct any other Railway or execute any other Work or Undertaking.

Deposits for future Bills not to be paid out of the Companies Capital.

IV. 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 Railway*; 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

Railways and Companies to be subject to Provisions of 1 & 2 Vict. c. 98., 3 & 4 Vict. c. 97., 5 & 6 Vict. c. 55., said

7 & 8 Vict.  
c. 85., and  
9 & 10 Vict.  
cc. 57, 105.

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 Two other Acts passed in the Ninth and Tenth Years of the Reign of Her said Majesty, respectively intituled *An Act for regulating the Gauge of Railways*, and *An Act for constituting Commissioners of Railways*; be it enacted, That nothing in this Act contained shall be held to exempt the said Railways or the said Companies from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect to the said Railways and Companies so far as the same shall be applicable thereto.

Railways to  
be subject to  
Provisions of  
future ge-  
neral Railway  
Acts.

V. And be it enacted, That nothing herein contained shall be deemed or construed to exempt the Railways by the said recited Acts authorized to be made from the Provisions of any general Act relating to such Acts, or of any general Act relating to Railways, 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 Rate of Fares and Charges authorized by the said recited Acts.

Public Act.

VI. And be it enacted, That this Act shall be a Public Act, and judicially taken notice of as such.

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