



ANNO VICESIMO & VICESIMO PRIMO

VICTORIÆ REGINÆ

Cap. cxix.

An Act to enable the *Newport, Abergavenny, and Hereford* Railway Company to extend their Railway into the *Aberdare* and *Bargoed* Valleys in *Glamorganshire*, and for other Purposes connected with the Company. [10th August 1857.]

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 *Newport, Abergavenny, and Hereford* Railway Act, 1846," and by that Act the *Newport, Abergavenny, and Hereford* Railway Company were incorporated, and were authorized to make a Railway from the *Newport* and *Pontypool* Railway through or near *Abergavenny* to *Hereford*: And whereas the said Act has been amended and enlarged by several Acts of Parliament which have been subsequently passed, and amongst others by Two Acts, One passed in the Session of Parliament held in the Tenth and Eleventh Years of the said Reign, and called "The *Newport, Abergavenny, and Hereford* Railway (Extension to *Taff Vale* Railway) Act, 1847," and the other passed in the Sixteenth and Seventeenth Years of the same Reign, and called "The *Newport, Abergavenny, and Hereford* Railway (*Taff Vale* Extension) Act, [Local.] 19 Y 1853:"

9 & 10 Vict. c. ccciii.
10 & 11 Vict. c. clxxvii.
16 & 17 Vict. c. clxxviii.

*The Newport, Abergavenny, and Hereford Railway (Branches)
Act, 1857.*

1853:” And whereas it is expedient that the Company should be empowered to construct Three Branch Railways from or in connexion with the Extension to the *Taff Vale* Railway, one to join the *Aberdare* Branch of the *Vale of Neath* Railway, another to join the *Aberdare* Branch of the *Taff Vale* Railway, and the third to communicate with the *Bargoed Valley*, all in the County of *Glamorgan*: And whereas it is also expedient that the Company should have Power to purchase Lands for Sidings to certain Tramways in the Hamlet of *Cefn*, and also that their existing Powers should be otherwise amended and enlarged: And whereas Plans and Sections of the proposed Railways and Works showing the Lines and Levels thereof, and the Lands to be taken under the Powers of this Act, and also Books of Reference to the Plans containing the Names of the Owners, Lessees, and Occupiers of such Lands, were deposited in the Month of *November* One thousand eight hundred and fifty-six with the Clerk of the Peace for the County of *Glamorgan*: And whereas the before-mentioned Objects cannot be accomplished 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:

8 & 9 Vict.
c. 18. & 20.
incorporated.

I. “The Lands Clauses Consolidation Act, 1845,” and “The Railways Clauses Consolidation Act, 1845,” shall be incorporated with and form Part of this Act.

Interpreta-
tion of
Terms.

II. Where the Words “the Company” are used in this Act the same shall mean “The *Newport, Abergavenny, and Hereford* Railway Company.”

Works to
be made ac-
cording to
deposited
Plans.

III. The Company may make and maintain the Branch Railways herein-after particularly described (with all proper Works, Stations, Approaches, and Conveniences connected therewith) in the Lines and upon the Lands delineated in the said Plans and described in the said Books of Reference, and according to the Levels defined on the said Sections, and the Company may enter upon, take, and use such of the said Lands as shall be necessary for such Purposes.

Power also
to enter on
Lands for
Sidings to
Tramways.

IV. The Company may also enter upon, take, and use such of the Lands in the Hamlet of *Cefn* in the Parish of *Gelly Gaer* and in the Parish of *Llanvabon* in the said County of *Glamorgan* as are described in the said Books of Reference, and as may be necessary for the Purposes of Sidings to the Tramways in that Hamlet.

V. The

The Newport, Abergavenny, and Hereford Railway (Branches) Act, 1857.

V. The Branch Railways hereby authorized are the following, and are all in *Glamorganshire*: Power to execute Railways herein described.

1. A Branch Railway commencing by a Junction with the *Newport, Abergavenny, and Hereford* Extension to the *Taff Vale* Railway in the Parish of *Merthyr Tydvil*, passing through the Hamlet of *Forest, Merthyr Tydvil*, and *Llanwynno*, and terminating in the Parish of *Aberdare* by a Junction with the *Aberdare* Branch of the *Vale of Neath* Railway :
2. A Branch Railway diverging from the aforesaid intended Branch in the said Parish of *Llanwynno*, and terminating by a Junction with the *Aberdare* Branch of the *Taff Vale* Railway in the Parish of *Aberdare* :
3. A Branch Railway diverging from the *Newport, Abergavenny, and Hereford* Extension to the *Taff Vale* Railway in the Hamlet of *Cefn* in the Parish of *Gelly Gaer*, passing through *Merthyr Tydvil* and *Forest* aforesaid, and terminating in the said Parish of *Gelly Gaer* near a Farmhouse called *Nant-y-Ffin*.

VI. The Railways hereby authorized shall form Part of the *Newport, Abergavenny, and Hereford* Railway. Railways to form Part of Company's Undertaking.

VII. The Company may construct the said Railways across and upon the Level of the public Road, numbered on the said deposited Plans as follows : Power to cross certain Road on the Level.

Parish.	Number on Plan.	Description.
Gelly Gaer - -	9	Parish Road.

VIII. For the greater Convenience and Security of the Public the Company shall erect and permanently maintain either a Station or Lodge at the Point where the before-mentioned Road shall be crossed on a Level ; and the Company shall be subject to and shall abide by all such Rules and Regulations with regard to the crossing of such Road on the Level, or with regard to the Speed at which Trains shall pass such Road, as may from Time to Time be made by the Board of Trade ; and if the Company shall fail to erect or at all Times maintain such Station or Lodge, or appoint a proper Person to watch or superintend the Crossing at 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 continue after such Penalty of Twenty Pounds shall have been incurred. Company to erect Station or Lodge where Road crossed on the Level.

IX. The

The Newport, Abergavenny, and Hereford Railway (Branches) Act, 1857.

Board of Trade may require Bridges instead of level Crossing.

IX. The Board of Trade may, if it shall appear to them necessary for the public Safety, at any Time, either before or after the Railways hereby authorized to be made shall have been completed and opened for public Traffic, require the Company within such Time as the said Board of Trade shall direct, and at the Expense of the Company, to carry the before-mentioned Road either under or over the Railways by means of a Bridge or Arch, instead of crossing the same on a Level, or 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 such level Crossing.

As to Junctions with Taff Vale Railway.

X. The Branch Railway hereby authorized to communicate with the *Aberdare* Railway shall communicate therewith on the Side and at the Point shown for such Communication on the Plans deposited as aforesaid, and (unless with the previous Consent in Writing of the *Taff Vale* Railway Company under their Common Seal) not otherwise or elsewhere, and such Communication shall be effected in a substantial and workmanlike Manner by means of Connexion Rails and Points of the Construction and laid in the Manner most approved from Time to Time, and such Communication and all Openings in the Ledges or Flanches of the said *Aberdare* Railway, and all other Works necessary for effecting or maintaining such Communication shall be made, and when necessary repaired, under the Direction and Superintendence and to the Satisfaction of the Engineer for the Time being of the *Taff Vale* Railway Company, and such Communication shall be subject to the Regulations of the *Taff Vale* Railway Company, and the Expenses of such making, Maintenance, and Repairs, and of watching, regulating, and adjusting the Traffic there, and of erecting, maintaining, and working Signal Posts and Signals there, shall be borne and paid by the Company.

Provisions as to Bridge over Taff Vale Railway.

XI. The Bridge by which One of the Branch Railways by this Act authorized is intended to be carried over the *Taff Vale* Railway shall not (without the previous Consent in Writing of the *Taff Vale* Railway Company under their Common Seal) be constructed elsewhere than at the Point, or within Forty Yards of the Point, shown for the same on the said deposited Plans and Sections, or be of less than Twenty-eight Feet clear Width and Fourteen Feet and Six Inches clear Height on the Square above the upper Surface of the Rails of the *Taff Vale* Railway, and shall in all other respects be made, and at all Times maintained in good Repair, to the Satisfaction of the Engineer for the Time being of the *Taff Vale* Railway Company.

XII. It

The Newport, Abergavenny, and Hereford Railway (Branches) Act, 1857.

XII. It shall not be lawful for the Company, or any other Corporation or Person acting in execution of this Act, in any Manner, either temporarily or permanently, to enter upon, take, or use any of the Lands or Property of or demised to the *Taff Vale* Railway Company, or in any Manner to alter, vary, or interfere with the *Taff Vale* Railway or the said *Aberdare* Railway, or any of the Works appertaining thereto, save only for the Purpose of effecting the Junction by this Act authorized with the said *Aberdare* Railway, and of crossing the *Taff Vale* Railway by means of a Bridge as in this Act provided, nor shall the Company, or any other Corporation or Person, in the Exercise of any of the Powers of this Act obstruct, interrupt, or interfere with the Traffic on the *Taff Vale* Railway or the said *Aberdare* Railway.

Saving Works and Property of *Taff Vale* Railway Company.

XIII. Nothing in this Act contained shall, except where otherwise specifically enacted, affect, prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities of or vested in or belonging or demised to the *Taff Vale* Railway Company.

Saving Rights of *Taff Vale* Railway Company.

XIV. The Company may purchase by Agreement any Quantity of Land for the extraordinary Purposes mentioned in "The Railways Clauses Consolidation Act, 1845," not exceeding Five Acres, in addition to the Land which they are at present authorized to take for such Purposes.

Land for extraordinary Purposes.

XV. The Powers of the Company for the compulsory Purchase or taking of Lands for the Purposes of this Act shall not be exercised after the Expiration of Two Years from the passing of this Act.

Powers for compulsory Purchases limited.

XVI. The Works hereby authorized shall be completed within Four Years from the passing of this Act, and on the Expiration of such Period the Powers by this Act granted to the Company for executing such Works, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall then be completed.

Period for Completion of Works.

XVII. In case the Railways and Works by this Act authorized to be constructed shall not be completed and opened for public Traffic within the Period of Four Years from the passing of this Act, then and from thenceforth it shall not be lawful for the Company, or the Directors thereof, to pay any Dividend to the Shareholders on the ordinary or unguaranteed Capital of the Company until such Railways and Works shall have been completed and opened for public Traffic.

If Railways and Works not opened within a limited Period, certain Dividends to be suspended.

[Local.]

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XVIII. It

The Newport, Abergavenny, and Hereford Railway (Branches) Act, 1857.

Tolls upon
new Lines
of Railways.

XVIII. It shall be lawful for the Company to demand and receive for and in respect of the Railways hereby authorized the same Tolls and Charges as they are authorized to demand and receive by "The *Newport, Abergavenny, and Hereford Railway Act, 1846,*" for and in respect of the *Newport, Abergavenny, and Hereford Railway*; and the Railways hereby authorized to be made shall for the Purposes of the said Tolls be deemed continuous with and Part of the said *Newport, Abergavenny, and Hereford Railway*.

Maximum
Tolls.

XIX. Provided always, That the maximum Tolls and Charges to be made by the Company in respect of the Traffic carried upon the said Railways shall in no Case exceed the maximum Tolls and Charges authorized to be taken by the said Act.

Company
may charge
for load-
ing and
unloading.

XX. In addition to the Tolls which they are so authorized to receive, it shall be lawful for the Company to demand and take in respect of all Carriages, Goods, Minerals, Wares, and Merchandise conveyed upon their Railways a reasonable Sum for the Use of Stations, Sidings, and Warehouses when the same are used or occupied for a longer Time than may be necessary for the receiving and loading or unloading and Delivery of the Matters so conveyed, and also a reasonable Sum for loading, covering, and unloading, and for Delivery and Collection, and any other Services incidental to the Business or Duty of a Carrier, when such Services or any of them are performed by the Company, or for any extraordinary Services performed by the Company.

Existing
Portion of
Llanvihangel
Railway
to be pre-
served.

XXI. Notwithstanding anything to the contrary contained in the Sixteenth Section of "*The Newport, Abergavenny, and Hereford Railway (Deviation) Act, 1847,*" the Company shall at all Times hereafter, so long as they shall maintain and keep open for Traffic their Main Line of Railway, also maintain and keep open for Traffic the Portion now remaining of the *Llanvihangel Railway*, or such Portion of the same Railway for which the Company shall not have substituted a Railway with Edge Rails.

Tolls on
Llanvihangel
Line
restricted.

XXII. It shall not be lawful for the Company to demand or receive for or in respect of any Goods, Articles, Matters, or Things passing or conveyed over the said Portion of the *Llanvihangel Railway*, or any Part thereof, any higher Tolls than the Company shall for the Time being take under the Powers of the herein recited Acts in respect of like Goods, Articles, Matters, or Things passing or conveyed over the *Newport, Abergavenny, and Hereford Railway*: Provided always, that it shall be lawful for the Company to demand
and

*The Newport, Abergavenny, and Hereford Railway (Branches)
Act, 1857.*

and receive for the Use of the said Portion of the *Llanvihangel* Railway Toll as for Six Miles.

XXIII. It shall be lawful for the Company to apply towards the Purposes of this Act any of the Moneys which they are already authorized to raise, and which may not now be required by them for the Purposes of their Undertaking.

Company may apply their Funds towards making the Railways.

XXIV. It shall be lawful for the Company from Time to Time, with the Consent of Three Fifths of the Shareholders present at any Extraordinary General Meeting duly convened with Notice of the Matter, to attach to the Shares or Stock to be issued for the Purposes of this Act any Preference or Priority of Dividend not exceeding Six *per Centum per Annum*: Provided always, that the Shares or Stock so to be issued, and to which such Preference shall attach, shall not exceed One hundred and thirty-five thousand Pounds; provided also, that the granting of such Preference or Priority shall not prejudice or affect any Preference or Priority in the Payment of Interest or Dividends on any other Shares or Stock which shall have been granted by the Company in pursuance of, or which may have been confirmed by, any previous Act of Parliament, or which may otherwise be lawfully subsisting.

Power to grant Preference of Dividends.

Saving existing Preference Stock.

XXV. It shall not be lawful for the Company, out of any Money by any Act relating to the Company authorized 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 an Act authorizing the Company to construct any other Railway or execute any other Work or Undertaking.

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

XXVI. Nothing herein contained shall be deemed or construed to exempt the Railways by this or the said recited Acts authorized to be made from the Provisions 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 authorized by this Act or the said recited Acts, and of the Rates for small Parcels.

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

XXVII. All the Costs, Charges, and Expenses of applying for, obtaining, and passing this Act, or preparatory or incident thereto, shall be paid and discharged by the Company.

Expenses of Act.

XXVIII. In

*The Newport, Abergavenny, and Hereford Railway (Branches)
Act, 1857.*

Short Title.

XXVIII. In citing this Act it shall be sufficient to describe it as
“*The Newport, Abergavenny, and Hereford Railway (Branches)
Act, 1857.*”

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