



ANNO VICESIMO & VICESIMO PRIMO

VICTORIÆ REGINÆ.

Cap. liv.

An Act for making Railways between the City of *Bristol* and the *South Wales* Railway in the County of *Monmouth*, with a Steam Ferry across the River *Severn* in connexion therewith, for the Purpose of improving the Railway Communication between *South Wales* and *Bristol*, *Southampton*, and the South-western Districts of *England*. [27th July 1857.]

WHEREAS the Construction of a Railway from the City of *Bristol* to an ancient Ferry in the Parish of *Henbury* in the County of *Gloucester*, called the "*New Passage Ferry*," and of Railways in the Parish of *Portskewet* in the County of *Monmouth*, from the River *Severn*, near the *Black Rock*, to communicate with the *South Wales* Railway, and of proper Piers and Works in and near the said River, and the Establishment of a Steam Communication for facilitating the Traffic across the said Ferry, would be of great public Advantage, by opening an additional, speedy, and cheap Communication between *South Wales* and the City of *Bristol*, the Port of *Southampton*, and the Southern and Western Districts of *England*, and by facilitating Communication between more distant Places: And whereas

[Local.]

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Plans

Bristol and South Wales Union Railway Act, 1857.

Plans and Sections of the Railways and Works showing the Lines and Levels thereof, with a Book of Reference to the Plans containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and of the Occupiers of the Lands through which the said Railways and Works will pass, have been deposited at the Offices of the Clerks of the Peace for the City and County of *Bristol* and for the Counties of *Gloucester* and *Monmouth*: And whereas it is expedient that Powers should be granted for certain Arrangements with the *Great Western*, *South Wales*, and other Railway Companies, with the view to the Construction and efficient working of the intended Railways, and that certain Powers should be given for facilitating the Communication with the *Bristol* Stations of the *Great Western* and *Bristol and Exeter* Railway Companies: And whereas the Persons herein-after named, with others, are willing at their own Expense to carry the Undertaking into execution; but the several 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,)

8 & 9 Vict.
cc. 16., 18., &
20. incor-
porated.

I. The several Acts of Parliament following, (that is to say,) "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," and "The Railways Clauses Consolidation Act, 1845," are incorporated with and form Part of this Act.

Interpreta-
tion of
Terms.

II. In this Act the following Words and Expressions shall have the following Meanings, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

The Words "the Company" shall mean the Company incorporated by this Act; and the Words "the Railway" shall mean the several Railways, Piers, and Works authorized to be made by this Act.

Short Title.

III. In citing this Act for any Purpose it shall be sufficient to use the Expression "*Bristol and South Wales Union Railway Act, 1857.*"

Subscribers
incorporated.

IV. *Christopher James Thomas, John Bates, Richard Manning Hayman, Odienne Coates Lane, Thomas Lang, John William Miles, George Pope, Thomas Wright Rankin, Charles Peter Brandstrom Howell, John Shute, William Tothill, Francis Tothill, Robert Henry Webb, and Henry Overton Wills*, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purposes of the Undertaking, according to the Provisions of this Act and of the Acts incorporated herewith, and for other the Purposes

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poses herein and in the said incorporated Acts contained; and for the Purposes aforesaid such Company shall be incorporated by the Name of "*Bristol and South Wales Union Railway Company*," and by that Name shall be a Body Corporate, with perpetual Succession and a Common Seal, and shall have Power to purchase and hold Lands for the Purposes of the Undertaking within the Restrictions herein and in the incorporated Acts contained.

V. The Capital of the Company shall be Three hundred thousand Pounds. Capital.

VI. The Number of Shares into which the Capital shall be divided shall be Twelve thousand, and the Amount of each Share shall be Twenty-five Pounds. Number and Amount of Shares.

VII. Five Pounds *per* Share shall be the greatest Amount of any One Call which the Company may make on the Shareholders; and Three Months at the least shall be the Interval between successive Calls, and no more than One Half of the Amount of a Share shall be called for in any One Year. Calls.

VIII. The Company may borrow on Mortgage or Bond any Sum not exceeding in the whole the Sum of Ninety-eight thousand Pounds, but no Part of such Sum shall be borrowed until the whole of the said Capital or Sum of Three hundred thousand Pounds shall have been subscribed for, and One Half thereof shall have been paid up. Power to borrow on Mortgage.

IX. The Mortgagees of the Company may enforce the Payment of the Arrears of Principal and Interest due on any such Mortgages by the Appointment of a Receiver, and in order to authorize the Appointment of such Receiver in the event of the Principal Moneys due on such Mortgages not being duly paid, the Amount owing to the Mortgagees by whom Application for such Receiver shall be made shall not be less than Twenty-five thousand Pounds. Arrears may be enforced by Appointment of a Receiver.

X. The First General Meeting of the Company shall be held within Three Months next after the passing of this Act, and all General Meetings, whether ordinary or extraordinary, shall be held in the City of *Bristol*. First Meeting of the Company.

XI. The Number of Directors shall be Twelve, and the Qualification of a Director shall be the Possession in his own Right of Forty Shares in the Undertaking: Provided always, that until the First Meeting of the Company after the passing of this Act the Number of Directors shall be Twenty-one. Number and Qualification of Directors.

XII. The

Bristol and South Wales Union Railway Act, 1857.

Power to reduce the Number of Directors.
First Directors.

XII. The Company may reduce the Number of Directors, provided that the reduced Number be not less than Six.

XIII. *John Bates, Thomas William Booker Blakemore, Thomas Brown, Richard Manning Hayman, Charles Peter Brandstrom Howell, William Henry Gore Langton, Odiarne Coates Lane, Thomas Lang, Frederick Levick, John William Miles, Thomas Pike Pocock, George Pope, John Ravenhill, Thomas Wright Rankin, John Shute, Christopher Rice Mansel Talbot, Christopher James Thomas, William Tothill, Francis Tothill, Robert Henry Webb, and Henry Overton Wills* shall be the First Directors of the Company.

Such Directors to continue in Office until First Meeting after passing of Act.

XIV. The Directors appointed by this Act shall continue in Office until the First General Meeting to be held after the passing of this Act, and at such Meeting the Shareholders present, personally or by Proxy, may either continue in Office any Number of the Directors appointed by this Act, not exceeding Twelve, or may elect a new Body of Directors, or Directors to supply the Places of those not continued in Office, not exceeding Twelve in Number, the Directors appointed by this Act being eligible as Members of such new Body; and at the First Ordinary Meeting to be held in every Year thereafter the Shareholders present, personally or by Proxy, shall elect Persons to supply the Places of the Directors then retiring from Office, agreeably to the Provisions in "The Companies Clauses Consolidation Act, 1845," and in this Act contained; and the several Persons elected at any such Meeting, being neither removed nor disqualified nor having resigned, shall continue to be Directors until others are elected in their Stead, in manner provided by "The Companies Clauses Consolidation Act, 1845," and in this Act, or either of them.

Quorum of Directors.

XV. The Quorum of a Meeting of the Directors shall be Five, and if the Number of Directors shall be reduced to Six the Quorum shall be Three.

Quorum of Committee of Directors.

XVI. The Quorum of a Committee of Directors shall be such as the Directors at the Time of appointing the said Committees prescribe.

Newspapers for Advertisements.

XVII. All Advertisements relating to the Affairs of the Company shall be inserted in at least One Newspaper published in the City of *Bristol*.

Description of Railway

XVIII. The Company may make and maintain the Railways, Piers, and Works following, or some of them, or some Part or Parts thereof respectively; (that is to say,)

A Railway commencing by a Junction with the *Great Western Railway* at or near the Junction with such last-mentioned Railway

way

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way of the *Bristol and Birmingham* Branch of the *Midland* Railway, in the Parish of *Saint Philip and Jacob* in the City and County of the City of *Bristol*, and terminating at or near the said *New Passage Ferry* on or at a Slip or Pier to be erected in or adjoining to the South-eastern Side of the River *Severn* in the Parish of *Henbury* in the County of *Gloucester* :

A Railway commencing at or on a Pier to be erected at or near the *Black Rock*, on the North-western Side of the said River *Severn*, at or near the *New Passage Ferry*, in the Parish of *Portskewet* in the County of *Monmouth*, and terminating by a Junction with the *South Wales* Railway, in the said Parish of *Portskewet*, at or near a certain Mile Post denoting the Distance of One hundred and forty-six Miles :

A Railway commencing at or near the Pier to be constructed on the North-western Side of the said River *Severn* at or near the *New Passage Ferry*, and terminating by a Junction with the *South Wales* Railway at or near a certain Mile Post denoting the Distance of One hundred and forty-five and a Quarter Miles :

Piers in the said Parishes of *Henbury* and *Portskewet* at and near the Termination of the Railway first described and the Commencement of the Railways secondly and thirdly described.

XIX. Subject to the Provisions in this and the incorporated Acts, the Company may make and maintain the Railway in the Line or Course and upon the Lands delineated on the said Plans and described in the said Books of Reference, and according to the Levels described on the said Sections; and the Company may enter upon, take, and use such of the Lands delineated on the said Plans and described in the said Books of Reference as shall be necessary for the Purposes of the Railway, and the Piers, Stations, Works, and Conveniences connected therewith. Power to make Railway according to deposited Plans.

XX. The Company may, subject to the Provisions of this Act and the incorporated Acts, make and maintain all proper and convenient Stations, Wharves, Embankments, Cuts, Slips, Piers, Drops, Hoists, Inclined Planes, Stationary Engines, or convenient Machinery for the Purposes of the Railway, or for raising or lowering Goods to or from the Levels of or between the Railway and the Banks and Bed of the River *Severn*, and may enter upon, take, and use such of the Lands delineated on the said Plans or described in the said Books of Reference as may be necessary for all or any of such Purposes. Certain other Works may be constructed in connexion with the Railways.

XXI. The Company may construct the Railway upon the Broad Gauge. Gauge of Seven Feet.

[Local.]

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XXII. The

Bristol and South Wales Union Railway Act, 1857.

Power to
cross certain
Roads on the
Level.

XXII. The following Roads described in the deposited Plans by the Numbers herein-after mentioned may be crossed on the Level with Two Lines of Railway; (that is to say,)

The Roads numbered 17 in the Parish of *Filton*, and 72 in the Parish of *Almondsbury*.

Company to
erect Station
or Lodge
where Roads
crossed on
the Level.

XXIII. For the greater Convenience and Security of the Public the Company shall erect and permanently maintain either a Station or a Lodge at the Points where the before-mentioned Roads shall be crossed on the Level, and the 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 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 continue after such Penalty of Twenty Pounds shall have been incurred.

Board of
Trade may
require
Bridges
instead
level Cross-
ings.

XXIV. The Board of Trade may, if it shall appear to them necessary for the public Safety, at any Time either before or after the Railway hereby authorized to be made shall have been completed and opened for public Traffic, require the Company, within such Time as the Board of Trade shall direct, at the Expense of the Company, to carry any or either of the herein-before mentioned Roads either under or over the Railway 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 Board of Trade the best adapted for removing or diminishing the Danger arising from any such level Crossing.

Lands for
extraordi-
nary Pur-
poses.

XXV. The Company may purchase by Agreement any Quantity of Land for the extraordinary Purposes authorized by "The Railways Clauses Consolidation Act, 1845," not exceeding in the whole Ten Acres.

Period for
Completion
of Works.

XXVI. The Railway shall be completed within Five Years from the from the passing of this Act, and the Piers shall be completed within Seven Years from the passing of this Act, and on the Expiration of such respective Periods the Powers by this Act and by the Acts incorporated herewith granted to the Company for executing the Railway and Piers, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the Railway and Piers as shall be completed on the Expiration of such respective Periods.

XXVII. And

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XXVII. And whereas, pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the Ninth and Tenth Years of Her present Majesty, Chapter Twenty, Exchequer Bills representing the Amount of Eighteen thousand Pounds, being One Tenth Part of the Amount required to be subscribed in respect of the Railway authorized by this Act, have been deposited with the Court of Chancery in *England*, pursuant to the said Act, in respect of the Application to Parliament for this Act: Be it enacted, That notwithstanding anything contained in the said recited Act, the said Exchequer Bills so deposited as aforesaid in respect of the Application for this Act, or the Interest or Dividends of such Exchequer Bills, shall not, except upon the Execution and Deposit of such Bond as hereinafter mentioned, be paid or transferred to or on the Application of the Person or Persons or the Majority of the Persons named in the Warrant or Order issued in pursuance of the said Act, or the Survivors or Survivor of them, unless the said Company shall, previously to the Expiration of the Period limited by this Act for Completion of the Railway hereby authorized to be made, either open the said Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations that the said Company have paid up One Half of the Amount of the Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital; and if the said Period shall expire before the said Company shall either have opened the said Railway for the public Conveyance of Passengers, or have given such Proof as aforesaid to the Satisfaction of the Lords of the said Committee, the said Exchequer Bills deposited as aforesaid, and the Interest and Dividends thereof, shall immediately from and after the Expiration of the said Period be forfeited to Her Majesty, and be paid and transferred by the Officer or Person in whose Name they shall then be deposited or invested to the Account of Her Majesty's Exchequer, and when so paid and transferred shall be carried to and form Part of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*: Provided, that at any Time after the passing of this Act, if a Bond in twice the Amount of the said Sum of Eighteen thousand Pounds shall have been executed by the said Company, with One or more Sureties (such Bond to be prepared to the Satisfaction of, and such Surety or Sureties to be approved by the Solicitor to the Lords Commissioners of Her Majesty's Treasury) conditioned for Payment to Her Majesty, Her Heirs or Successors, of the said Sum of Eighteen thousand Pounds if the said Company shall not within the Time limited for the Completion of the said Railway either open the said Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the said Committee that the said Company have paid up

For securing
Completion
of Railway.

Bristol and South Wales Union Railway Act, 1857.

up One Half of the Amount of the said Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital, and if such Bond shall have been deposited with the said Solicitor to the said Lords Commissioners, then such Exchequer Bills, and the Interest or Dividends thereof, shall be paid to or on the Application of the Person or Persons or the Majority of the Persons named in such Warrant or Order as aforesaid, or the Survivors or Survivor of them; and it shall not be necessary to produce any Certificate of this Act having passed, anything in the said recited Act to the contrary notwithstanding; and the Moneys to be recovered upon such Bond shall be dealt with in like Manner as the said Exchequer Bills and the Interest or Dividends thereof would have been dealt with under this Act if such Bond had not been executed and deposited as aforesaid; and the Certificate of the said Solicitor to the said Lords Commissioners that such Bond has been executed and deposited as aforesaid, and the Certificate of the Lords of the said Committee that such Proof has been given to their Satisfaction as aforesaid, shall respectively be sufficient Evidence of the Facts so certified.

Subscription
Contract to
be valid.

XXVIII. The Subscription Contract which, pursuant to the Standing Orders of Parliament, was entered into with respect to the Undertaking authorized by this Act previously to the Commencement of the last Session of Parliament, shall be as valid and shall be construed as if this Act had been passed in the said last Session.

As to Com-
munication
with the
Great
Western and
the South
Wales Rail-
ways.

XXIX. The respective Junctions with the *Great Western* Railway and the *South Wales* Railway hereby authorized to be made, and all such Openings in the Ledges or Flanches of the said respective Railways as may be necessary or convenient for effecting such Communications, shall be made under the Direction and Superintendence of the Engineer for the Time being of the said respective Railway Companies to which such Junction, Ledges, or Flanches relate.

Not to take
Lands, &c.
of the said
Companies
without Con-
sent.

XXX. Nothing in this Act contained shall extend to authorize or enable the Company to take or enter upon any of the Lands or Grounds now belonging to the *Great Western* Railway Company or the *South Wales* Railway Company, or to alter, vary, or interfere with the *Great Western* Railway or the *South Wales* Railway, or any of the Works thereof respectively, further or otherwise than is hereby expressly authorized, without the Consent in Writing of the said respective Companies in every Instance for that Purpose first had and obtained.

Saving
Rights of the

XXXI. Nothing in this Act contained shall extend to prejudice, diminish, alter, or take away, further or otherwise than is herein expressly

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expressly authorized, any of the Rights, Privileges, Powers, or Authorities vested in the said *Great Western Railway Company* or the *South Wales Railway Company*. said Companies.

XXXII. Nothing in this Act contained shall extend or be construed to extend to prejudice, lessen, alter, or take away any of the Rights, Privileges, Powers, or Authorities of the Commissioners of Sewers for the Lower Level of the County of *Gloucester* by virtue of their Commission and the General Laws relating to Sewers or otherwise, but such Rights, Privileges, Powers, and Authorities of the same Commissioners shall remain, continue, and be in full Force and Effect. Saving Rights of Commissioners of Sewers of Lower Level of Gloucestershire.

XXXIII. All Bridges, Clyces, Tide Sluices, Doors, Gates, Locks, and other Works which shall be built, erected, made, done, or executed under the Provisions of this Act in, over, under, upon, or across any River, Sluice, Drain, or Watercourse under the Jurisdiction of the said Commissioners of Sewers, and all Drains, Banks, Sea Walls, and other Works which shall be made under the Provisions of this Act for preventing the Sewage or Drainage of any Lands within the said Lower Level from being injured or impeded, or for preventing the said Lands from being injured by the Influx of the Sea, shall in every respect be built, erected, made, done, and executed, if not previously agreed upon or consented to by the said Commissioners of Sewers, as the same shall be determined on, at the Expense of the Company, by Two Engineers, one to be appointed by the Company, and the other by the said Commissioners of Sewers; and if such Engineers shall not agree in the Premises the Matter in dispute shall be referred to a Third Engineer, at the Expense of the Company, to be named as Umpire by the said Two Engineers, and the Decision of such Umpire shall be final; and the Company shall give Fourteen Days Notice in Writing to the said Commissioners of Sewers, or their Clerk, before they shall begin to build, erect, do, make, and execute the same, or any of them respectively. Directing how Works of Drainage are to be erected.

XXXIV. Nothing herein contained shall extend or be construed to extend to enable the said Commissioners of Sewers to interrupt or hinder the Execution of this Act, the Company from Time to Time making, erecting, and maintaining all such Bridges, Clyces, Tide Sluices, Doors, Gates, Locks, Dams, Banks, Sea Walls, Rhines, Drains, and other Works, and doing all such other Things as may be necessary and as may be lawfully required by the said Commissioners of Sewers under the Powers and Authorities vested in them by their Commission and the General Laws relating to Sewers, or otherwise, or by the Provisions of this Act, to be made, erected, done, and executed for preventing the Drainage or Sewage of any Lands within the said Lower Level from being injured or impeded by the Means of the Commissioners of Sewers not to interrupt Execution of Act.

[*Local.*] 9 D making

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making and maintaining the Railway, and for preventing the said Lands from being injured by the Influx of the Sea.

Directing
how certain
Works are to
be main-
tained.

XXXV. All Bridges, Clyces, Tide Sluices, Doors, Locks, Dams, Banks, Sea Walls, Rhines, Drains, and other Works which shall be built, erected, made, done, or executed by the Company for preventing the Sewage or Drainage of the Lands within the said Lower Level from being injured or impeded, or for preventing the same from being injured by the Influx of the Sea, shall for ever afterwards be and remain under the Jurisdiction of the said Commissioners of Sewers, and shall be maintained, scoured, cleansed, and kept in repair, and, if necessary, enlarged and altered by and at the Expense of the Company, unless when the same shall have been built, erected, made, done, or executed by the Company in lieu and substitution of other Works previously existing under the Jurisdiction of the said Commissioners, or by Addition to or Enlargement of such Works, in which Cases the said Commissioners of Sewers may direct by Inquiry and Presentment of a Jury by whom and in what Manner and Proportions, having regard to previous Liabilities, such last-mentioned Bridges, Clyces, Tide Sluices, Doors, Locks, Dams, Banks, Sea Walls, Rhines, Drains, and other Works so built, erected, made, done, or executed by the Company shall be maintained, scoured, cleansed, and kept in repair, in like Manner in all respects as Commissioners of Sewers are empowered to do by any Law relating to Sewers.

Construction
of Works
under Bristol
and Birming-
ham Line of
Midland
Railway.

XXXVI. The Railway by this Act authorized shall be carried under the *Bristol and Birmingham* Railway belonging to the *Midland* Railway Company, and shall be constructed at such a Level as not to interfere with or alter the existing Level or Gradient of the *Bristol and Birmingham* Railway, and the Works connected therewith shall be designed, executed, and repaired and maintained to the reasonable Satisfaction of the Engineer for the Time being of the said *Midland* Railway Company, and in such Manner as not to damage, endanger, or in anywise interfere with the free, safe, and uninterrupted working and Use of or Passage along the said *Bristol and Birmingham* Railway, or the Works connected therewith.

Company not
to interfere
with Pro-
perty of Mid-
land Railway
Company.

XXXVII. Notwithstanding anything in this Act contained it shall not be lawful for the Company hereby incorporated, or for any Person under or in execution of this Act or of the said recited Acts, except as and to the Extent expressly authorized by the Provisions last aforesaid, either permanently or temporarily to enter upon, take, or use, except with the Consent in Writing of the said *Midland* Railway Company, any of the Land or Property of the said *Midland* Railway Company, or which they have now Power to take under their Acts of Parliament, or in any Manner to alter, vary, or interfere with the said *Bristol and Birmingham* Railway, or any of the Works appertaining thereto
which

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which are authorized by any of such Acts ; and no more of the Land or Property of the *Midland Railway Company* shall be taken under or for the Purposes of this Act, except so much as shall be necessary for the Purpose of carrying the Railway hereby authorized under the *Bristol and Birmingham Railway*.

XXXVIII. Except as by this Act and the Acts therein recited expressly provided, nothing in this Act contained shall extend or be deemed or construed to extend to prejudice, diminish, alter, abridge, or in any way affect any of the Rights, Privileges, Powers, or Authorities vested in the *Midland Railway Company*, but saving and reserving to such Company all the Rights, Privileges, Powers, and Authorities to them belonging, and also saving and reserving all such Powers, Authorities, and Provisions in the several Acts relating to the said Company as if this Act had not been passed.

Saving
Rights of the
Midland
Railway
Company.

XXXIX. If by reason of any of the Works or Proceedings of the said Railway Company the said *Bristol and Birmingham Railway*, or any of the Works connected therewith, shall be injured or damaged, such Injury or Damage shall be forthwith made good by the said Railway Company at their own Expense, or in the event of their failing so to do then the said *Midland Railway Company* may make good the same, and recover the Expense thereof against the said Railway Company in any of the Superior Courts ; and if any Interruption shall be occasioned to the Traffic of the said *Bristol and Birmingham Railway* by reason of any of the Operations of the said Railway Company, the said Company shall pay to the said *Midland Railway Company*, by way of Penalty, the Sum of Fifty Pounds *per Hour* for the first Forty-eight Hours, and the Sum of One hundred Pounds *per Hour* for every succeeding Hour after the first Forty-eight Hours during which such Interruption shall continue, and shall in addition repay to the said last-mentioned Company all Costs and Expenses to which they may be put, as well as full Compensation for the Inconvenience sustained by them by reason of such Interruption.

Penalty in
case of Ob-
struction or
Injury of the
Works of the
*Bristol and
Birmingham
Railway*.

XL. Subject to the Provisions of this Act, the Company may purchase, or may build and construct, navigate, use, maintain, and work, and also hire Steam Boats or other Vessels, Floating Piers, Machines, or Contrivances, and may contract and make Arrangements with any Company or Person for the Construction, hiring, Maintenance, Navigation, and Use of Steam Boats or other Vessels, Floating Piers, Machines, or Contrivances, and in and upon or by means of such Steam Boats or other Vessels, Floating Piers, Machines, or Contrivances, may convey Passengers, Goods, and other Articles from and to the Piers or Landing Places in the Parish of *Henbury* and the Piers or Landing Places in the Parish of *Portskewet*, or may agree with any Company or Person for the Con-
veyance

Power to
establish
Steam Com-
munication.

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veyance of Passengers, Goods, and other Articles between such Piers or Landing Places, and may do all such Acts as may be necessary to enable them to carry fully into effect the Purposes aforesaid.

Company may purchase and hold Rights of Ferry.

XLI. The Company may purchase or take from the Parties entitled to or interested in any Rights in the said Ferry called the *New Passage Ferry* such Rights of Ferry or any Interest therein, and any Land or Works connected with such Ferry; and in case the Company and such Parties shall not agree as to the Amount to be paid for such Ferry, or for the Rights or Interests of such Parties thereto, or in any Land attached thereto or connected therewith, the same shall be settled in manner provided by "The Lands Clauses Consolidation Act, 1845," and the Company shall have and may use, exercise, and enjoy all such Rights of Ferry and other Rights so purchased by them.

Piers to be constructed as directed by Admiralty.

XLII. The Site and Extent and Manner of Construction of the Piers for the Use of the Steam Ferry Boats and the Materials for their Construction shall be such as 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 previously approve of, such Approval to be signified in Writing under the Hand of the Secretary of the Admiralty.

Plans to be deposited with Admiralty.

XLIII. Previously to commencing the Piers for the Use of the Steam Ferry Boats, or the Works respectively connected therewith, the Company shall deposit at the Admiralty Office Plans, Sections, and Working Drawings of the said Piers and 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 Piers and Works shall be constructed only in accordance with such Approval.

Boats to be free-going.

XLIV. The Steam Ferry Boats shall be free-going or unattached, and shall be of such Length and Draught, and of such Power of Steam, and shall be subject to such Regulations on their Passage, as the said Lord High Admiral or the said Commissioners shall at any Time or from Time to Time require, such Requirement to be signified in Writing under the Hand of the Secretary of the Admiralty.

Signals in crossing River.

XLV. Such Signals, by ringing of Bells and the Exhibition of Lights on board the Steam Ferry Boats and on the Shore and Piers, shall be established and used by the Company as the said Lord High Admiral or the said Commissioners shall from Time to Time or at any Time require, such Requirement to be signified in Writing under the Hand of the Secretary of the Admiralty.

XLVI. The

Bristol and South Wales Union Railway Act, 1857.

XLVI. The Steam Ferry shall not at any Time or Times be leased, sold, or contracted for without the previous Assent of the said Lord High Admiral or the said Commissioners in each and every Instance, such Assent to be signified in Writing under the Hand of the Secretary of the Admiralty, and then only under such Conditions and upon such Terms as shall be signified in any such Assent.

Steam Ferry not to be leased without Consent of Admiralty.

XLVII. 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 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.

Admiralty may order local Survey at Expense of Company.

XLVIII. If any Work to be constructed by the Company in, under, over, through, or across any tidal Water or navigable River, or if any Portion of any Work which affects or may affect any such Water or River, or Access thereto, 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.

Works affecting tidal Waters abandoned may be removed by the Admiralty at Expense of Company.

XLIX. The Company may demand any Tolls for the Use of the Railway, not exceeding the following; (that is to say,)

Tolls.

In respect of the Tonnage of all Articles conveyed upon the Railway, or any Part thereof, as follows:

Tonnage of Articles of Merchandise:

For all Coals and Culm, Dung, Compost, Manure (except Guano and artificial Manures), and all Lime, Limestone, and undressed Materials for the Repair of public Roads or Highways, *per Ton per Mile* not exceeding One Penny; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding One Halfpenny:

For all Coke, Charcoal, and Cinders, all Stones for building, pitching, and paving, all Bricks, Tiles, Slates, Clay, Sand, Ironstone, Iron Ore, and Pig Iron, *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:

[*Local.*]

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For

Bristol and South Wales Union Railway Act, 1857.

For all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber, Staves, Deals, Tin Plates, Metal (except Iron), and all 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, Nails, Anvils, Vices, Chains, Guano, and artificial Manure, *per Ton per Mile* Threepence; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding One Penny:

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

For every Carriage, of whatever Description, having more than Two Wheels, and not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton and a Half, carried or conveyed on a Truck or Platform, *per Mile* not exceeding Fourpence Halfpenny:

For every Two-wheeled Carriage, of whatever Description, not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, carried or conveyed on a Truck or Platform, *per Mile* not exceeding Threepence:

And a Sum of One Penny *per Mile* for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton which any such Carriage may weigh:

Tolls for
Passengers
and Cattle.

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

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

For every Ox, Cow, Bull, or Neat Cattle 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 Three Farthings:

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

Tolls for
propelling
Power.

L. The Toll which the Company may demand and receive for the Use of Engines for propelling Carriages on the Railway shall not exceed

Bristol and South Wales Union Railway Act, 1857.

exceed Three Farthings *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.

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

Tolls for small Parcels and single Articles of great Weight.

For the Carriage of any small Parcel such Sum as they may think proper, not exceeding the Rates following; (that is to say,)

Not exceeding in Weight Seven Pounds, Fourpence:

Exceeding Seven Pounds and not exceeding Fourteen Pounds, Eightpence;

Exceeding Fourteen Pounds and not exceeding Twenty-eight Pounds, One Shilling;

Exceeding Twenty-eight Pounds and not exceeding Fifty-six Pounds, One Shilling and Sixpence;

Exceeding Fifty-six Pounds and not exceeding Five hundred Pounds, such Sum as they may 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 Terms 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 Sums as they may think fit, not exceeding One Shilling *per* Ton *per* Mile; and if conveyed in or upon a Carriage belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding Fourpence; and if propelled by an Engine belonging to the Company, the further Sum *per* Mile not exceeding Threepence:

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 may think fit.

LII. Every Passenger travelling upon the Railway may take with him his ordinary Luggage, not exceeding One hundred and twelve Pounds in Weight for First-class Passengers, One hundred Pounds in Weight for Second-class Passengers, and Sixty Pounds in Weight for Third-class Passengers, without any Charge being made for the Carriage thereof.

Passengers Luggage.

LIII. The Company shall not demand or receive any greater Sum in respect of the Carriage of Passengers conveyed on the Railway than

Maximum Charges for Conveyance

*Bristol and South Wales Union Railway Act, 1857.*of Pas-
sengers.

than Threepence *per Passenger per Mile* in respect of any Passenger travelling in a First-class Carriage, Twopence *per Passenger per Mile* in respect of any Passenger travelling in a Second-class Carriage, and One Penny Halfpenny *per Passenger per Mile* in respect of any Passenger travelling in a Third-class Carriage, including the Charges for the Use of Carriages and locomotive Power, and all other Charges incidental to such Conveyance.

Maximum
Charges for
Conveyance
of Goods
and Cattle.

LIV. The Company shall not charge in respect of the several Articles, Matters, and Things, and of the several Descriptions of Animals, herein-after mentioned, conveyed on the Railway, any greater Sum, including the Charges for the Use of Carriages, Waggon, or Trucks, and for locomotive Power, and all other Charges incident to such Conveyance (except as herein-after mentioned), than the several Sums herein-after mentioned; (that is to say,)

For all Coals, Culm, Dung, Compost, Manure (except Guano and artificial Manures), and all Lime, Limestone, and undressed Materials for the Repair of public Roads or Highways, *per Ton per Mile Twopence*:

For all Coke, Charcoal, and Cinders, all Stones for building, pitching, and paving, all Bricks, Tiles, Slate, Clay, Sand, Ironstone, Iron Ore, and Pig Iron, *per Ton per Mile Twopence Halfpenny*:

For all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber, Staves, Deals, Tin Plates, Metal (except Iron), and all 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, Nails, Anvils, Vices, Chains, Guano, and artificial Manures, *per Ton per Mile Threepence*:

For all Cotton and other Wools, Drugs, Fish, manufactured Goods, and all other Wares, Merchandise, Articles, Matters, or Things, *per Ton per Mile Fourpence*:

For every Carriage, of whatever Description, having more than Two Wheels, and not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton and a Half, *per Mile Sixpence*; and if having only Two Wheels and not weighing more than One Ton, *per Mile Fourpence*:

For every Horse, Mule, Ass, Ox, Cow, Bull, or Neat Cattle, *per Mile Fourpence*:

For every Calf, Pig, Sheep, Lamb, or other small Animal, *per Mile One Penny Halfpenny*.

Regulations
as to Tolls.

LV. The following Provisions and Regulations shall be applicable to the fixing of Tolls; (that is to say,)

For Persons, Animals, or Articles conveyed on the Railway for a less Distance than Three Miles the Company may demand the same Tolls as for Three Miles:

For

Bristol and South Wales Union Railway Act, 1857.

For a Fraction of a Mile beyond Three Miles, or beyond any greater Number of Miles, the Company may demand Tolls on Merchandise for such Fraction in proportion to the Number of Quarters of a Mile contained therein; and if there be a Fraction of a Quarter of a Mile such Fraction shall be deemed a Quarter of a Mile; and in respect of Passengers, every Fraction of a Mile beyond an integral Number of Miles shall be deemed a 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 Weights:

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.

LVI. If any Person shall desire to hire and retain a separate Waggon or Truck for the Conveyance of Cattle or Sheep belonging to him, the Company shall not charge any greater Sum, including all the Charges aforesaid, than One Shilling *per* Mile for every Waggon or Truck capable of containing Six Beasts of an ordinary Size, or Thirty Sheep.

Tolls for separate Trucks for Cattle, &c.

LVII. The Restriction as to the Charges to be made for Passengers shall apply to the Express and Ordinary Trains appointed or to be appointed from Time to Time by the Company for the Conveyance of Passengers and Goods upon the Railway, but not to any Special Train.

Restriction as to Charges not to apply to Special Trains.

LVIII. Nothing herein contained shall be held to prevent the 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 thereof (except small Parcels) by Passenger Trains, or by reason of any other special Service performed by the Company in relation thereto.

Company may take increased Charges by Agreement.

LIX. The Company may demand any Tolls for the Conveyance of Passengers, Animals, Carriages, and Goods across the Ferry, not exceeding the following; (that is to say,)

Tolls for Conveyance across the Ferry.

In respect of Passengers, Animals, and Carriages:

For every Best Cabin or After-deck Passenger, a Sum not exceeding Eightpence:

[*Local.*]

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For

Bristol and South Wales Union Railway Act, 1857.

For every Fore-cabin or Fore-deck Passenger, a Sum not exceeding Fourpence :

For every Horse, Mule, or Ass, whether ridden, driven, or drawing any Vehicle, a Sum not exceeding One Shilling :

For every Phaeton, Gig, or other Carriage drawn by One Horse or Beast, a Sum not exceeding Four Shillings :

For every Carriage drawn by Two or more Horses or Beasts, a Sum not exceeding Eight Shillings :

For every Cart with not more than Two Wheels, a Sum not exceeding Three Shillings :

For every Cart, Waggon, or Wain with more than Two Wheels, a Sum not exceeding Five Shillings :

For Bulls, Oxen, Cows, or other Cattle not herein-after enumerated, a Sum not exceeding Sixpence *per* Head :

For every Sheep, Pig, or Dog, a Sum not exceeding Twopence :

In respect of Goods :

For Goods, Wares, or Merchandise exceeding Five Hundred-weight and not exceeding One Ton, a Sum not exceeding the Rate of Three Halfpence *per* Hundredweight :

For Goods, Wares, or Merchandise exceeding One Ton, a Sum not exceeding One Shilling *per* Ton :

And every Passenger may take with him over the said Ferry his ordinary Luggage, not exceeding One hundred and twelve Pounds for each Passenger.

Ferry Tolls for small Parcels and single Articles of great Weight.

LX. For small Packages and single Articles of great Weight the Company may lawfully demand the Tolls for the Use of the said Ferry following ; (that is to say,)

For the Carriage of small Parcels, not exceeding One Fourth Part of the Amount by this Act authorized to be charged for small Parcels of a similar Description upon the Railway :

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 shall exceed Ten Hundredweight, the Company may demand such Sum as they think fit.

For securing Equality of Treatment.

LXI. Such Ferry Rates or Sums shall be at all Times charged to all Persons equally and after the same Rate in respect of Passengers of the same Class conveyed in a like Vessel, and no Reduction or Advance in any such Rate shall be made in favour of or against any Person using the said Ferry.

Company may take increased Charges for special Boats.

LXII. Nothing herein contained shall be held to prevent the Company from taking any increased Charges, over and above the Charges herein-before specified, by Agreement with any Person for conveying any Person or any Cattle or Goods across the said Ferry by a Boat to be despatched specially for the Purpose.

LXIII. The

Bristol and South Wales Union Railway Act, 1857.

LXIII. The Postmaster General may, if he shall think fit, send any Mails and Post Letter Bags across the said Ferry by any of the Boats or Vessels run or used by the Company, in charge of the Guards or Servants of the Company, at the same Rate of Charge as shall be paid by the Public for the Conveyance of ordinary Goods by such Boats or Vessels.

Postmaster General may send Mails by the ordinary Boats of the Company at the same Charge as ordinary Goods are sent.

LXIV. The Postmaster General may, if he shall think fit, send any Mail Guard or other Officer of the Post Office with any Mails and Post Letter Bags across the said Ferry by any of the Boats or Vessels run or used by the Company at the same Rate of Charge, and upon the same Conditions in all respects, as any other Passenger or Person may travel or go thereby, with Luggage of equal Weight with such Mails, or if such Mails and Post Letter Bags shall exceed the Weight of Luggage allowed to any other Passenger or Person, subject to the General Rules of the Company for any Excess of that Weight.

Mail Guards, &c. with Mails may go by the ordinary Boats of the Company at the same Charge as other Persons.

LXV. The Postmaster General may, if he shall think fit, on giving Twenty-eight Days previous Notice in Writing under his Hand to the Company or to the Chairman or Secretary thereof, require the Company to provide and run Boats or Vessels for the Conveyance of Mails and Post Letter Bags, Mail Guards and other Officers of the Post Office, across the said Ferry, at any Hours or Times in the Day or Night the Postmaster General may direct; and thereupon the Company shall provide and run such Boats or Vessels, and convey any such Mails and Post Letter Bags, Mail Guards and other Officers of the Post Office accordingly; and all and every such Boats and Vessels, and the Despatch and Arrival thereof, and all other Matters and Things relating thereto, shall be regulated and directed by the Postmaster General, and the Amount of Remuneration to be paid by the Postmaster General to the Company for any Services so to be performed by the Company shall be fixed and agreed upon between the Postmaster General and the Company, or, in case of Difference of Opinion between them, the same shall be referred to Arbitration in like Manner as is provided with respect to the Conveyance of the Mails by Railways by the Act of the First and Second *Victoria*, Chapter Ninety-eight, but so that the Services which may be required by the Postmaster General to be performed by the Company be not suspended, postponed, or deferred by reason of such Remuneration not having been then fixed or agreed upon between the Postmaster General and the Company, or by reason of the Award on any Reference to Arbitration to determine the Remuneration not having been then made: Provided always, that the Postmaster General shall under any Circumstances be empowered to discontinue the Use of any such Boats or Vessels for the Conveyance of Mails and Post Letter Bags, under the Provision in this Section contained, on giving Twenty-eight Days previous

The Company to provide Boats for the Conveyance of Mails, &c. on Notice by the Postmaster General.

Bristol and South Wales Union Railway Act, 1857.

previous Notice in Writing under his Hand to the Company, or to the Chairman or Secretary thereof, of his Intention to discontinue any such Service, and upon the Discontinuance of any such Service Payment for the same shall cease.

Penalty for refusing to provide Boats or carry Mails, &c.

LXVI. If the Company, or any Officer, Servant, or Agent of the Company, shall refuse or neglect to provide or run any Boat or Vessel for the Conveyance of any Mails or Post Letter Bags, Guards or other Officers of the Post Office, across the said Ferry, or shall refuse or neglect to carry or convey, or to take, receive, deliver, or leave any Mails or Post Letter Bags, Mail Guards or other Officers of the Post Office, under any of the Provisions in this Act for that Purpose contained, the Company shall for every such Offence forfeit and pay a Sum not exceeding Twenty Pounds, to be recoverable in like Manner as pecuniary Penalties not exceeding Twenty Pounds are authorized to be recovered by the Act of the First and Second *Victoria*, Chapter Ninety-eight, for providing for the Conveyance of the Mails by Railways.

Powers to enter into Traffic Arrangements.

LXVII. The *Great Western* Railway Company, the *Bristol and Exeter* Railway Company, and the *South Wales* Railway Company, (herein-after called the Three Companies,) or any of them, and the Company, may from Time to Time enter into Agreements with respect to the following Purposes or any of them; (that is to say,)

The Use and Working by the Three Companies, or any of them, of all or any Part of the Railway, Ferry, and Steam Communication of the Company, and the Use of the Works and Conveniences belonging thereto :

The Conveyance by the Three Companies, or any of them, of the whole or any Part of the Traffic upon the Railway or any Part thereof, or across the said Ferry :

The Division and Apportionment of such Traffic between the said Companies respectively :

The Supply of any Working or Rolling Stock, or Steam or other Vessels required for such Purposes :

The Use or Purchase by the Three Companies, or any of them, of the Rolling or Working Stock, or Steam or other Vessels belonging to the Company, or any Part thereof :

The Management, Maintenance, and Repair of the Railways and Steam or other Communication across the said Ferry :

The Costs and Expenses of such Working, Management, Maintenance, and Repair :

The Forwarding, Interchange, and Transmission upon or over the respective Railways of the said Companies of any Passenger or other Traffic which may be conveyed upon and from the Railways of the Three Companies, or any of them, to or along the
 Railway

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Railway or any Part thereof, or which may be conveyed upon and along the Railway to and along the Railways of the Three Companies, or any of them, or any Part thereof:

The Collection, Delivery, and general Conduct of such Traffic:

The fixing of the Tolls, Rates, and Charges to be levied or taken by the said Companies, Parties to the Agreement, in respect of the Traffic conveyed over their respective Railways, or any Part thereof respectively, or across the Ferry, not exceeding the maximum Tolls, Rates, and Charges authorized by the Acts of Parliament relating to such Railways, and to the Ferry respectively:

The Collection, taking, and levying of the said Tolls, Rates, and Charges:

The Division between the said Companies of the Receipts arising from the Traffic upon their respective Railways, or any Part thereof respectively, and the Ferry, subject to any Deductions to be made therefrom, or any Rent or other Consideration to be paid by any or either of the said Companies to the other of them by virtue of the said Agreements.

LXVIII. Any such Agreement shall not be for more than Ten Years, and no such Agreement shall have any Operation until the same shall have been approved of by the Board of Trade; and no such Agreement as aforesaid shall in any Manner alter, affect, increase, or diminish any of the Tolls, Rates, or Charges which the said Companies shall for the Time being be respectively authorized and entitled to demand and receive from any Person or any other Company, but all other Persons and Companies shall, notwithstanding any such Agreement, be entitled to the Use and Benefit of the Railways to which the said Agreement may relate, upon the same Terms and Conditions, and on Payment of the same Tolls, Rates, and Charges, as they would have been in case no such Agreement had been entered into: Provided always, that the said Board shall not approve such Agreement without being satisfied that the same has been duly assented to by the Shareholders of the said Companies, Parties thereto, in Special Meeting assembled for that Purpose, as herein-after required.

Agreement to be approved by Board of Trade.

Agreements not to affect Persons not Parties thereto.

LXIX. At the Expiration of the said Agreement or of any future Agreement the said Companies, with the Consent in Special Meeting of the Shareholders of such Companies respectively, as herein-after required, and subject to the Approval of the Board of Trade, may from Time to Time enter into an Agreement for not more than Ten Years from the Expiration of the preceding Agreement for all or any of the Purposes aforesaid: Provided, that before such Companies shall enter into any such further Agreement as aforesaid they shall give

Agreement may be renewed with the Approval of the Board of Trade.

Public Notice to be given of the Intention to

[Local.]

9 G

Notice

Bristol and South Wales Union Railway Act, 1857.

enter into
Agreements.

Notice of their Intention to enter into such Agreement by Advertisement, in a Form to be approved of by the Board of Trade, inserted once in each of Three successive Weeks in some Newspaper published or circulating in each County in which any Part of the Railway or Railways to which such proposed Agreement relates is situated; and every such Notice shall set forth within what Time and in what Manner any Company or Person aggrieved by such proposed Agreement, and desiring to object thereto, may bring such Objections before the Board of Trade; and no such Agreement shall be valid at Law or in Equity until the same shall have been approved of by the Board of Trade.

Agreement
inoperative
until ap-
proved by
Board of
Trade.

Working Ar-
rangements,
&c. not to
take effect
unless ap-
proved by
Three Fifths
of the Share-
holders.

LXX. None of the Powers and Provisions of this Act with respect to the Use, working, or managing of the Railway hereby authorized by the Three Companies, or any of them, or with respect to the Interchange of Traffic between the Company and the Three Companies, or any of them, shall have any Operation or Effect unless and until the Arrangements intended to be made for such Purposes respectively shall have been submitted to and approved by a Majority of not less than Three Fifths of the Votes of the Shareholders present, personally or by Proxy, at a Meeting of the respective Companies, Parties to such Agreement, specially convened for that Purpose.

Meeting,
how to be
convened.

LXXI. Such Meeting shall be called by Advertisement inserted once at least in Two successive Weeks in a Morning Newspaper published in *London*, and in some Newspaper of the County in which the principal Office of the Company Party to such Agreement is situate, the last of which Advertisements shall be published not less than Seven Days before such Meeting, and also by a Circular addressed to each Shareholder entitled to vote at Meetings of the Company, to be served in the Manner prescribed by "The Companies Clauses Consolidation Act, 1845," with respect to Notices requiring to be served by the Company upon the Shareholders.

Traffic on
both Lines
not to be
subject to
Short Dis-
tance Clause
on both
Lines.

LXXII. In estimating the Tolls or Charges to be paid during the Continuance in force of any such Agreement as aforesaid in respect of Articles or Persons conveyed for short Distances partly upon the Railway of the Company with whom any such Agreement is made, and partly upon the Railway by this Act authorized, the Railway by this Act authorized shall be deemed to be Part of the Railway of the Company with whom such Agreement is entered into.

South Wales
Company
may contri-
bute Funds
and hold
Shares.

LXXIII. The *South Wales* Railway Company may from Time to Time, with the Consent of Three Fourths of the Votes of the Proprietors present at any Extraordinary Meeting of the Company convened for the Purpose, contribute and apply their corporate Funds, to
an

Bristol and South Wales Union Railway Act, 1857.

an Extent not exceeding in the whole the Sum of Twenty-five thousand Pounds, towards the Execution of the Railway, or any Part thereof, and may take and hold Shares representing that Amount of Capital in the Company, and they shall, in respect of such Shares so taken and held, have all the Powers, Rights, and Privileges, and be subject to all the Obligations and Liabilities of Proprietors of Shares of the Company; and the *South Wales* Railway Company and the Company may enter into any Agreement they think proper with respect to the Expenditure of such Contribution on the Railways and Works on the North-western Side of the River *Severn*, and with respect to the Time when such Works shall be commenced and completed.

LXXIV. In case the *South Wales* Railway Company shall be desirous, instead of becoming Shareholders in the Company as herein-before authorized, of constructing out of their corporate Funds the Railways and Works authorized by this Act, or any of them, on the North-western Side of the River *Severn*, either solely or jointly with the Company, then and in such Case it shall be lawful for the Company and for the *South Wales* Railway Company, with such Consent as aforesaid, to agree with respect to the Construction of such Railways and Works, or any of them, or any Part thereof, either jointly by such Companies or solely by the *South Wales* Railway Company, and any Contract for the Purpose of carrying out any such Agreement may contain such Stipulations, Conditions, and Agreements with respect to the Construction, Use, and working of the said Railways and other Works on the North-western Side of the said River as the Companies may mutually approve.

Power to
South Wales
Company to
undertake
Construction
of Railways
on Western
Side of
Severn in
lieu of
subscribing.

LXXV. The *South Wales* Railway Company may apply for the Purposes of such Contribution or Construction so much of the Moneys raised or authorized to be raised under the Powers of the Acts relating to that Company as shall not be wanted for the Purposes of those Acts, and as may be necessary for the Purposes authorized by this Act.

South Wales
Company
may apply
existing
Capital.

LXXVI. It shall not be lawful for the Company, out of any Money by this Act 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 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.

Interest not
to be paid
on Calls
paid up.

LXXVII. It

Bristol and South Wales Union Railway Act, 1857.

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

LXXVII. It shall not be lawful for the 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 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 to execute any other Work or Undertaking.

Railway not
exempt from
Provisions of
present and
future Gene-
ral Acts.

LXXVIII. Nothing herein contained shall be deemed or construed to exempt the Railway 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 of the Rates for small Parcels.

Saving
Rights of the
Crown.

LXXIX. Nothing contained in this Act, or in any of the Acts herein referred to, shall authorize the Company to take, use, or in any Manner interfere with any Foreshore or other Land, Soil, Tenements, or Hereditaments, or any Rights in respect thereof, belonging to the Queen's most Excellent Majesty in right of Her Crown, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or One of them, on behalf of Her Majesty, first had and obtained for that Purpose (which Consent such Commissioners are hereby respectively authorized to give), or to take away, prejudice, diminish, or alter any of the Estates, Rights, Privileges, Powers, or Authorities vested in or enjoyed or exerciseable by the Queen's Majesty, Her Heirs or Successors.

Expenses of
Act.

LXXX. All the Costs, Charges, and Expenses incurred by or on behalf of the Company in applying for, obtaining, and passing this Act, or preparatory or incidental thereto, shall be paid by the Company.

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