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VICTORIÆ REGINÆ.

Cap. Ixix.

An Act for enabling the *Penarth* Harbour, Dock, and Railway Company (heretofore called “The *Ely* Tidal Harbour and Railway Company”) to construct Railways to and a Dock and other Works on or adjoining the South-west Bank of the River *Ely*, and for other Purposes.

[27th July 1857.]

WHEREAS by “The *Ely* Tidal Harbour and Railway Act, 1856,” the *Ely* Tidal Harbour and Railway Company was incorporated for the Purposes in such Act mentioned, and was authorized to raise a Capital of One hundred and thirty thousand Pounds in Shares, and to borrow Forty-three thousand Pounds on Mortgage or Bond: And whereas it is expedient that the said Company should be empowered to construct a Railway or Railways from the authorized Line of their Railway in the Parish of *Llandaff* to the South-west Side of the River *Ely* between *Cogan Pill* and *Cwtch-y-Cwm*: And whereas it is also expedient that the Company should be empowered to construct and execute in or upon the Bed or Site of the River, and also upon the South-west Side thereof between

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certain Points, Embankments, Excavations, Cuts, Walls, and other Works, and to exercise upon the South-west Side of the River between those Points the Powers granted by the recited Act with respect to the Construction of Wharves, Staiths, Drops, Landing and Shipping Places, and other Works and Conveniences on the North-east Side of the said River: And whereas it is also expedient that the Company should be empowered to construct and maintain a Dock on the South-west Side of the said River: And whereas it is also expedient, with a view to facilitate the Execution of the Works authorized by the recited Act and this Act respectively, to provide for the Construction of a temporary Bridge across the said River from the South-west Bank thereof between *Cogan Pill* and *Cwtch-y-Cwm* to the opposite Bank thereof at or near *Grange Point*: And whereas the Railway by the recited Act authorized will form a Junction and communicate with the Line of the *Taff Vale* Railway Company, and it is expedient that further Provision should be made with reference to the working and User by the *Taff Vale* Railway Company and the Company of their respective Railways and Works connected therewith: And whereas it is expedient that the Company should be empowered to raise additional Capital for carrying the Objects of this Act or some of them into effect, and that the Name of the Company should be changed; but the Purposes aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title. I. In citing this Act for any Purpose whatsoever it shall be sufficient to use the Expression "The *Penarth* Harbour, Dock, and Railway Act, 1857."

Interpretation of Terms. II. The following Words and Expressions shall have in this Act the Meanings hereby assigned to them respectively, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

The Expression "the Company" or "the said Company" shall mean the Company incorporated by the recited Act:

The Expression "the Dock" shall mean the Dock and the Works of the Company to be constructed under this Act in connexion with the said Dock:

The Expression "the Limits of this Act" shall mean and include not only the Dock and the Works of the Company to be constructed under this Act in connexion with the said Dock and with the Harbour of the Company, but also the Limits of the recited Act as therein defined, being that Part of the River *Ely* (lying

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(lying between a Point Forty-six Chains or thereabouts below *Cogan Pill* and a Point One hundred and forty-four Chains or thereabouts above the said *Pill*, measured in both Cases along the Centre of the said River,) which is by the recited Act authorized to be embanked, widened, deepened, and improved for the Purpose of a Tidal Harbour, together with the said Harbour, and also that Portion of the said River which lies between that Part of the *Bristol Channel* called *Cardiff Roads* and the said Harbour, and also the Entrance thereto.

III. The Provisions of "The Lands Clauses Consolidation Act, 1845," "The Railways Clauses Consolidation Act, 1845," and "The Harbours, Docks, and Piers Clauses Act, 1847," except as herein-after provided, shall be incorporated with and form Part of this Act: Provided nevertheless, that so much of the Twelfth Section of "The Harbours, Docks, and Piers Clauses Act, 1847," as provides and requires that, if the Conservancy of the navigable River therein referred to shall legally belong to any Person, the Consent and Approval in the now citing Enactment specified of such Person shall be necessary in addition to the Consents and Approvals in the now citing Enactment before required, shall not be applicable to the Company or to the Undertaking, or to the Works which may be executed under the Authority of this Act: Provided also, that the Provisions with respect to Life Boats, and with respect to keeping a Tide and Weather Gauge, of "The Harbours, Docks, and Piers Clauses Act, 1847," shall not be in force for the Purposes of this Act, except so far as from Time to Time the Lords of the Admiralty, by Notice in Writing to the Company, may require them to provide any Works or Conveniences according to those Provisions respectively: Provided also, that the Twenty-second Section of "The Harbours, Docks, and Piers Clauses Act, 1847," shall not apply to the Portion of the Dock by this Act required to be reserved and set apart as and for a public Wharf or Wharves.

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porated.

IV. And whereas Plans and Sections of the intended Works showing the Lines, Situation, and Levels thereof respectively, and a Book of Reference containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers, of the Lands in or through which the same are intended to pass or be made, or which will be required for the Purposes of this Act, have been deposited with the Clerk of the Peace for the County of *Glamorgan*: Be it enacted, That, subject to the Provisions in this Act and the Acts incorporated herewith contained, it shall be lawful for the Company to make and maintain the said Works in the Lines, Situation, and Levels delineated on the said Plans and Sections, and to enter upon, take, and use all or any of the Lands delineated on the said Plans and described in

Power to
make Works
according to
deposited
Plans.

in

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in the said Book of Reference, and from Time to Time to appropriate them to the Purposes of this Act.

Agreement
with Earl of
Plymouth's
Trustees.

V. And whereas an Agreement conditional on the Company obtaining this Act has been entered into, bearing Date the Fifth Day of *June* One thousand eight hundred and fifty-seven, and made between *John Drummond* of *Mulgrave House* in the Parish of *Fulham* in the County of *Middlesex* Esquire, of the First Part, the Right Honorable *Harriet* Baroness *Windsor* of the Second Part, the Honorable *Robert Windsor Clive* of *Oakley Park* in the County of *Salop*, the eldest Son of the said *Harriet* Baroness *Windsor* by her late Husband the Honorable *Robert Henry Clive*, deceased, of the Third Part, and the Company of the Fourth Part, for the Sale of certain Lands and Privileges by Devisees under the Will of the Right Honorable *Other Archer* Earl of *Plymouth* deceased to the Company, in consideration of a certain Rentcharge, and upon and subject to the Terms and Stipulations therein mentioned: And whereas the Lands so agreed to be sold are Part of the Lands which the Company are by this Act authorized to purchase, and great Part thereof is below High-water Mark: And whereas a Bill, proposed to be intituled “ An Act for
“ authorizing the raising of Money on the Security of Estates in the
“ County of *Glamorgan* settled by the Will of the Right Honorable
“ *Other Archer* late Earl of *Plymouth* deceased, and the Application
“ of the Money for the Improvement of Parts of the Estates, in
“ order to render them available as Building Lands, and for confirming
“ an Agreement with the *Ely* Tidal Harbour and Railway Company,
“ and for other Purposes,” has been introduced into Parliament, and it is proposed thereby to confirm that Agreement: Therefore, if that Bill pass into a Law in the present Session of Parliament, and that Agreement be confirmed thereby or by virtue of any of the Provisions thereof, that Agreement shall be valid, and shall be binding upon the Company as well as upon the Devisees and all other Parties claiming under the Will of the said Earl of *Plymouth*, and they are respectively by this Act empowered and required to carry the same into effect: Provided always, that if at any Time after the First Day of *August* One thousand eight hundred and sixty-eight the Undertaking by this Act authorized be abandoned, then the whole of the Lands and Privileges taken by the Company under that Agreement shall revert as by this Act provided: Provided also, that if at any Time after the First Day of *August* One thousand eight hundred and sixty-eight the Lands taken by the Company under that Agreement, or any Part thereof, not being less than Two Acres lying together, remain for Seven consecutive Years thereafter not used for any of the Purposes of or authorized by this Act or that Agreement, then and in every such Case such Lands so not used shall revert as by this Act provided: Provided also, that in every such Case of Reverter
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the Lands and Privileges to revert shall, by force of this Act, revert in Fee Simple to and be vested in the Person or Persons from Time to Time entitled to the Rentcharge provided for by that Agreement, according to their respective Estates, Rights, and Interests in and to such Rentcharge, and shall be so vested, freed from all Claims and Demands of the Company, and all Persons claiming by, from, through, or under them, or by their Act or Means.

VI. The Works to be constructed and from Time to Time executed under the Authority of this Act shall comprise the following: Works to be executed.

A Railway to commence from and out of the Railway authorized by the recited Act, in the Parish of *Llandaff* in the County of *Glamorgan*, near the Crossing by such authorized Railway of the Road leading from *Penarth* to *Cardiff*, and to terminate in the Parish of *Penarth* on the South-west Bank of the River *Ely* near *Cwtch-y-Cwm*:

A Railway from and out of the said intended Railway in the Parish of *Llandough* to a Point on the South-west Bank of the River *Ely* between *Cogan Pill* and *Cwtch-y-Cwm*:

All proper Stations, Sidings, Approaches, Works, and Conveniences in connexion with the said intended Railways:

The Construction and Execution in or upon the Bed or Site of the said River, and also on the South-west Side thereof, between a Point at or near to *Cogan Pill* and a Point at or near the Inn at *Penarth*, known as the *Penarth Head* Inn, of all necessary Embankments, Excavations, Cuts, Walls, and other Works:

A Dock on the South-west Side of the said River *Ely*, and between *Cogan Pill* and the aforesaid Inn known as *Penarth Head* Inn:

All proper Entrances, Cuts, Locks, Basins, Gates, Sluices, Sewers, Dams, Piers, Jetties, Quays, Wharves, Stages, Staiths, Drops, Slips, Stairs, Walls, Bridges, Approaches, and other Works and Conveniences connected either with the said Dock, or with the River *Ely* on the South-west Side thereof between the Points aforesaid:

And the Works so constructed shall respectively for all Purposes whatsoever be and be deemed Part of the Undertaking of the Company, and the Company shall in respect thereof be subject and liable to and may have, exercise, and enjoy all the Powers, Provisions, Rights, Authorities, Penalties, and Obligations contained in the recited Act with reference to the Works respectively of the Company thereby authorized.

VII. For the Purpose of facilitating the Construction of the Works authorized by the recited Act and this Act, it shall be lawful for the Company to construct a temporary Bridge across the River *Ely* from a Point on the South-west Bank of the said River between *Cogan Pill* Power to construct a temporary Bridge over the River *Ely*.

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Pill

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Pill and *Cwtch-y-Cwm* to the Lands on the opposite Bank of the said River acquired by the Company under the Provisions of the recited Act, at or near *Grange Point*: Provided always, that the said Bridge shall be so constructed as to admit of the same being opened for all Vessels having occasion to pass through the same, and so as to afford when open a clear free Waterway between some Two of the Piers thereof of not less than Twenty Feet in Width, and the Company shall at all reasonable Times cause the same to be opened for the Passage of Vessels through the same: Provided also, that when the Works by the recited Act and this Act authorized shall have been so far completed as to render the Retention of the said Bridge no longer necessary, the Company shall with all practicable Dispatch remove the same.

Gauge of
Railway.

VIII. The Railways by this Act authorized shall be constructed on the Narrow Gauge of Four Feet Eight and a Half Inches, but if the Company shall, under the Provisions of the recited Act, lay down upon that Portion of the Railway thereby authorized which lies between the Point where the same crosses the Turnpike Road from *Penarth* to *Canton*, numbered 111 on the deposited Plans referred to in that Act, and the Terminus of that Railway on the North-east Bank of the River *Ely*, or on any Part of that Portion of the said Railway, One or more Lines of Railway on the Wide Gauge of Seven Feet, as well as Lines of Way on the Narrow Gauge, then the Company may from Time to Time, if they shall think fit, lay down upon the Railways by this Act authorized One or more Lines of Railway on the Wide Gauge of Seven Feet as well as Lines of Way on the Narrow Gauge.

Company
may deviate
to the Ex-
tent marked
on the Plan.

IX. Subject to the Provisions of this Act and of the Acts incorporated herewith, it shall be lawful for the Company, in constructing the Works by this Act authorized, to deviate to the Extent of the Limits of Deviation respectively marked on the Plan.

Prohibiting
Deviation in
a certain
Direction
without
Consent of
Admiralty.

X. No Deviation of the Works hereby authorized shall be made Seaward or Riverward of the continuous Black Line C. D., called "Proposed Line of Embankment" on the Plan deposited at the Admiralty, without the previous Consent 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, to be signified in Writing under the Hand of the Secretary of the Admiralty.

Plans, &c.
showing
proposed
Crossing of
River *Ely* to

XI. Previously to commencing the Crossing by the Railway over the River *Ely*, or the Works connected therewith, the Company shall deposit at the Admiralty Office Plans, Sections, and Working Drawings of such Crossing, and the Works connected therewith, for the Approval

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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 Crossing and Works shall be constructed only in accordance with such Approval.

be submitted
to Admiralty.

XII. During the Construction of the Crossing by the Railway over the River *Ely*, and of the temporary Bridge and Works connected therewith respectively, the Company shall cause to be hung out or exhibited, every Night from Sunset to Sunrise, a Light to be kept burning by and at the Expense of the Company for the Navigation and safe Guidance of Vessels; and during the Continuance of the temporary Bridge, and, if required by the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral, for ever after the Completion of the said Crossing, the Company shall cause to be hung out or exhibited upon or near to the Centre of such Crossing and Bridge respectively, every Night from Sunset to Sunrise, a good and sufficient Light to be kept burning by and at the Expense of the Company, for the Navigation and safe Guidance of Vessels, and which Lights shall be from Time to Time altered by the Company in such Manner, and be of such Description, and be so used and placed as the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral shall by Writing under the Hand of the Secretary of the Admiralty approve of; and in case the Company shall neglect to exhibit and keep either of such Lights burning as aforesaid, they shall forfeit and pay for every such Neglect the Sum of Ten Pounds.

Lights to be
exhibited
during Pro-
gress of
Works.

XIII. 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 direct
Local Survey
at Expense
of Company.

XIV. 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

Disused
Works to be
removed.

Commis-

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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.

Restrictions in reference to the Railway first described in respect of Marquis of Bute's Trustees.

XV. In constructing the Railway herein-before first described the Company shall, if required by the Trustees of the Estates of the Marquis of *Bute*, observe the following Restrictions and Regulations ; (that is to say,)

Between the Point marked on the said Plan as denoting One Mile and the Point marked thereon as denoting One Mile and Four Furlongs they shall exercise the Powers of lateral Deviation by this Act and the Acts incorporated herewith granted, so that the Centre of the said Railway when constructed shall, at the Point marked on the said Plans as denoting One Mile and Two Furlongs, be Fifty Feet to the Westward of the centre Line of Railway as laid down on the deposited Plans, and so as that the Centre of the said Railway when constructed opposite to the Angle of *Cogan Pill House* nearest thereto shall be Sixty-two Feet to the Eastward of such Angle :

The Company shall construct between *Cogan Pill House* and their Railway a Retaining Wall not less than Sixty-six Yards in Length from the Level of the said Railway up to the Surface of the Ground, with a Parapet Wall above the Surface of the Ground of the Height of Four Feet and Six Inches, and so as to leave a Space of at least Thirty Feet between the said Parapet Wall and the Angle of the said House nearest thereto, which Space the Company shall properly level and make good :

Between the Point of Junction of the said Railway with the Railway authorized by "The *Ely* Tidal Harbour and Railway Act, 1856," and the Left Bank of the River *Ely*, near to the Point marked on the deposited Plans as denoting Five Furlongs, the Company shall not, without the Consent of the Trustees of the Estates of the Marquis of *Bute* or other the Owner of those Estates for the Time being, either temporarily or permanently, take, use, or occupy any Part of the Lands belonging to the said Trustees which shall be situated beyond the Limits of Deviation delineated on the deposited Plans ; and between the Left Bank of the said River near the Point aforesaid and the Point marked upon the deposited Plans as denoting One Mile the Company shall not, without such Consent as aforesaid, take any Part of the Lands of the said Trustees lying to the Eastward of the centre Line of the said Railway as laid down on the said Plans, which

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which shall be at a greater Distance from that Line than Twenty-two Yards:

Between the Point marked on the deposited Plans as denoting One Mile and *Cogan Pill* the Company shall not, without such Consent as aforesaid, take any greater Quantity of the Land of the said Trustees than shall be requisite for constructing Four Lines of Railway.

XVI. In constructing the Railway in this Act secondly described the Company shall (if required by the said Trustees) observe the following Restrictions and Regulations; (that is to say,)

Restrictions in reference to secondly described Railway in respect of Marquis of Bute's Trustees.

That Railway shall diverge from the Railway in this Act first described at a Point Three hundred and fifty Feet Southwards of the Point marked on the deposited Plans as denoting One Mile and Three Furlongs:

Between such Point of Divergence and the Point marked on the Plan of the said secondly-described Railway as denoting Three Furlongs, the Company shall exercise the Powers of lateral Deviation by this Act and the Acts incorporated herewith granted, so as that the Centre of the said secondly-described Railway when constructed across *Cogan Pill* shall be Fifty Yards to the South-west of the centre Line of that Railway as laid down on the deposited Plans:

The Company shall not, without such Consent as aforesaid, take for the Purposes of the secondly-described Railway any greater Quantity of the Land of the said Trustees than shall be requisite for constructing Two Lines of Railway.

XVII. If the said Trustees shall at any Time construct both or either of the Branch Railways herein-after referred to to communicate with the Railways of the Company, the Company shall afford all such Facilities for the Passage of Traffic to or from such Branch Railways upon or along the Railways of the Company as they shall for the Time being afford for the Passage of other Traffic of a like Description upon or along their Railways; and if the Company shall work their own Railway they shall carry all Traffic to and from the said Branch Railways at the same Rates (not exceeding the maximum Rates in this Act specified) as they shall for the Time being carry any other Traffic of a like Description; and in the event of the Company entering into any Arrangement for the working of their Railway by any other Company or Person, the Company shall in any such Arrangements provide that the Company or Person so working their Railways shall in like Manner carry upon the Railways of the Company the Traffic to or from the said Branch Railways upon the same Terms and with the same Facilities as they shall carry the Traffic of a like Description of other Parties.

If Trustees at any Time construct either of the Branch Railways, Traffic to be carried on same Terms as with other Parties.

[Local.]

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XVIII. The

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Facilities to be afforded to Marquis of Bute's Trustees for making Junctions.

XVIII. The Company shall at the Request of the said Trustees afford to them proper and convenient Means of forming Junctions of Two Branch Railways with the Railways by this Act authorized; and if any Difference shall arise between the said Trustees and the Company with reference to the Points at which such Junctions shall be made, or with reference to the Means of effecting the same, or otherwise in relation thereto, the same shall be settled by Arbitration in the Manner provided by "The Railways Clauses Consolidation Act, 1845," with respect to the Settlement of Disputes by Arbitration; but such Junctions shall be made under the Superintendence of the Engineer for the Time being of the Company: Provided, that the Rights of the Trustees of the Marquis of *Bute*, as Landowners under the Provisions of "The Lands Clauses Consolidation Act, 1845," and "The Railways Clauses Consolidation Act, 1845," shall not be restricted by any Provision herein contained.

In assessing Damage to Cogan Pill House, certain Circumstances to be taken into consideration.

XIX. In ascertaining the Compensation which shall be paid to the said Trustees for any Damage which shall be occasioned by the Exercise of the Powers of this Act to *Cogan Pill House*, Consideration shall be given to any Increase of Damage which may have resulted from the said Railway being made opposite the same by open Cutting instead of by a Tunnel.

Vessels trading to Marquis of Bute's Lands to pay Harbour Rate only.

XX. Nothing in this Act or in the Company's Act of 1856 shall be construed to prevent Vessels trading to and from the Property of the Trustees of the Estates of the Marquis of *Bute* from navigating the River *Ely* free from all Harbour Charges, except such as shall be levied by the *Ely* Tidal Harbour and Railway Company under their Act of 1856 on Vessels entering and using the Harbour in respect of Money expended by the Company in the Improvement of the general Navigation of the Harbour, and in providing Lights, Floating Lights, Beacons, Buoys, Moorings, and Landmarks, and in providing Life Boats, Weather Gauges, and Mortars, if and when required so to do, and the said Company shall afford every reasonable Facility to the Passage of Vessels trading to and from the Property of the said Trustees.

Lands for extraordinary Purposes.

XXI. In addition to the Lands authorized to be purchased as aforesaid it shall be lawful for the Company to purchase by Agreement, for the extraordinary Purposes mentioned in "The Railways Clauses Consolidation Act, 1845," any Quantity of Land not exceeding Five Acres, and either adjoining or near to their Railway or otherwise, as may seem convenient.

Powers for compulsory Purchases limited.

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

XXIII. The

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XXIII. The Railways by this Act authorized shall be completed within Five Years from the passing of this Act, and after the Expiration of such Period of Five Years all the Powers hereby granted to the Company for making the said Railways, and after the Expiration of Ten Years from the passing of this Act all the Powers hereby granted to the Company for executing the other Works defined upon the said Plans, shall cease to be exercised, except as to so much of the same respectively as shall then be completed.

Period for
Completion
of Works.

XXIV. And whereas the estimated Expense of constructing the Railways and the Works connected therewith by this Act authorized is Forty-two thousand Pounds, and the estimated Expense of constructing the Dock and the other Works by this Act authorized is One hundred and fifty thousand Pounds, making a total Estimate of One hundred and ninety-two thousand Pounds: Therefore it shall be lawful for the Company from Time to Time to raise, by creating new Shares, in addition to the Sums of Money which they are authorized to raise under or by virtue of the recited Act, any Sum of Money not exceeding in the whole the Sum of One hundred and ninety-two thousand Pounds, and the same shall be applied solely to the Purposes of this Act.

Power to
raise addi-
tional Capital
by new
Shares.

XXV. The new Shares so to be created shall be of the nominal Value of One hundred Pounds each, and (subject to the Right of the several Parties who have subscribed or shall subscribe the Parliamentary Contract, in reference to the Works by this Act authorized, to an Allotment of new Shares in respect of the Sums subscribed for by them respectively) shall be allotted to and amongst such Persons, at such Times, and in such Manner, as the Company may direct.

Mode in
which new
Shares are to
be allotted.

XXVI. The new Shares so to be created shall be considered as Part of the general Capital of the Company, and the Holders thereof respectively shall have and be entitled and subject to the same Rights, Privileges, Obligations, and Liabilities in all respects as if such new Shares had been Part of the original Capital, except as to the Times of making Calls for such additional Capital, and the Amount of such Calls, which respectively shall be as herein-after provided.

New Shares
to be subject
to same Pro-
visions as
original
Shares.

XXVII. Ten Pounds *per Centum* on the Amount of each Share shall be the greatest Amount of any One Call which the Company may make on the Shareholders in respect of the Money by this Act authorized to be raised, and Six Tenths of the Amount of a Share shall be the utmost aggregate Amount of Calls that may be made in any One Year upon any Share, and Two Months at the least shall be the Interval between successive Calls.

Calls.

XXVIII. After

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Power to
borrow on
Mortgage.

XXVIII. After the whole of the Sum by this Act authorized to be raised by Shares shall have been subscribed for, and One Half of the Amount by this Act authorized to be raised by Shares shall have been paid up, it shall be lawful for the Directors of the Company to borrow on Mortgage or Bond, and, if subsequently paid off, again to re-borrow, such Sums of Money as shall from Time to Time be authorized to be borrowed by an Order of any General or Special General Meeting of the Company, not exceeding in the whole the Sum of Sixty-four thousand Pounds, in addition to the Sums which they are now authorized to borrow; and for securing the Repayment of the Sums so borrowed, with Interest, to mortgage the Undertaking belonging to them, and also, if they think fit, the whole or any of the future Calls on the Shareholders of the Company, and the whole of the Money so borrowed shall be applied solely to the Purposes of this Act.

Mortgages
to rank *pari*
passu.

XXIX. And whereas the Company have not yet borrowed any Money under the Authority of the recited Act: Therefore all Mortgages or Bonds granted or to be granted under the Authority of the recited Act and of this Act shall, during the Continuance thereof, rank *pari passu*, without any Preference one above another by reason of the Priority of the Date of any such Mortgage, or of the Meeting at which the same was authorized.

Power to
apply Cor-
porate Funds
to Purposes
of this Act.

XXX. It shall be lawful for the Company to appropriate to or towards all or any of the Objects and Purposes of this Act any Sums of Money which they are authorized to raise, or which shall have been raised by them under the Provisions of the recited Act, and which may not be required for the Purposes to which they are by such Act made specially applicable.

For securing
the Comple-
tion of the
Railways
within li-
mited Time.

XXXI. And whereas, pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the Ninth Year of Her present Majesty, Chapter Twenty, a Sum of Three thousand one hundred and fifty Pounds, being One Tenth Part of Three Fourths of the Amount of the Estimate of the Expense of the Railways by this Act authorized, has been deposited with the Court of Chancery in *England* in respect of the Application to Parliament for this Act: Be it enacted, That notwithstanding anything contained in the said recited Act, the said Sum of Three thousand one hundred and fifty Pounds, so deposited as aforesaid in respect of the Application for this Act, or the Interest or Dividends of such Sum of Money, 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

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Survivors or Survivor of them, unless the Company shall, previously to the Expiration of the Period limited by this Act for Completion of the Railways hereby authorized to be made, either open the said Railways 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 Company have paid up, by means of the Capital in Shares by this Act authorized to be raised, the Sum of Twenty-one thousand Pounds, being One Half of the estimated Expense of constructing the said Railways, and have expended for the Purposes of this Act in respect of the said Railways a Sum of Twenty-one thousand Pounds; and if the said Period shall expire before the Company shall either have opened the said Railways 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 Sum of Money 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 Three thousand one hundred and fifty Pounds shall have been executed by the 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 Three thousand one hundred and fifty Pounds if the Company shall not, within the Time limited for the Completion of the said Railways, either open the said Railways for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the said Committee that the Company have paid up, by means of the Capital in Shares by this Act authorized to be raised, the Sum of Twenty-one thousand Pounds, and have expended for the Purposes of this Act in respect of the said Railways a Sum of Twenty-one thousand Pounds, and if such Bond shall have been deposited with the said Solicitor to the said Lords Commissioners, then such Sum of Money, 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 Sum of Money, and the Interest or Dividends thereof, would have been dealt with under this Act if such Bond had not been

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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.

Tolls on new
Lines of
Railway.

XXXII. It shall be lawful for the Company to demand and receive for and in respect of the Use of the Railways by this Act authorized the same Tolls and Charges as they are by the recited Act authorized to demand and receive for and in respect of the Use of the Railway thereby authorized: Provided always, that in calculating the Tolls and Charges to be taken by the Company for the Use of their Railway, the Railways by the recited Act and by this Act authorized shall be deemed One continuous Line of Railway, and as if the same had been constructed under the Authority of One and the same Act.

Rates pay-
able on Ships
using Docks
as in Sched.
(A.)

XXXIII. It shall be lawful for the Company to demand for every Vessel entering the Dock or the Basin connected therewith, and for every Vessel leaving such Dock or Basin, and for every Vessel not entering such Dock or Basin, but receiving or delivering Passengers or Goods at or upon any Pier or Jetty, or other Work of the like Nature constructed under the Provisions of this Act, any Sum for every Ton Measurement of such Vessel not exceeding the Rates mentioned in the Schedule (A.) to this Act annexed, and every such Rate shall be payable by the Master of such Vessel.

Rates on Pas-
sengers and
Goods as in
Sched. (B.)

XXXIV. It shall be lawful for the Company to demand for every Passenger embarking or disembarking within the Dock or Basin, or at or upon any Pier, Jetty, or other Work of the like Nature constructed under the Provisions of this Act, any Sum not exceeding One Penny; and for all Goods mentioned in the Schedule (B.) to this Act annexed which shall be brought into or be shipped or unshipped, received or delivered, within the Dock or the Basin connected therewith, or at or upon any such Pier, Jetty, or other like Work as aforesaid, any Sums not exceeding the several Rates in the said Schedule (B.) specified with respect to such Goods respectively; and as to all such Goods respectively as shall not be mentioned in the said Schedule, the Company may demand a Rate equal to the Rate for the Time being payable in respect of Goods of a similar Nature, Package, and Quality, and every such Rate shall be payable by the Owner of the Goods.

Rates for
the Use of
Wharves,
Cranes, &c.
and for ware-
housing
Goods.

XXXV. It shall be lawful for the Company (in addition to the other Sums which they are by this Act empowered to demand) to demand, receive, and take,

For the Shipment by the Company of Coals, Coke, or Culm by means of Drops or Staiths, Shipping Machines, or other Machinery

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chinery to be constructed or provided under the Authority of this Act, any Sum not exceeding Twopence *per* Ton :

For the weighing by the Company of Coals, Coke, or Culm (including the Use of the Weighing Machines to be constructed or provided under the Authority of this Act), any Sum not exceeding One Farthing *per* Ton :

For the Use of Staiths, Drops, Slips, Ways, Cranes, Weighing or Shipping Machines, or other Machinery or Apparatus to be constructed or provided under the Authority of this Act, and also for the Use of the Wharves of the Company (where the same shall be occupied for a longer Period than Forty-eight Hours), and also for the landing, shipping, or moving by the Company of all Goods, Wares, Merchandise, or other Commodities, except Coals, Coke, or Culm, and of Animals, Cattle, and other Things, and also for and in respect of the warehousing and safe Custody of any Goods, Wares, Merchandise, or other Commodities which shall be warehoused or deposited with or in Custody of the Company, and also for and in respect of any other Machinery, Accommodation, or Services provided or rendered by the Company, such Rates and Sums of Money as may from Time to Time be agreed upon or as may be usual and reasonable ; provided that such Rates or Sums of Money be at all Times charged equally to all Persons in respect of the same Description of Vessels, and the same Description of Goods, and the same Description of Machinery, Accommodation, or Services.

XXXVI. The Company shall and they are hereby required, after having purchased from the Queen's Majesty or other the Owner or Owners thereof the Land requisite for the Purpose, to reserve and appropriate a Part or Parts of the Margin or Shore of the intended Dock of the aggregate Length of Three hundred and fifty Feet, and of the Width of Twenty-five Feet; as and for a public Wharf for the Purpose of landing or loading Goods from or on board of Vessels entering the Dock, and such public Wharf shall at all Times be free to all Vessels for the shipping or landing of Goods, subject only to the Payment of the several Rates specified in the Schedules to this Act, and in the Schedules (C.) and (D.) to the recited Act annexed, and also to the Payment of a reasonable Charge for the Use of Weighing Machines, and also subject to all the Byelaws, Rules, and Regulations of the Company ; and the Company shall and they are hereby required at all Times to find and provide at and upon such public Wharf proper and sufficient Cranes and Weighing Machines, and also convenient Means of Access to or Communication with the Railway : Provided nevertheless, that the Company shall be at liberty from Time to Time, and as Occasion may reasonably require, to change the Site or Situation of such public Wharf, or Portions thereof :

Company to construct public Wharves and Landing Places.

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thereof: Provided also, that whether the public Wharf be in One continuous Length or not, and whatever be the Site or Sites thereof, the Company shall provide convenient Means of Access for the Public thereto at the Western End of the Lands of the Company, and also so that the Public may conveniently pass over the whole Length of the public Wharf, and all Parts, if any, of the Company's Lands lying between any Portions thereof.

Goods, &c. to be disembarked or shipped by the Company, who may charge for Trouble of warehousing, unloading, &c.

XXXVII. All Goods, Wares, and Merchandise which shall or may be disembarked from or shall be put on board of any Ship or other Vessel in the said Dock (except on or from the public Wharf by this Act required to be provided) shall be disembarked or shipped, as the Case may be, by the Company; and the Company shall and may receive for shipping, unshipping, landing, relanding, loading, weighing, and depositing in Warehouses all or any Goods, Wares, and Merchandise whatsoever which shall be shipped or landed at the said Dock, or shall be warehoused upon the Premises of the Company, or for all or any of such Acts, and for any other Work or Labour performed by the Company in respect of such Goods, Wares, and Merchandise, such reasonable Rates and Sums of Money as the Company shall from Time to Time order and direct, so that the same shall not exceed the Rates and Sums of Money then usually paid for or in respect thereof in the Port of *London*, and which Rates or Sums of Money shall and may be recovered or recoverable by the Company in the same Manner and by the same Means as the other Rates, Tolls, and Duties by this Act imposed are or shall be recoverable.

Power to appoint Meters and Weighers.

XXXVIII. The Company may appoint and license a sufficient Number of Persons to be Meters and Weighers within the Limits of this Act.

Company may maintain Lights, &c.

XXXIX. The Company from Time to Time may erect, provide, maintain, and discontinue Lights, Floating Lights, Beacons, Buoys, Mooring and other Landmarks within the Limits of this Act.

Power to appoint Dock Master.

XL. The Company may, if they shall think fit, appoint the Person who for the Time being shall be their Harbour Master under the recited Act to exercise also the Duties of Dock Master within the Dock, or they may, if they shall think fit, appoint some other Person to be their Dock Master, and may from Time to Time prescribe the Limits within which such Dock Master may have Jurisdiction, not exceeding the Limits of this Act.

Pilots appointed under the recited Act

XLI. The Company may from Time to Time license and appoint any of the Persons whom, under the Authority of the recited Act, they may license and appoint to act as Pilots within and to and from the Harbour, to act in the like Capacity within and to and from the
Docks,

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Docks, and for such Purpose the Sections of the recited Act numbered respectively LXVIII. to LXXIII. inclusive shall apply to this Act. may act for Purposes of this Act.

XLII. The Sections of the recited Act numbered respectively LXXV. to LXXXV., both inclusive, shall extend and apply to the Dock and Basin connected therewith to be constructed under the Authority of this Act, as well as to the Harbour of the Company. Extending Provisions of recited Act relating to Ballast.

XLIII. If, upon Complaint made in Writing to the Board of Trade by any Person interested, it shall appear to the Board of Trade that there is reasonable Ground for believing that the Accounts of the Company relating to their Dock Undertaking have not been duly kept, or that any Tolls, Rates, or Duties have been improperly or unfairly levied by them, the Board of Trade may appoint an Auditor to examine the Accounts of the Company, and examine into the Matters so complained of, and to report to them thereon; and the Company shall, upon Demand, produce to such Auditor all or any of their Accounts, Books, Deeds, Papers, Writings, and other Documents relating to their Dock Undertaking, and afford to him all reasonable Facilities for examining and comparing the same; and in case any such Complaint shall be found to be true, the reasonable Expenses of such Auditor shall be paid by the Company out of the Dock Rates authorized to be levied by this Act; but if such Complaint be not found to be true, the reasonable Expenses of such Auditor shall be paid by the Complainant; and in either Case such Expenses may be recovered, with Costs of Suit, as a Debt due to the Crown or as a Penalty. Board of Trade may appoint an Auditor to examine Accounts.

XLIV. The Powers and Provisions of the recited Act relating to Agreements between the Company and the *Taff Vale* Railway Company in respect of the Working and Use by the *Taff Vale* Railway Company of and over the Railways and Works of the Company by that Act authorized, and which are comprised in the Eighty-eighth to the Ninety-third Sections, both inclusive, of that Act (as printed by the Queen's Printers), shall be and the same are hereby extended to and may be exercised by the said Companies respectively in respect of the Railways and Works by this Act authorized, in like Manner and to the same Extent as if the same had formed a Part of the original Undertaking of the Company. As to Working Arrangements with the Taff Vale Railway Company.

XLV. It shall be lawful for the Company, and all Persons lawfully using the Railways of the Company (subject nevertheless to the Byelaws, Rules, and Regulations, as approved by the Board of Trade, of the *Taff Vale* Railway Company), to run over and use with Engines, Carriages, Waggon, Officers, and Servants, all or any Part of the Providing for the Use by the Company of the Taff Vale Railway; and by the Taff

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Railways

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Vale Railway Company of the Company's Railway.

Railways now or hereafter belonging to the *Taff Vale* Railway Company (including the *Aberdare* Railway, now under Lease to the *Taff Vale* Railway Company), and all Stations, Platforms, Sidings, Warehouses, Booking and other Offices, Watering Places, Water and other Works and Conveniences belonging to the *Taff Vale* Railway Company; and it shall also be lawful for the *Taff Vale* Railway Company, and all Persons lawfully using the Railways of that Company (subject nevertheless to the Byelaws, Rules, and Regulations, as approved by the Board of Trade, of the Company), to run over and use with Engines, Carriages, Waggon, Officers, and Servants, all or any Part of the Railways now or hereafter belonging to the Company, and all Stations, Platforms, Sidings, Warehouses, Booking and other Offices, Watering Places, Water and other Works and Conveniences belonging to the Company, upon Payment to the *Taff Vale* Railway Company and to the Company respectively, for the Use of their respective Railways, Works, and Conveniences aforesaid, of such Sum or Sums of Money as such Companies respectively may for the Time being lawfully demand in respect of such Tolls and Charges as are fixed and specified by their respective Acts; and for all Accommodation which may be afforded by either of the said Companies, in respect of which no fixed or defined Charge or Toll is specified in such Acts, upon Payment of such Sum or Sums of Money or other Consideration as may be settled by Agreement between the Companies, or in default thereof as may be settled by an Arbitrator, to be appointed by the Board of Trade on the Application of either of the Companies.

Alteration of Name.

XLVI. From and after the passing of this Act the Name, Style, and Title of the Company shall be "The *Penarth* Harbour, Dock, and Railway Company," instead of "The *Ely* Tidal Harbour and Railway Company," and by that Name the Company shall henceforth have and exercise all the Powers vested in the *Ely* Tidal Harbour and Railway Company; and the recited Act shall be read and interpreted as if the Name "The *Penarth* Harbour, Dock, and Railway Company" were inserted throughout, in lieu of the Name of "The *Ely* Tidal Harbour and Railway Company."

Actions not to abate.

XLVII. No Action, Suit, Bill, Process, Writ, Indictment, Information, or any other Proceeding, whether Civil or Criminal, which at or immediately before the passing of this Act had been commenced and was then pending, whether at the Suit or Instance of the *Ely* Tidal Harbour and Railway Company against any other Corporation or against any Person, or at the Suit or Instance of any other Corporation or of any Person against the same Company, shall abate, determine, or be otherwise impeached or affected for or by reason of the aforesaid Change of the Name of the said Company, nor shall any Notice, Tender, Requisition, Warrant, Summons, Pleading, Civil
or

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or Criminal Writ, or other Process, Record, Deed, Contract, Agreement, Writing, or Instrument that shall have been or shall be made, issued, written, or commenced, be deemed to be vacated, discharged, invalidated, prejudiced, or affected by reason of the said Company or their Undertaking being therein respectively called by the Name of "The *Ely* Tidal Harbour and Railway Company," or "The *Ely* Tidal Harbour and Railway;" and it shall not be necessary in any Bill, Suit, Indictment, Information, Notice, Tender, Requisition, Warrant, Summons, Pleading, Civil or Criminal Writ, or other Process, or in any Record, Deed, Contract, Agreement, Writing, or other Instrument or Matter, to aver that the said Company had been called or known from the Time of the passing of the recited Act until the Time of the passing of this Act by the Name of "The *Ely* Tidal Harbour and Railway Company," or that their said Undertaking had been called or known within that Period by the Name of "The *Ely* Tidal Harbour and Railway," and that by this Act the Names of the said Company and their Undertaking were changed as aforesaid, and that after the passing of this Act the said Company hath been called and known by the Name of "The *Penarth* Harbour, Dock, and Railway Company," and their Undertaking by the Name of "The *Penarth* Harbour, Dock, and Railway," but it shall be deemed true, lawful, and sufficient therein to aver the Style and describe the said Company by the Name of "The *Penarth* Harbour, Dock, and Railway Company," and their Undertaking by the Name of "The *Penarth* Harbour, Dock, and Railway," in the same Manner as if the said Company in and by the recited Act had been originally incorporated, called, or known by the Name of "The *Penarth* Harbour, Dock, and Railway Company," and as if their Undertaking had been called and known by the Name of "The *Penarth* Harbour, Dock, and Railway."

XLVIII. Notwithstanding the Change of Name of the Company, and except only as is by this Act otherwise expressly provided, everything before the passing of this Act done, suffered, and confirmed respectively, under or by virtue of the recited Act, by the Company by or under the Name of the *Ely* Tidal Harbour and Railway Company, shall be as valid as if the same had been done, suffered, and confirmed by them by or under the Name of "The *Penarth* Harbour, Dock, and Railway Company," and such Change of Name and this Act respectively shall be subject and without Prejudice to everything so done, suffered, and confirmed respectively, and to all Rights, Liabilities, Claims, and Demands, both present and future, which, if such Change of Name had not taken place and this Act were not passed, would be incident to or consequent upon any and every thing so done, suffered, and confirmed respectively: Provided always, that the Generality of this Provision shall not be restricted by any other of the Clauses and Provisions of this Act.

General
Saving of
Rights.

XLIX. And

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Reserving to
the Crown
a Space of
Ground for
a Battery.

XLIX. And whereas it hath been arranged between the Company and Her Majesty's Principal Secretary of State for the War Department that a Space of Ground adjoining the said proposed Dock at *Penarth Point, Cardiff*, should be reserved as a Site for a Battery to be erected thereon: Therefore the Company shall and they are hereby required to reserve such Space of Ground, not exceeding One hundred Feet in Breadth and Two hundred Feet in Length, adjoining the Sea Shore at *Penarth Point* aforesaid, as shall be mutually agreed on by and between the Company and the Secretary of State for War, for the Purpose of erecting thereon a Battery and Works of Defence; and such Piece of Ground shall be and remain the Property of the said Secretary of State for War and his Successors for ever; and such Reservation shall be made without Charge or Expense to the said Secretary of State for War or his Successors: Provided nevertheless, that there shall be reserved out of such Piece of Ground for the Purposes of Traffic a Space between the Battery so to be erected as aforesaid and the Sea Line of the Width of Twenty Feet; and also provided, that if such Piece of Ground be not taken possession of and used for the Purposes of such Battery and Works within Five Years from the passing of this Act, the Power to take the same under this Enactment shall cease; and also provided, that if at any Time after such Piece of Ground shall have been taken possession of the same shall be abandoned, or any Battery or other Works erected thereon shall be disused, such Piece of Ground and Works shall thereupon revert to and may be taken possession of and used by the Company as their own Property without their making any Payment or Compensation for or in respect of the same.

Interest not
to be paid
on Calls
paid up.

L. It shall not be lawful for the Company, out of any Money by this Act or any other Act relating to the Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay Interest or Dividend to any Shareholder on the Amount of the Calls actually 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 of "The Companies Clauses Consolidation Act, 1845," in that Behalf contained.

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

LI. The Company shall not, out of any Money by this Act or any other Act relating to the Company authorized to be raised for the Purposes of such Act or Acts, pay or deposit any Sum of Money which, by any Standing Order of either House of Parliament now in force or hereafter to be in force, may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining
any

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any Act authorizing the Company to construct any other Railway or execute any other Work or Undertaking.

LII. Nothing in this Act contained shall exempt the Dock and the Works connected therewith by this Act authorized, or the Company, from the Provisions of "The Merchant Shipping Law Amendment Act, 1853," "The Merchant Shipping Act, 1854," or any General Act relating to Docks or Dues on Shipping now in force or which shall be passed during the present or any future Session of Parliament, or from any future Revision or Alteration, under the Authority of Parliament, of the Dock Rates or Duties by this Act authorized.

Reservation of Merchant Shipping Acts and General Acts.

LIII. 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.

Subscription Contract to be valid.

LIV. Nothing herein contained shall be deemed or construed to exempt the Railways by this Act authorized to be made or the Company from the Provisions of any General Act relating to Railways, or to the better and more impartial Audit of the Accounts of Railway Companies, now in force or which may hereafter pass during the present or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges, and of the Rates for small Parcels, authorized by the recited Act or this Act.

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

LV. Provided always, That this Act or anything therein shall not take away, lessen, prejudice, alter, or affect the Right of the *Cardiff* Waterworks Company to take from Time to Time hereafter from the River *Ely*, for supplying with Water the District which they are authorized to supply, such Quantities of Water as, if this Act were not passed, they from Time to Time might so take, and shall not (except as is by this Act expressly provided) take away, lessen, prejudice, alter, or affect any other of the Estates, Rights, Interests, Powers, Privileges, or Authorities of the *Cardiff* Waterworks Company.

Saving Rights of the *Cardiff* Waterworks Company.

LVI. Provided always, That this Act shall not authorize the Company to do anything to the Prejudice of *Ely* Mill, or the Working or Use thereof, without the Consent of the Owners thereof.

Saving Rights of Owners of *Ely* Mill.

LVII. Nothing contained in this Act, or in any of the Acts herein referred to, shall authorize the said Company to take, use, or in any Manner interfere with any Foreshore or other other Land, Soil, Tenements, or Hereditaments, or any Rights in respect thereof, belonging to

Saving Rights of the Crown.

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The Penarth Harbour, Dock, and Railway Act, 1857.

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 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.

LVIII. All the Costs, Charges, and Expenses of and attending the passing of this Act or incidental thereto shall be paid by the Company.

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SCHEDULES referred to in the foregoing Act.

SCHEDULE (A.)

Dock Rates.

STEAM VESSELS.

For every Steam Vessel entering and for every Steam Vessel leaving the Dock or Basin - - - - - per Ton s. d. 0 8

SAILING VESSELS.

For every Vessel entering the Dock or Basin with Cargo from, and for every Vessel leaving the Dock or Basin with Cargo for, any Port in the United Kingdom, Isle of Man, Jersey, Guernsey, Alderney, and Sark - - - - - per Ton 0 4

For every Vessel entering the Dock or Basin with Cargo from, and for every Vessel leaving the Dock or Basin with Cargo for, any Port in Europe between the North Cape and Cape Finisterre - per Ton 0 5

For every Vessel entering the Dock or Basin with Cargo from, and for every Vessel leaving the Dock or Basin with Cargo for, any other Port in Europe and the Mediterranean - - - - - per Ton 0 7

For every Vessel entering the Dock or Basin with Cargo from, and for every Vessel leaving the Dock or Basin with Cargo for, any other Foreign Port - - - - - per Ton 0 9

For every Vessel entering the Dock or Basin, light or in Ballast, and for every Vessel leaving the Dock or Basin, light or in Ballast - - - - - per Ton 0 4

For every Vessel which shall enter the Dock or Basin laden, and depart without breaking Bulk - - - - - per Ton 0 6

And if any such Steam Vessel or Sailing Vessel, being of less than 200 Tons Measurement, shall remain within the said Dock or Basin for a longer Period than 10 Days, or, being of 200 Tons and less than 400 Tons Measurement, for a longer Period than 14 Days, or, being of 400 Tons Measurement or upwards, for a longer Period than 21 Days, then for the Period during which such Vessel shall remain beyond the Periods aforesaid respectively the further Rates following ; (that is to say,)

For the First Week, or any Part thereof - - - - - per Ton 0 1
 For the Second Week, or any Part thereof - - - - - per Ton 0 1½
 For every Week or Part of a Week beyond the Second Week - - - - - per Ton 0 2

For every Steam or other Vessel which shall not enter the Dock or Basin, but which shall either land or receive Passengers or Goods at or upon any Pier or Jetty constructed under the Provisions of this Act - - - - - per Ton 0 4

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SCHEDULE (B.)

Rates on Goods.

		s.	d.
Ale, Beer, or Cider	- - - - - per Butt	0	4
	- - - - - per Hogshead	0	2
	- - - - - per Barrel	0	1
	- - - - - per 3 Doz. Hamper	0	2
	- - - - - per Kilderkin	0	0½
Alum	- - - - - per Ton	0	8
Apples	- - - - - per Sack	0	1
Ashes	- - - - - per Ton	0	8
Bacon	- - - - - per Bale	0	1
	- - - - - per Bundle	0	1
	- - - - - per Side	0	0½
Bags (empty)	- - - - - per Bundle	0	1
Bales and Chests (Drapery)	- - - - - large	0	3
	- - - - - small	0	2
Baskets (empty)	- - - - - per Bundle	0	1
Bedsteads	- - - - - each	0	2
Bellows, large	- - - - - each	0	3
-----, small	- - - - - per Bundle	0	1
Biscuits	- - - - - per Bag	0	1
Bottles (empty)	- - - - - per Hamper	0	1
Bran	- - - - - per Ton	0	8
Brass Wire	- - - - - per Ton	1	0
Bricks or Tiles, common	- - - - - per 1,000	1	0
-----, scouring	- - - - - per 1,000	1	6
-----, Fire	- - - - - per 1,000	2	0
-----, Bath	- - - - - per 100	0	6
Bricks, Paving, and Malt Kiln Tiles	- - - - - per 100	0	6
Brimstone	- - - - - per Ton	0	8
Brooms	- - - - - per Dozen	0	0½
Butter	- - - - - per Firkin	0	0½
Candles	- - - - - per Box	0	1
Carriages, 4 Wheels	- - - - - each	1	6
----- 2 Wheels, and Phaetons	- - - - - each	1	0
----- Waggon	- - - - - each	1	6
----- Cart	- - - - - each	1	0
----- Harrows or Ploughs	- - - - - each	0	6
----- Thrashing Machines	- - - - - each	2	6
----- other Machines	- - - - - each	0	6
Cattle—Horses	- - - - - each	1	0
----- Oxen and Cows	- - - - - each	0	6
----- Ponies, Mules, and Asses	- - - - - each	0	6
----- Calves	- - - - - each	0	1
----- Lambs and Sheep	- - - - - each	0	1
----- Pigs	- - - - - each	0	1
Cement, or Plaster of Paris	- - - - - per Barrel	0	1
	- - - - - per ½ do.	0	1
	- - - - - per ¼ do.	0	0½
Roman Earth	- - - - - per Ton	0	3

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		s.	d.
Chairs	per Dozen	0	4
Cheese	per Ton	0	8
Clay	per Ton	0	1
Coal, Culm, or Stone Coal	per Ton	0	2
Coffee	per Ton	1	0
—	per Bag	0	1
Copper Ore	per Ton	0	8
Copper and Brass (or Battery)	per Ton	1	0
Corkwood	per Ton	1	0
Corks	per Bag	0	1
Corn—Wheat, Barley, Oats, Peas, and Beans	per Ton	0	8
—	per Sack	0	1
Cotton	per Bale	1	0
—	per Bag	0	3
Deals	per 120	1	0
Deal Ends	per 120	0	4
Dogs	each	0	1
Drugs, Hamper or Box	each	0	2
Earthenware, large	per Crate	0	4
—, small	per Crate	0	2
Eggs	per Chest	0	2
Engines, Locomotive	each	20	0
Feathers	per Cwt.	0	3
Fish	per Barrel	0	1
Flax	per Ton	0	9
Flour	per Ton	0	8
—	per Sack	0	1
— or Meal	per Barrel	0	1
Fruit, above 15 Cwt.	per Butt	0	9
—, 7 and under 15 Cwt.	per Butt	0	6
—, under 7 Cwt.	per Butt	0	3
—, — ½ Cwt.	per Box	0	0½
—	per Chest	0	1
—	per Bag	0	1
—	per Basket or Box	0	1
Furniture or Goods	large Package	0	6
—	middle Package	0	4
—	small Package	0	2
Glass or China	per Hogshead	0	9
—	per Tierce	0	4
—	per Crate	0	3
—, Window Glass	per Side	0	2
Glue	per Cwt.	0	1
Grates or Stoves, large	each	0	6
—, middle	each	0	4
—, small	each	0	2
Gravel	per Ton	0	2
Greaves	per Ton	1	0
Grindstones	per Foot Diameter	0	1
Guano	per Ton	0	9
Gunpowder	per Barrel	0	2
Hair	per Ton	1	0
—	large, per Bag	0	2
—	small, per Bag	0	1

[Local.]

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The Penarth Harbour, Dock, and Railway Act, 1857.

		s.	d.
Hampers, empty	- - - - -	per Dozen	0 1
Hardware	- - - - -	per Hamper	0 2
Hats	- - - - -	per Box	0 2
Hay	- - - - -	per Ton	0 8
Hemp	- - - - -	per Ton	1 0
	- - - - -	per Bundle	0 1
Hides	- - - - -	per Ton	0 10
Hoops (Wood)	- - - - -	per Bundle	0 1
Hops	- - - - -	per Bag	0 2
Indigo	- - - - -	per Chest	1 0
	- - - - -	per Seron	0 4
Iron—Bar, Bolt, Pig, Wrought, or Iron Wire	- - - - -	per Ton	0 6
— Cast, Guns, Gun Carriages, or Shot	- - - - -	per Ton	1 0
— Broken, Bushel, or Ballast	- - - - -	per Ton	0 6
— Cinders	- - - - -	per Ton	0 3
Iron Ore	- - - - -	per Ton	0 4
Ironmongery	- - - - -	per Hhd.	0 6
	- - - - -	per Tierce	0 4
	- - - - -	per Barrel	0 2
	- - - - -	Box or Keg	0 1
Lathwood	- - - - -	per Fathom	0 4
Lead—Pig or Sheet, or Lead Shot	- - - - -	per Ton	1 0
— White or Red	- - - - -	per Ton	1 0
— Ore	- - - - -	per Ton	0 6
Leather	- - - - -	per Ton	1 8
Lime	- - - - -	per Chaldron	0 6
Limestone	- - - - -	per Ton	0 2
Loam	- - - - -	per Ton	0 3
Logwood	- - - - -	per Ton	1 6
Malt	- - - - -	per Quarter	0 2
Manure	- - - - -	per Ton	0 1
Marble	- - - - -	per Ton	0 8
Mast, Yard, or Bowsprit	- - - - -		
— 6 Inches and under 8 Inches	- - - - -	each	0 3
— 8 ditto and under 12 ditto	- - - - -	each	0 6
— 12 ditto and upwards	- - - - -	each	1 0
Molasses—Juice or Syrup	- - - - -	per Ton	0 8
	- - - - -	per Hhd.	0 4
Mustard	- - - - -	per Keg	0 0½
Music, large	- - - - -	per Case	1 0
—, small	- - - - -	per Case	0 6
Nails—Copper or Brass	- - - - -	per Ton	1 8
—, Iron	- - - - -	per Bag	0 1
Nuts	- - - - -	per Bag	0 1
Oak Quarter	- - - - -	100 Feet in Length	0 6
Oak Bark	- - - - -	per Ton	1 0
Oak, Ash, Elm, and Fir Plank	- - - - -	per 100 Feet Superficial	0 6
Oak Knees, large	- - - - -	each	0 2
—, small	- - - - -	each	0 1
Oakum	- - - - -	per Ton	0 8
Oil	- - - - -	per Leager	0 9
	- - - - -	per Pipe	0 6
	- - - - -	per Hhd.	0 3

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		s.	d.
Oil	per Barrel	0	2
—	per Can	0	1
Oil Cake	per Ton	0	8
Ox Bows	per Dozen	0	1
Paper	per Package	0	1
Parcels, large	each	0	2
—, small	each	0	1
Pepper	per Bag	0	2
Pipe Clay	per Ton	0	3
Pitwood, Sleepers, or Poles	per Ton	0	4
Plants or Trees, large	per Bundle	0	3
—	per Package	0	2
Pork or Beef	per Tierce	0	2
—	per Barrel	0	2
—	per ½ Barrel	0	1
Potatoes	per Ton	0	8
Rabbits	per Score	0	1
Rags or Junk	per Ton	0	8
Rice	per Ton	0	9
—	per Bag	0	1
Rope	per Ton	1	0
Salt	per Ton	0	6
Saltpetre	per Ton	1	0
— (refined)	per Keg	0	1
Sand	per Ton	0	2
Seeds	per Sack	0	2
Shoes	per Hamper	0	2
Shumac	per Bag	0	2
Slates	per Ton	0	6
Soap	per Chest	0	2
—	per Box	0	1
Soda	per Tierce	0	3
—	per Cask	0	2
Spades and Shovels	per Dozen	0	1
Starch	per Chest	0	2
—	per Box	0	1
Staves	per 100	0	3
Steel	per Ton	1	0
Stone—Bath or Block	per Ton	0	6
— Paving	per Ton	0	4
Straw	per Ton	0	8
Sugar	per Hhd.	0	6
—	per Tierce	0	4
—	per Barrel	0	1
—	per Bag	0	1
Tallow	per Hhd.	0	4
—	per Cask	0	3
Tar, Turpentine, and Rosin	per Barrel	0	1
Tea	(112 lbs.) per Chest	0	3
—	per ½ Chest	0	2
—	per ¼ Chest	0	1
Timber—Oak, Ash, Elm, Fir, or other Timber	per Load	0	8
Tin	per Ton	1	0
— Barrel, or Block	each	0	2

The Penarth Harbour, Dock, and Railway Act, 1857.

			<i>s.</i>	<i>d.</i>
Tin Plates	- - - - -	- per Ton	0	8
_____	- - - - -	- per Box	0	0½
Tobacco.	- - - - -	- per Hhd.	0	8
_____	- - - - -	- per Chest	0	2
_____, under 56 lbs	- - - - -	- per Box	0	1
Vegetables—Sack or Hamper	- - - - -	- each	0	1
Vinegar	- - - - -	- per Pipe	0	6
_____	- - - - -	- per Hhd.	0	3
_____	- - - - -	- per Barrel	0	2
Vitriol	- - - - -	- per Carboy	0	2
Whiting	- - - - -	- per Hhd.	0	6
_____	- - - - -	- per Tierce	0	3
_____	- - - - -	- per Barrel	0	2
_____	- - - - -	- per Firkin	0	1
Wine or Spirits	- - - - -	- per Pipe	1	0
_____	- - - - -	- per Punch.	0	9
_____	- - - - -	- per Hhd.	0	6
_____	- - - - -	- per ¼ Pipe	0	4
_____ Casks, Cases, or Hampers	- - - - -	- each	0	2
Wool, Millpuff and Yarn	- - - - -	- per Ton	1	0
_____	- - - - -	- per Pack	0	2
Zinc	- - - - -	- per Cwt.	0	1

And so on in proportion for any greater or less Quantities.

And for every other Article of Goods, Wares, or Merchandise not enumerated above, a reasonable Charge.

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