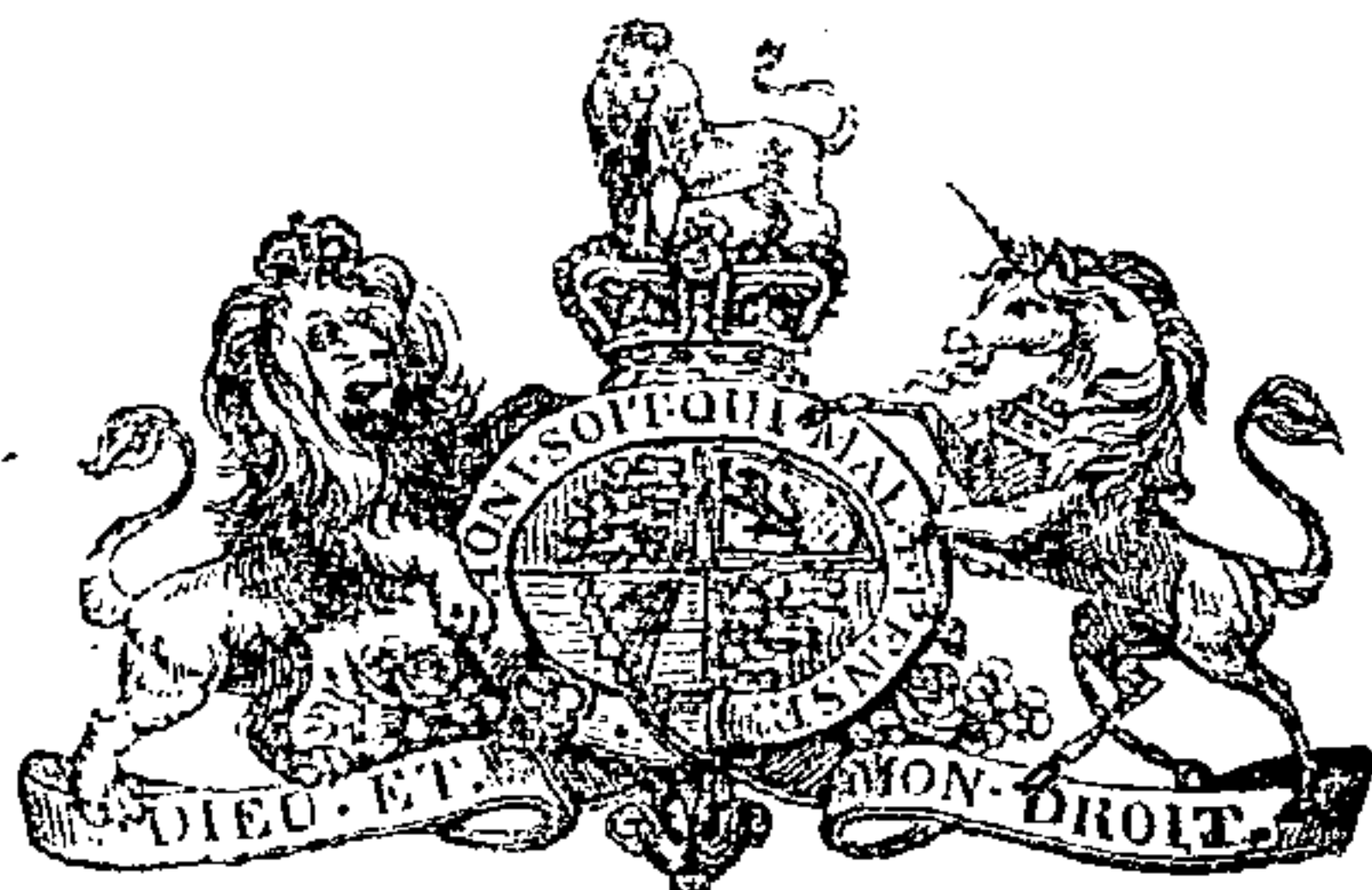


[39 & 40 VICT.] *The Llynvi and Ogmore and Cardiff* [Ch. cxcv.]  
*and Ogmore Valley Railway Companies Act, 1876.*



### CHAPTER cxcv.

An Act for the amalgamation of the Cardiff and Ogmore  
Valley Railway Company with the Llynvi and Ogmore  
Railway Company ; and for other purposes.

A.D. 1876.

[24th July 1876.]

**W**HEREAS the Llynvi and Ogmore Railway Company are  
owners of railways in the county of Glamorgan extending  
from Porthcawl to Maesteg and several other places, and they are  
also owners of a harbour and dock at Porthcawl already constructed,  
and are authorised to make and maintain other railways which are  
in course of construction :

And whereas by "The Cardiff and Ogmore Valley Railway Act, 1873," the Cardiff and Ogmore Valley Railway Company were  
incorporated and were authorised to make and maintain a railway,  
commencing in the parish of Llangeinor, in the said county of  
Glamorgan, by a junction with the railway of the Llynvi and  
Ogmore Railway Company, and forming a continuation of the said  
last-mentioned railway to the Great Western Railway Company's  
railway at Llanharan in the same county :

36 & 37 Vict.  
c. cxlvii.

And whereas the capital of the Llynvi and Ogmore Railway  
Company authorised to be raised in shares and stock (exclusive of  
debenture stock) is nine hundred and fifty-five thousand pounds :

And whereas the capital of the Llynvi and Ogmore Railway  
Company authorised to be raised by borrowing, including the  
debenture stock which has been created and issued by conversion  
of existing debt, or instead of borrowing to the same amount, is  
three hundred and seventeen thousand eight hundred pounds :

And whereas the capital of the Cardiff and Ogmore Valley Rail-  
way Company authorised to be raised in shares is one hundred  
thousand pounds :

And whereas the capital of the Cardiff and Ogmore Valley Rail-  
way Company authorised to be raised by borrowing is thirty-three  
thousand three hundred pounds :

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A.D. 1876.

And whereas the railway of the Cardiff and Ogmere Valley Railway Company will, when complete, afford a direct communication between the Great Western Railway at Llanharan aforesaid and the railways of the Llynvi and Ogmere Railway Company :

And whereas it would be to the advantage of the public and to the convenient working of the undertakings of the said Llynvi and Ogmere Railway Company and the Cardiff and Ogmere Valley Railway Company that they and their respective undertakings should be united under one management and amalgamated, and it is expedient that such amalgamation should be carried into effect :

And whereas an agreement, dated the sixteenth day of May one thousand eight hundred and seventy-three, was entered into between the Llynvi and Ogmere Railway Company and the Great Western Railway Company, with respect to the working by the latter company of the railways of the former company, and other matters, and a copy of the said agreement is contained in the schedule to "The Llynvi and Ogmere Railway Act, 1873," and the said agreement is by the said Act sanctioned and confirmed :

And whereas an agreement, dated the sixteenth day of June one thousand eight hundred and seventy-five, was entered into between the Cardiff and Ogmere Valley Railway Company, the Llynvi and Ogmere Railway Company, and the Great Western Railway Company, with respect to the working by the said Great Western Railway Company of the railway of the Cardiff and Ogmere Valley Railway Company, and other matters ; and a copy of the said agreement is contained in the schedule to "The Great Western Railway Act, 1875," and the said agreement is by that Act sanctioned and confirmed :

And whereas in pursuance of the said firstly herein-before recited agreement, the Great Western Railway Company have since the first day of July one thousand eight hundred and seventy-three worked and managed the railways and undertaking of the Llynvi and Ogmere Railway Company :

And whereas it is expedient that the said two agreements should be cancelled, as herein-after provided, and that section thirty-nine of "The Llynvi and Ogmere Railway Act, 1873," and section forty-nine of "The Great Western Railway Act, 1875," should respectively be repealed :

And whereas an agreement, bearing date the twenty-ninth day of June one thousand eight hundred and seventy-six, has been made and entered into between the Llynvi and Ogmere Railway Company of the first part, the Cardiff and Ogmere Valley Railway Company of the second part, and the Great Western Railway Company of the

[39 & 40 VICT.] *The Llynvi and Ogmore and Cardiff* [Ch. cxcv.]  
*and Ogmore Valley Railway Companies Act, 1876.*

third part, in substitution for the two last-mentioned agreements; and it is expedient that the said agreement should be sanctioned and confirmed:

A.D. 1876.

And whereas it is expedient that the time limited for the sale of certain lands of the Llynvi and Ogmore Railway Company should be extended:

And whereas the objects aforesaid cannot be attained 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:

1. This Act may be cited for all purposes as "The Llynvi and Ogmore and Cardiff and Ogmore Valley Railway Companies Act, 1876."

Short title.

2. Part V. of "The Railways Clauses Act, 1863," relating to amalgamation, is (except where expressly varied by this Act) incorporated with and forms part of this Act.

Parts of  
26 & 27 Vict.  
c. 92. incor-  
porated.

3. In this Act the several words and expressions to which meanings are assigned by the Act partially incorporated herewith shall have the same respective meanings, unless there be something in the subject or context repugnant to such construction; and the word "person" shall include a corporation, unless there be something in the subject or context inconsistent with such construction; the expression "the amalgamated Company," as in this Act used, shall denote the Llynvi and Ogmore Railway Company as it will exist after the amalgamation of the Cardiff and Ogmore Valley Railway Company with the Llynvi and Ogmore Railway Company under the authority of this Act; the expression "the Llynvi Company" shall denote the Llynvi and Ogmore Railway Company, as it was before and up to the date of amalgamation; the expression "the dissolved company" shall denote the Cardiff and Ogmore Valley Railway Company; and the expression "the two Companies" shall denote the Llynvi and Ogmore Railway Company and the Cardiff and Ogmore Valley Railway Company; and the expression "the Great Western Company" shall mean the Great Western Railway Company.

Interpreta-  
tion of terms.

4. From and after the first day of July one thousand eight hundred and seventy-six, the Cardiff and Ogmore Valley Railway Company shall be and is hereby from and after that date dissolved, and the dissolved company is hereby from and after the said date

Amalgama-  
tion of the  
two Com-  
panies.

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A.D. 1876. amalgamated with the Llynvi Company, which shall thereafter be called "The Llynvi and Ogmore Railway Company," and the respective undertakings of the two Companies shall thenceforth be known by the name of "The Llynvi and Ogmore Railway."

Defining share capital of amalgamated Company.

5. The capital of the amalgamated Company raised and authorised to be raised in shares and stock (exclusive of debenture stock) shall consist of the capital in shares and stock of the Llynvi Company, and of the capital in shares of the dissolved company.

Defining loan capital of amalgamated Company.

6. The loan capital of the amalgamated Company shall consist of the loan capital and debenture stock of the Llynvi Company and of the loan capital of the dissolved company: Provided that nothing herein shall interfere with the right or power of the amalgamated Company to convert any part of such loan capital into debenture stock.

Shareholders of the dissolved company to be entitled to ordinary shares in the amalgamated Company.

7. Every person who at the time of amalgamation shall be inscribed upon the books of the Llynvi Company and the dissolved company respectively as the proprietor of any stock, share, or shares in the said companies respectively shall forthwith be inscribed upon the books of the amalgamated Company as the proprietors of an equivalent amount of stock, share, or shares, and shall be entitled to the same dividends rights, and privileges as against the other proprietors of stock and shares in the amalgamated Company as he was entitled to at the time of such amalgamation with reference to the other proprietors of stock and shares in the company in which he then held any stock or shares.

Certificates of shares in the amalgamated Company to be delivered to such shareholders.

8. After the amalgamation the amalgamated Company shall, on the demand of any proprietor of stock or shares in either company, and in exchange for the certificate of the stock or share in that company held by him, deliver to such proprietor, free of expense, a certificate of the stock or share in the amalgamated Company to which such proprietor has become entitled under the provisions of this Act.

Votes at general meetings.

9. At all general meetings of the amalgamated Company, every holder of stock (other than debenture stock) or shares in the amalgamated Company shall have one vote in respect of every twenty pounds in nominal value of such stock or shares up to one hundred pounds nominal value, and he shall have an additional vote in respect of every additional one hundred pounds in nominal value of such stock or shares up to one thousand pounds nominal value, and an additional vote in respect of every additional two hundred

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pounds in nominal value of such stock or shares beyond one thousand pounds: Provided that no holder of shares shall be entitled to vote at any meeting unless he shall have paid all the calls then due upon the shares held by him.

A.D. 1876.

**10.** The debts and liabilities, as well of the Llynvi Company as of the dissolved company, secured on mortgage or bond, which at the date of amalgamation shall be subsisting, shall then become and be a charge upon the united undertaking of the amalgamated Company, but subject and without prejudice to the right of the several holders of such mortgages and bonds respectively to a priority of charge upon the respective undertakings upon which, at the date of amalgamation, they shall be severally a charge (which charge shall, notwithstanding the amalgamation, continue to be in operation and in force so long as such mortgages or bonds respectively shall be subsisting), and to all the rights, privileges, and remedies belonging or incident to such mortgages and bonds respectively; and all mortgages issued or renewed after the date of amalgamation by the amalgamated Company, whether under the powers of any Act relating to the Llynvi Company or of any Act relating to the dissolved Company, shall be issued or renewed by and in the name of the amalgamated Company, and they are hereby authorised so to issue or renew the same, and the mortgages so issued shall be a charge upon the undertaking of the amalgamated Company.

Mortgages and bonds of separate companies to be a charge on united undertaking.

**11.** Except in so far as is by this Act otherwise expressly provided, the proprietors of debenture stock of the Llynvi Company and of debenture stock of the dissolved company respectively which shall be subsisting at the date of amalgamation, and the proprietors of the debenture stock which may be created and issued by the amalgamated Company under the powers herein contained, shall have and may enforce upon and against the united undertaking the same rights, powers, and remedies which by Part III. (relating to debenture stock) of "The Companies Clauses Act, 1863," are conferred upon the holders of debenture stock created subject to the provisions of that Act; and the rights, powers, and remedies so made to attach on and enforceable against the united undertaking shall be in substitution for the rights, powers, and remedies before had and enforceable upon and against the separate undertakings of the two Companies respectively; but, notwithstanding anything in that Act contained, the interest of all debenture stock created and issued under "The Llynvi and Ogmore Railway Act, 1873," and "The Cardiff and Ogmore Valley Railway Act, 1873," shall rank *pari passu* with the interest of all mortgages granted under the

Debenture stock of separate companies to be a charge on united undertaking.

[Ch. cxcv.] *The Llynvi and Ogmore and Cardiff [39 & 40 VICT.]  
and Ogmore Valley Railway Companies Act, 1876.*

A.D. 1876. powers of those Acts, and shall have priority over all principal moneys secured by such mortgages.

The capital in the amalgamated Company to be subject to the same trusts.

**12.** All persons or corporations in whom any such stock or share in the amalgamated Company shall be vested as aforesaid shall stand and be possessed thereof upon the same trusts and subject to the same powers, provisoes, declarations, and agreements, charges, and incumbrances as the trusts, powers, provisoes, declarations, and agreements, charges, and incumbrances upon or to which the stock or share in the capital of the Llynvi Company or of the dissolved company, in respect of which such stock or share in the amalgamated Company is by this Act vested, was subject and liable immediately before the passing of this Act, and so as to give effect to and not revoke any will or other testamentary instrument disposing of or affecting such stock or share in the capital of the Llynvi Company or of the dissolved company.

Number of directors.

**13.** The number of directors of the amalgamated Company shall be nine, but it shall be lawful for the amalgamated Company from time to time to reduce the number, provided that the number be not less than six.

Qualification of directors.

**14.** The qualification of a director shall be the possession in his own right of not less than five hundred pounds, paid up in the capital of the amalgamated Company.

Quorum of directors.

**15.** So long as the number of directors shall be nine, the quorum of a meeting of directors shall be five, but if and whenever the number of directors shall be reduced to six the quorum shall be three.

First directors.

**16.** The present directors of the two companies shall be the first directors of the amalgamated Company.

Cancellation of the agreement of 16th May 1873 and the agreement of 16th June 1875.

**17.** As from and after the thirtieth day of June one thousand eight hundred and seventy-six, the said agreement of the sixteenth day of May one thousand eight hundred and seventy-three, set forth in the schedule to "The Llynvi and Ogmore Railway Act, 1873," and the said agreement of the sixteenth day of June one thousand eight hundred and seventy-five, set forth in Schedule D. to "The Great Western Railway Act, 1875," shall be and the same are hereby (subject to the provisions of the herein-before recited agreement of the twenty-ninth day of June one thousand eight hundred and seventy-six) respectively cancelled, and as from and after the same date, section thirty-nine of "The Llynvi and Ogmore Railway Act, 1873," and section forty-nine of "The Great Western Railway Act, 1875," shall be and the same are hereby repealed.

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18. The agreement between the Llynvi and Ogmore Railway Company of the first part, the Cardiff and Ogmore Valley Railway Company of the second part, and the Great Western Railway Company of the third part, dated the twenty-ninth day of June one thousand eight hundred and seventy-six, of which a copy is contained in the First Schedule to this Act annexed, is hereby sanctioned and confirmed.

A.D. 1876.  
Confirmation  
of agree-  
ment of 29th  
June 1876.

19. As from and after the said thirtieth day of June one thousand eight hundred and seventy-six, section forty of "The Llynvi and Ogmore Railway Act, 1873," and section fifty of "The Great Western Railway Act, 1875," shall be deemed to be and the same are hereby respectively repealed, and during the continuance of the agreement confirmed by the last preceding section of this Act the railways of the amalgamated Company and of the Great Western Company shall, for the purposes of short distance tolls and charges, be considered as one railway; and in estimating the amount of tolls and charges in respect of traffic conveyed partly on the Llynvi Company's section of the railways of the amalgamated Company and partly on the railway of the Great Western Company for a less distance than three miles, tolls and charges may only be made as for three miles; and in estimating the amount of tolls and charges in respect of traffic conveyed partly on the dissolved company's section of the railways of the amalgamated Company and partly on the railway of the Great Western Company for a less distance than four miles tolls and charges may only be charged as for four miles; and in respect of passengers on both the aforesaid sections of the railways of the amalgamated Company for every mile or fraction of a mile beyond three miles or four miles (as the case may be), tolls and charges as for one mile only; and in respect of animals and goods for every quarter of a mile or fraction of a quarter of a mile beyond three miles or four miles (as the case may be), tolls and charges as for a quarter of a mile only; and no other short-distance charge shall be made for the conveyance of passengers, animals, or goods partly on the railways of the amalgamated Company and partly on the railway of the Great Western Company.

Tolls on  
traffic con-  
veyed partly  
on the rail-  
ways of the  
Great West-  
ern Com-  
pany, Llynvi  
Company,  
and the dis-  
solved com-  
pany.

20. The amalgamated Company may, notwithstanding anything to the contrary in "The Lands Clauses Consolidation Act, 1845," or in any Act relating to the Llynvi Company with which that Act is incorporated, retain and hold any lands held by the Llynvi Company at the passing of this Act in the parishes enumerated in the Second Schedule to this Act annexed, and which have not yet been

Extending  
time for sale  
of super-  
fluous lands.

[Ch. cxcv.] *The Llynvi and Ogmored and Cardiff [39 & 40 VICT.]  
and Ogmored Valley Railway Companies Act, 1876.*

A.D. 1876.

applied to or are not at present in use for the purposes of the amalgamated Company, or sold or disposed of by them for the periods following; (that is to say,)—As regards such of the lands as are situate near to or adjoining any railway or station of the Llynvi Company, or as the amalgamated Company may be of opinion that they may require for the purposes of stations, sidings, or other conveniences for the period of ten years from the passing of this Act, and as regards the other of the said lands for the period of two years from the passing of this Act; but the amalgamated Company shall, at the expiration of such respective periods of ten years and two years, sell and dispose of all such parts of those lands respectively as shall not then have been applied to or are not then required for the purposes of their undertaking as superfluous lands: Provided that, with respect to lands acquired by the Llynvi Company or their predecessors under the powers of the Ogmored Valley Railways Acts, 1863 and 1866, “The Llynvi and Ogmored Railway Act, 1864,” and “The Ely Valley Extension Railway Act, 1863,” the said respective periods of ten years and two years shall be deemed to commence from the expiration of the respective times within which, under the said Acts respectively, or any Act or Acts amending or extending the same, such lands should or ought to be sold within the meaning of “The Lands Clauses Consolidation Act, 1845”; and that nothing herein contained shall operate to abridge or take away any of the rights of the amalgamated Company under “The Lands Clauses Consolidation Act, 1845,” with reference to lands acquired by the Llynvi Company or the dissolved company respectively, under the powers of “The Llynvi and Ogmored Railway Act, 1873,” and “The Cardiff and Ogmored Valley Railway Act, 1873,” respectively.

Interest not to be paid on calls paid up.

**21.** The amalgamated Company shall not, out of any money authorised to be raised by calls or by borrowing, pay interest or dividend to any shareholder on the amount of the calls made in respect of the shares held by him: Provided always, that this Act shall not prevent the Company from paying to any shareholder such interest on money advanced by him beyond the amount of the calls actually made, as is in conformity with “The Companies Clauses Consolidation Act, 1845,” they are authorised to pay.

Deposits for future Bills not to be paid out of capital.

**22.** The amalgamated Company shall not, out of any money authorised to be raised by shares or by borrowing, pay or deposit any sum of money which, by any standing order of either House of Parliament now or hereafter in force, may be required to be deposited in respect of any application to Parliament for the pur-



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pose of obtaining an Act authorising the amalgamated Company to make any other railway, or execute any other work or undertaking. A.D. 1876.

**23.** Nothing in this Act shall exempt the railways of the amalgamated Company from the provisions of any general Act relating to railways, or 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, or the rates for small parcels. Railways not exempt from provisions of present and future general Acts.

**24.** All the costs, charges, and expenses of and incident to the obtaining and passing of this Act, or otherwise in relation thereto, shall be paid by the amalgamated Company. Expenses of Act.

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A.D. 1876.

The **FIRST SCHEDULE** referred to in the foregoing Act.

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AN AGREEMENT made and entered into the 29th day of June 1876 between the Llynvi and Ogmore Railway Company (herein-after called the Llynvi Company) of the first part, the Cardiff and Ogmore Valley Railway Company (herein-after called the Cardiff Company) of the second part, and the Great Western Railway Company (herein-after called "the Great Western Company") of the third part.

Recitals.

WHEREAS the Llynvi Company are owners of railways in the county of Glamorgan extending from Porthcawl to Maesteg and several other places, and they are also owners of a harbour and dock at Porthcawl already constructed, and are authorised to make and maintain other railways, some of which are in course of construction, and they are possessed of rolling stock and plant :

And whereas the Great Western Company are the owners of a system of railways, extending from Paddington to Milford Haven which pass through South Wales, and they are also lessees for a long unexpired term of the Ely Valley Railway :

And whereas the railways of the Llynvi Company communicate with the railway of the Great Western Company at Bridgend, and also communicate with the Ely Valley Railway, and large quantities of traffic pass to and from the railways of the Llynvi Company and those of the Great Western Company :

And whereas the Cardiff Company are authorised under the powers of "The Cardiff and Ogmore Valley Railway Act, 1873," to make and maintain a railway which will, when constructed, form a communication between the railways of the Llynvi Company and the railway of the Great Western Company at Llanharran :

And whereas the said railway of the Cardiff Company is now in course of construction and will shortly be opened for traffic :

And whereas by an agreement made and entered into the 16th day of May 1873 between the Llynvi Company and the Great Western Company, and which agreement is scheduled to and confirmed by "The Llynvi and Ogmore Railway Act, 1873," it was, amongst other things, agreed that the Great Western Company should from the 1st day of July 1873, and thenceforth in perpetuity, work and manage, and well and effectually repair, renew, and maintain in good order and repair, and in all respects fit for public traffic, the undertaking of the Llynvi Company, and such agreement has been and is now being acted upon :

And whereas by another agreement made and entered into the 16th day of June 1875 between the Great Western Company of the first part, the Llynvi Company of the second part, and the Cardiff Company of the third part, and which agreement is scheduled to and confirmed by "The Great Western Railway Act, 1875," it was, amongst other things, agreed that from and after the opening of the railway of the Cardiff Company for public traffic, and thence-

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forth in perpetuity, the Great Western Company should work and manage, and, subject as therein provided, well and effectually repair, renew, and maintain as aforesaid, the undertaking of the Cardiff Company, and such agreement so far as it can be has been and is now being acted upon :

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And whereas it was provided by the said agreement of the 16th day of June 1875 that the three companies would respectively, upon the request of any one or two of them, join in making application in the then next or any subsequent session of Parliament, for the amalgamation of the undertakings of the Llynvi Company and the Cardiff Company, and for any other purpose calculated to promote the joint interests of the three companies respectively, and would respectively use their best endeavours and do all things requisite on their respective parts to procure the passing or granting of any such Act of Parliament as aforesaid, and the terms of such amalgamation should be that the ordinary stock of the Cardiff Company should rank *pari passu* with the ordinary stock of the Llynvi Company, entitled to the same amount of dividend, and that the debentures or debenture stock of the Cardiff Company should rank *pari passu* with the debentures or debenture stock of the Llynvi Company :

And whereas in pursuance of the last-mentioned provision the Llynvi Company have, with the concurrence of the Great Western Company and the Cardiff Company, deposited a Bill in the Private Bill Office of the House of Commons, for promotion in Parliament in the present session, for an Act for the amalgamation of the Cardiff Company with the Llynvi Company, and for other purposes :

And whereas it would be to the convenience and advantage of the companies parties hereto, that instead of having to act upon the two recited agreements after the amalgamation of the Llynvi and Cardiff Companies proposed to be authorised by the Bill herein-before referred to and now pending in Parliament, that the said agreements should be cancelled, and that on and after the 1st day of July 1876 these presents should be substituted therefor. Now, therefore, it it has been mutually agreed between the companies parties hereto as follows :

ARTICLE 1. From and after the 30th day of June 1876, the recited agreements of the 16th day of May 1873 and of the 16th day of June 1875 shall, except as to any debts or liabilities incurred, or any dividends accrued, or any matters or things legally done or omitted, or any moneys, questions, matters, or things remaining to be paid, done, settled, or performed under the said agreements respectively up to and inclusive of the said 30th day of June 1876, cease to be operative, and shall be considered as cancelled prior to the date of the said amalgamation.

Cancellation of agreements of 16 May 1873 and 16 June 1875.

ARTICLE 2. This agreement shall commence on the 1st day of July 1876, on which day the said amalgamation shall be deemed to have taken effect, and shall continue thereafter in perpetuity.

Commencement of agreement.

ARTICLE 3. In this agreement the several words and expressions following shall have the respective meanings herein-after assigned to them, unless there be something in the subject or context repugnant to such construction; viz. :

Interpretation.

“The Company” means the amalgamated Company after the amalgamation of the Llynvi Company and the Cardiff Company :

“The Llynvi Company” means the Llynvi and Ogmore Railway Company before amalgamation :

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“The Cardiff Company” means the Cardiff and Ogmore Valley Railway Company before amalgamation :

“Traffic” means and includes all passenger, parcel, animal, goods, mineral, and other traffic whatever, whether local or through, and also all troops, police, and mails to be conveyed over the undertaking of the Company or any part thereof :

“Local traffic” means and includes all traffic between stations or places upon the undertaking of the Company :

“Through traffic” means and includes all traffic passing over any part of the undertaking for the time being of the Company to or from places on or beyond railways of or which are worked or used by the Great Western Company :

“Gross receipts” means and includes all tolls, rates, charges, and terminals, exclusive of paid-ons and cartage, for all local traffic, and all tolls, rates, charges, and terminals, exclusive of paid-ons and cartage, of the Company and the Great Western Company for all through traffic as herein-before defined :

“Gross receipts of the Company” means and includes in these presents all tolls, rates, charges, and terminals, exclusive of paid-ons and cartage, in respect of local traffic and all apportionments to the Company or their undertaking out of all tolls, rates, charges, and terminals, exclusive of paid-ons and cartage, in respect of through traffic, and all other sources of revenue whatever of the Company, including, amongst other sources of revenue, dock dues, tonnage rates, and rents of superfluous lands and buildings, while the same remain unsold :

“Excess gross receipts” means the amount by which the gross receipts of the Company in each year ending on the 30th day of June exceeds the sum of the gross receipts of the Llynvi Company for the year ending 31st December 1872, as defined in the herein-before recited agreement of the 16th day of May 1873, plus a sum of 2,690*l.*

Great Western  
Company to  
work, manage,  
&c. the under-  
taking of the  
Company.

ARTICLE 4. The Great Western Company shall from the commencement of this agreement and thenceforth in perpetuity work and manage the undertaking of the Company, and collect, convey, forward, and deliver all the traffic thereof in such a manner as fairly to develop the traffic thereof and of the district served thereby, and shall from time to time run all proper and sufficient trains on the railways of the Company or any part thereof for the service of all such traffic, but shall not be required to run passenger trains thereon, except between places between which passenger trains were run on the 30th day of November 1872, and between Tondu and Nant-y-Moel, unless the Company and the Great Western Company, or the standing arbitrator in case of difference, should think it necessary, and that it would be reasonably remunerative to do so, and shall, except as herein-after in the tenth article hereof provided, well and effectually repair, renew, and maintain in good order and repair, and in all respects fit for public traffic, the undertaking of the Company, and also employ and pay all such officers, clerks, engineers, servants, and others, and find and provide all such locomotive power, engines, carriages, and other rolling stock (exclusive of waggons for mineral traffic), plant, stores, and materials, as shall be proper and sufficient for such managing, working, repairing, renewing, and maintaining as aforesaid

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and for the reception, accommodation, conveyance, and delivery of all the traffic aforesaid, and also (except as provided by article 9 of these presents) pay and indemnify the Company from and against all taxes, rates, parliamentary and parochial, and all Government duties chargeable upon or affecting the same, or the traffic thereof, except property or income tax, and (after the proprietors of the ordinary shares or stock in the Company receive at the rate of 6 per cent. per annum on such shares or stock) except also Government duty on passengers, and from and against all other charges upon revenue, and all compensation, damages, costs, and expenses payable to any person, corporation, or company in respect of any accident occurring in or upon the said railways, harbour, dock, and works respectively, or of any other default of the Great Western Company.

A.D. 1876.

ARTICLE 5. The Great Western Company shall, so far as they lawfully can, receive and forward by the railways of the Company and by those of and which are worked by the Great Western Company, wherever they form a convenient route, all traffic which can be properly and conveniently interchanged between the Company and the Great Western Company and which the Great Western Company can so receive, forward, and convey: Provided always, that wherever traffic might be conveyed by more routes than one over the railways of the Company and the Great Western Company, that one shall be chosen and used for such traffic which may be agreed upon, or failing agreement may be determined by the joint committee herein-after-mentioned, or in the event of difference as herein-after provided by the standing arbitrator, regard being had to the position and interest of both companies, or such traffic if not carried by the route so agreed upon or determined shall be accounted for as if so carried.

Great Western Company to receive and forward traffic.

ARTICLE 6. The Great Western Company shall, for the purposes of such working and managing, have and enjoy free of charge the use of, and shall at all times repair, renew, and maintain in good order and repair, and fit for public traffic, all the existing rolling and fixed stock and plant of the Company.

Great Western Company to have and enjoy rolling stock, &c. of the Company.

ARTICLE 7. If at any time after the opening of the Cardiff and Ogmore Valley Railway for public traffic it shall be determined to use the same for passenger traffic, the Company shall, out of the capital moneys which they are or may be hereafter authorised to raise, construct such offices, platforms, sidings, signals, works, and conveniences, and shall, out of such capital as aforesaid, make such alterations in or additions to any then existing offices, platforms, sidings, signals, works, and conveniences, as may be necessary for the proper, safe, convenient, and economical working of the traffic, and shall also, out of such capital as aforesaid, comply with the requirements, if any, which may be made by the Board of Trade previous to sanctioning the opening of the said railway for passenger traffic.

Provision in case of future determination to use Cardiff and Ogmore line for passenger traffic.

ARTICLE 8. The Company will not at any time act as carriers on their railways, or any part thereof, and they will abstain from doing or concurring in anything which might directly or indirectly interrupt, impede, interfere with, or in any way disturb the exercise or quiet enjoyment by the Great Western Company of any of the rights, powers, and privileges intended to be secured to them by this agreement.

Company not to act as carriers or to impede Great Western Company.

ARTICLE 9. During the continuance of this agreement the Company will, in respect of the Cardiff and Ogmore Valley Railway and the railways authorised

Company to apportion and redeem land-tax, &c.

[Ch. cxcv.] *The Llynvi and Ogmores and Cardiff [39 & 40 VICT.]  
and Ogmores Valley Railway Companies Act, 1876.*

A.D. 1876. — by the Llynvi and Ogmores Railway Act, 1873, only apportion, redeem, or pay the land tax, and apportion or pay all tithe rentcharges, rents, rates, or taxes and assessments usually paid by landowners, and nothing in this article contained shall, otherwise than is herein specially provided, affect or diminish any of the liabilities of the Great Western Company under article 4 of these presents.

Company to  
maintain  
Cardiff and  
Ogmores line,  
&c.

ARTICLE 10. The Company shall, at their own cost, charge, and expense, well and effectually repair, renew, and maintain the Cardiff and Ogmores Valley Railway, and the railways authorised by the Llynvi and Ogmores Railway Act, 1873, for one year from and after the date of the opening thereof for public traffic, and shall hand the same over to the Great Western Company in good order and condition, and in all respects fit for public traffic.

Joint com-  
mittee.

ARTICLE 11. The Board of Directors of the Company and of the Great Western Company shall respectively appoint three persons (whether directors of those companies respectively or not) to be members of a joint committee, and the persons so appointed, and their successors from time to time appointed as herein-after provided, shall form a joint committee for executing such of the provisions of this agreement as from time to time are delegated to or may be exercised by the joint committee.

First. Each Board, giving at least fourteen days previous notice in writing thereof to the other Board, may at any time remove any member of the joint committee appointed by the Board giving the notice;

Second. Any member of the joint committee, giving at least fourteen days previous notice in writing thereof to the joint committee, and also to the Board by which he was appointed, may at any time resign his office as a member of the joint committee;

Third. Within three days after notice to the joint committee or their secretary of any vacancy by disqualification, death, resignation, or otherwise in the joint committee, their secretary shall give notice in writing thereof to the Board by which the person ceasing to be a member of the joint committee was appointed;

Fourth. Within one month after notice to the respective Board of any vacancy by disqualification, death, removal, resignation, or otherwise, in the joint committee, the Board by which the person ceasing to be a member of the joint committee was appointed shall appoint another person in his place;

Fifth. If by reason of either of the Boards not having made any such appointment there are not at any time six members of the joint committee, the members from time to time thereof, though fewer than six, shall notwithstanding be entitled to exercise all the powers of the joint committee;

Sixth. The joint committee shall be subject to all such regulations as are from time to time agreed on by the Company and the Great Western Company: Provided always, that subject to the regulations so from time to time made, the joint committee shall be regulated by their own standing orders from time to time in force: Provided also, that, subject to those regulations and standing orders respectively, every meeting of the joint committee shall regulate their own procedure;

[39 & 40 VICT.] *The Llynvi and Ogmore and Cardiff [Ch. cxcv.]  
and Ogmore Valley Railway Companies Act, 1876.*

Seventh. The joint committee shall and may have, exercise, and enjoy such of the rights, powers, authorities, privileges, and immunities as might from time to time be had, exercised, and enjoyed by the companies by whom the joint committee is appointed, and as they may from time to time confer on them ; A.D. 1876.

Eighth. The joint committee from time to time may appoint and remove a secretary for themselves ;

Ninth. At all meetings of the joint committee a chairman shall be first appointed. The chairman of the meetings shall be alternately a company's nominee and a Great Western Company's nominee, the Company's nominee being the first chairman, and the chairman shall not have a second or casting vote ;

Tenth. At all meetings of the joint committee three members shall be a quorum : Provided always, that the three members shall not be three members appointed by one of the Boards by whom the joint committee is appointed, except in cases where through the default of the other Board there is not then any member of the joint committee appointed by the defaulting Board, and except also in cases where all the members, or the member if only one in office, then appointed by one of the Boards makes default in attendance at two successive meetings of the joint committee, there having been left with the secretary of that Board at least six days notice in writing from the other Board requiring the attendance of the defaulting members or member at one at least of the two successive meetings, in which excepted cases respectively three members appointed by one of the Boards shall form a quorum ;

Eleventh. If and whenever upon any question the votes of the committee at the first meeting at which a question is discussed are divided the question shall be reconsidered at the next meeting, or at any subsequent meeting to which it is specially adjourned, and if and whenever at any meeting for reconsideration of a question representatives of the one company, or as many of them as may then be present, differ from the representatives of the other company, or as many of them as may then be present, or if at the time appointed for such meeting no quorum is present, the question shall be determined by the standing arbitrator herein-after mentioned ;

Twelfth. The joint committee, if and when they think fit, may appoint any person whom they think fit, not being one of their own body, or a director or officer of either of the companies by whom the joint committee is appointed, to act as the standing arbitrator of the joint committee for so long a time as the joint committee think fit : Provided always, that no appointment of a standing arbitrator shall be made, except by the unanimous resolution of a meeting of a joint committee specially convened for the purpose by not less than seven or more than fifteen days notice in that behalf ;

Thirteenth. If and whenever a meeting of the joint committee specially convened in accordance with this agreement for the purpose fail to elect a standing arbitrator, the Board of Trade, on the application of either of the companies by whom the joint committee is appointed, may, after such notice to those companies as the Board of Trade think fit, appoint any

[Ch. cxcv.] *The Llynvi and Ogmore and Cardiff [39 & 40 VICT.]  
and Ogmore Valley Railway Companies Act, 1876.*

A.D. 1876.

person whom the Board of Trade think fit to act as the standing arbitrator for a period not exceeding one year;

Fourteenth. The powers and authorities of the standing arbitrator shall extend only to his acting as chairman at and with respect to every meeting of the joint committee at which according to his appointment he is so to act, and his taking part in all discussions thereat, and his giving a casting vote on every matter on which the votes of the joint committee present and voting at the meeting are divided, and his having all such access to and inspection and transcription of the minutes, accounts, books, writings, and papers of the joint committee, and all such assistance by the secretary, clerks, and other officers of the joint committee, and all such other facilities for the performance of his duties as he thinks requisite. The standing arbitrator shall have power to adjourn any meeting of which he is chairman for any period not exceeding one week;

Fifteenth. The joint committee and the Board of Trade respectively appointing a standing arbitrator may appoint for him such salary or remuneration as they respectively think reasonable;

Sixteenth. The joint committee shall keep proper books of account of all their receipts, credits, payments, and liabilities, and also proper books in which shall be entered minutes of all their proceedings;

Seventeenth. The directors and secretaries of the companies by whom the joint committee is appointed respectively may at all reasonable times inspect the account books, minute books, and all other books, accounts, minutes, papers, and writings in the possession or custody of the joint committee, and take copies of and extracts from the same, as the directors and secretaries respectively think fit;

Eighteenth. The expenses of the joint committee, and the salaries of all officers and servants from time to time employed by them in accordance with this agreement, shall be borne and paid by the companies by whom the joint committee is appointed in such proportions as they from time to time agree on, or failing agreement in such proportions as the joint committee from time to time appoint, and the expenses to be so paid by those companies shall be paid to the joint committee by those companies respectively, according to the proportions in which they respectively are from time to time to bear, and pay the same by equal instalments, and at the same periods of time and in such amounts and at such periods as the joint committee from time to time appoint;

Nineteenth. If and whenever either of the companies by whom the joint committee is appointed fails to pay to the joint committee on demand any sum so payable by the respective company the amount in arrear shall while in arrear bear interest at the rate of five pounds per centum per annum.

Joint committee to determine tolls, &c. to be taken.

ARTICLE 12. All tolls, rates, and charges for local traffic (including terminal charges for such traffic), and all apportionments to the Company out of tolls, rates and charges (including terminals) for through traffic, shall be determined by the joint committee, or failing them by the standing arbitrator: Provided also, that in cases of emergency the general manager for the time being of the Great Western Railway shall have power to fix and quote such rates and fares



[39 & 40 VICT.] *The Llynvi and Ogmere and Cardiff and Ogmere Valley Railway Companies Act, 1876.* [Ch. cxcv.]

A.D. 1876.

UNISSUED DEBENTURES or DEBENTURE STOCK of the LLYNVI COMPANY at 31st December 1875, in respect of capital authorised to be raised at 31st December 1872.

	£
Balance of available borrowing powers - - - - -	1,868
Balance of loan capital authorised, but not yet sanctioned by certificate of justice - - - - -	14,300
	£16,168

SECOND SCHEDULE.

CARDIFF AND OGMORE VALLEY RAILWAY COMPANY.

Share capital under existing Acts.

Act.	Capital authorised to be raised on shares.
“ Cardiff and Ogmere Valley Railway Act, 1873 ”	£100,000.

Loan capital under existing Acts.

Act.	Authorised to be raised on loan.
“ Cardiff and Ogmere Valley Railway Act, 1873 ”	£33,300.

The SECOND SCHEDULE referred to in the foregoing Act.

GLAMORGANSHIRE.

Bettws. Coity. Laleston. Llangeinor. Llandyfodwg. Llangonoyd.		Margam. Newcastle. Newton Nottage. Pyle and Kenfig. Saint Brides Minor. Tythegstone.
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