



CHAPTER ccii.

An Act to empower the Taff Vale Railway Company to construct a new Railway at Cardiff and to acquire additional Lands and to raise further Capital and for other purposes. A.D. 1884.
[28th July 1884.]

WHEREAS it is expedient that the Taff Vale Railway Company (in this Act called "the Company") should be empowered to make the new railway and to acquire the additional lands in this Act respectively mentioned or referred to and to raise additional capital for those purposes and also for the general purposes of their undertaking :

And whereas plans and sections showing the line and levels of the railway authorised by this Act and plans showing the lands required or which may be taken for the purposes or under the powers of this Act and also a book of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of those lands were duly deposited with the clerk of the peace for the county of Glamorgan and are herein-after respectively referred to as the deposited plans sections and book of reference :

And whereas the objects of this Act 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 (that is to say) :—

1. This Act may be cited for all purposes as the Taff Vale Railway Act 1884. Short title.

2. The following Acts and parts of Acts are (except where expressly varied by this Act) incorporated with and form part of this Act (that is to say) :— Incorporation of general Acts.

The Lands Clauses Consolidation Acts 1845 1860 and 1869 as amended by the Lands Clauses (Umpire) Act 1883 ;

The Railways Clauses Consolidation Act 1845 ;

[Local.-202.]

A

A.D. 1884.

Part I. (relating to construction of a railway) of the Railways Clauses Act 1863;

The clauses and provisions of the Companies Clauses Consolidation Act 1845 with respect to the following matters (that is to say) :—

The distribution of the capital of the Company into shares ;

The transfer and transmission of shares ;

The payment of subscriptions and the means of enforcing the payment of calls ;

The forfeiture of shares for non-payment of calls ;

The remedies of creditors of the Company against the shareholders ;

The consolidation of the shares into stock ;

The general meetings of the Company and the exercise of the right of voting by the shareholders ;

The making of dividends ;

The borrowing of money on mortgage or bond ;

The conversion of the borrowed money into capital ;

The giving of notices ; and

The provision to be made for affording access to the special Act by all parties interested ;

and Part I. (relating to cancellation and surrender of shares) Part II. (relating to additional capital) and Part III. (relating to debenture stock) of the Companies Clauses Act 1863.

Interpre-
tation.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings unless there be something in the subject or context repugnant to such construction :—

The expression “the railway” means the railway by this Act authorised :

The expression “superior courts” or “court of competent jurisdiction” or any other like expression in this Act or any Act wholly or partially incorporated herewith shall for the purposes of this Act be read and have effect as if the debt or demand with respect to which the expression is used were a simple contract debt and not a debt or demand created by statute.

Power to
Company
to make
railway.

4. Subject to the provisions of this Act the Company may make and maintain in the line and according to the levels shown on the deposited plans and sections the railway herein-after described with all proper stations sidings approaches works and conveniences connected therewith and may enter upon take and use such of the lands delineated on the deposited plans and described in the deposited book of reference as may be required for that purpose :

The railway herein-before referred to and authorised by this Act is— A.D. 1884.

A railway five furlongs two chains thirty-three links in length in the parishes of Saint Mary and Saint John in the borough of Cardiff commencing by a junction with the east branch railway of the Taff Vale Railway and terminating by a junction with the main line of the Taff Vale Railway:

Provided always that in constructing the railway the Company shall in lieu of carrying the same across and on the level of the Bute Dock branch of the Rhymney Railway re-arrange their existing junction with that branch in the manner shown on the plan signed in triplicate by the Honourable William Henry Berkeley Portman the Chairman of the Committee of the House of Commons to which the Bill for this Act was referred and dated the eleventh day of June one thousand eight hundred and eighty-four and of which one copy has been deposited in the Private Bill Office of the House of Commons and the Company shall not enter upon or use any land or property of the Rhymney Railway Company except for the purpose of re-arranging the said junction in manner aforesaid.

5. With respect to tolls rates and charges and for all other purposes whatever the railway shall be part of the Company's undertaking and the Company may demand tolls rates and charges in respect thereof accordingly not exceeding the tolls rates and charges authorised by the Act local and personal 6 and 7 William the Fourth chapter 82 as altered or varied by the Taff Vale Railway Act 1857. Tolls &c.

6. For the protection of the mayor aldermen and burgesses of the borough of Cardiff (in this section called "the corporation") the following provisions shall have effect (that is to say):— For the protection of the corporation of Cardiff.

(1.) The bridge carrying the railway over the roadway connecting Adam Street and Bute Terrace to be constructed under this Act shall be constructed by the Company with a clear width of not less than fifty feet and a clear headway of not less than fourteen feet and the southern abutment of the said bridge shall not extend eastwards beyond the line of the western side of Pellett Street:

(2.) The addition to the bridge over the roadway connecting Sandon Street and Guildford Crescent to be constructed under this Act shall be constructed by the Company with a clear width of not less than forty feet and with the same headway as the existing eastern portion and the abutments of the additions to the bridge shall not in any way encroach upon those streets.

A.D. 1884:

Imposing
penalty
unless rail-
way opened.

7. If the Company fail within the period limited by this Act to complete the railway the Company shall be liable to a penalty of fifty pounds a day for every day after the expiration of the period so limited until the railway is completed and opened for public traffic or until the sum received in respect of such penalty shall amount to five per centum on the estimated cost of the railway :

The said penalty may be applied for by any landowner or other person claiming to be compensated in accordance with the provisions of the next following section of this Act or by the solicitor of Her Majesty's Treasury and in the same manner as the penalty provided in the third section of the Railway and Canal Traffic Act 1854 :

Every sum of money recovered by way of such penalty as aforesaid shall be paid under the warrant or order of such court or judge as is specified in the said third section to an account opened or to be opened in the name and with the privity of Her Majesty's Paymaster-General on behalf of the Chancery Division of the High Court of Justice in the bank and to the credit named in such warrant or order and shall not be paid thereout except as hereinafter provided :

But no penalty shall accrue in respect of any time during which it shall appear by a certificate to be obtained from the Board of Trade that the Company was prevented from completing or opening the railway by unforeseen accident or circumstances beyond their control Provided that want of sufficient funds shall not be held to be a circumstance beyond their control.

Providing
for applica-
tion of
penalty in
compensa-
tion to parties
injured by
non-com-
pletion of
railway.

8. Every sum of money so recovered by way of penalty as aforesaid shall be applicable and after due notice in the London Gazette shall be applied towards compensating any landowners or other persons whose property may have been interfered with or otherwise rendered less valuable by the commencement construction or abandonment of the railway or any portion thereof or who may have been subjected to injury or loss in consequence of the compulsory powers of taking property conferred upon the Company by this Act and for which injury or loss no compensation or inadequate compensation shall have been paid and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the Chancery Division of the High Court of Justice may seem fit :

If no such compensation shall be payable or if a portion of the sum or sums of money so recovered by way of penalty as aforesaid shall have been found sufficient to satisfy all just claims in respect of such compensation then the said sum or sums of money recovered by way of penalty or such portion thereof as may not be required

as aforesaid shall either be forfeited to Her Majesty and accordingly be paid to or for the account of Her Majesty's Exchequer in such manner as the said Chancery Division thinks fit to order on the application of the solicitor of Her Majesty's Treasury and shall be carried to and form part of the Consolidated Fund of the United Kingdom or in the discretion of the said Chancery Division if the Company is insolvent and has been ordered to be wound up or a receiver has been appointed shall wholly or in part be paid or transferred to such receiver or to the liquidator or liquidators of the Company or be otherwise applied as part of the assets of the Company for the benefit of the creditors thereof.

A.D. 1884.

9. If the railway is not completed within two years from the passing of this Act then on the expiration of that period the powers by this Act granted to the Company for making and completing the same or otherwise in relation thereto shall cease to be exercised except as to so much thereof as is then completed.

Period for completion of railway.

10. The memorandum of agreement dated the tenth day of April one thousand eight hundred and eighty-three made between the most Honourable John Patrick Crichton Stuart Marquess of Bute and Earl of Dumfries K.T. and the trustees acting under the trusts of the will of the late Marquess of Bute of the one part and the Company of the other part and which is set forth in the schedule to this Act is hereby confirmed and made binding upon the parties thereto. And the plan referred to in article 3 of the said memorandum of agreement shall be deemed to be the plan signed by the Honourable William Henry Berkeley Portman the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred and deposited in the Private Bill Office of the said House.

Confirming agreement with Marquess of Bute and his trustees.

11. The Company may stop up and discontinue and extinguish all rights of way over so much as lies between the boundaries of the Company's property of the occupation road and footpath which cross the Company's main line of railway on the level at or near the old Militia Depôt at Blackweir in the parish of Saint John the Baptist and borough of Cardiff in the county of Glamorgan.

Power to stop up occupation road and footpath at Cardiff.

12. Subject to the provisions of this Act the Company may in addition to the other lands which they are by this Act authorised to acquire enter upon take and use for purposes connected with their undertaking the lands houses and buildings in the county of Glamorgan herein-after described and delineated on the deposited plans and described in the deposited book of reference relating thereto that is to say:—

Power to Company to acquire lands.

A.D. 1884.

In the parish of Llantwit Fardre :

On the eastern side of the Company's main line of railway and adjoining thereto and extending from a point two hundred and twenty yards or thereabouts in a south-easterly direction from the mile post on that railway denoting ten and a half miles from the terminus of the said railway at Cardiff to a point one hundred and ten yards or thereabouts in a north-westerly direction from the mile-post on the said railway denoting eleven and a half miles from the said terminus :

In the parish of Llanwonno :

On the western side of the Company's Rhondda Fach branch railway and adjoining thereto and extending from a point two hundred and sixty yards or thereabouts in a northerly direction from the mile-post on that branch railway denoting twenty and a half miles from the terminus of the Taff Vale Railway at Cardiff to a point three hundred and forty yards or thereabouts in a south-easterly direction from the mile-post on the said branch railway denoting twenty-one miles from the said terminus :

In the parishes of Llanwonno and Llantrissant :

On the southern side of the Company's Rhondda Fawr branch railway and adjoining thereto and extending from a point one hundred and twenty yards or thereabouts in a westerly direction from the mile-post on that branch railway denoting fourteen and three-quarter miles from the terminus of the Taff Vale Railway at Cardiff to a point thirty yards or thereabouts in an easterly direction from the mile-post on that branch railway denoting fifteen miles from the said terminus :

On the northern side of the Company's Rhondda Fawr branch railway and adjoining thereto and extending from a point one hundred and sixty-five yards or thereabouts in an easterly direction from the mile-post on that branch railway denoting fifteen miles from the terminus of the Taff Vale Railway at Cardiff to a point thirty yards or thereabouts in an easterly direction from the same mile-post.

Extinguish-
ment of
rights of
way.

13. All rights of way over any of the lands which shall under the compulsory provisions of this Act be purchased or acquired shall be and the same are as from the purchase or acquisition thereof respectively by this Act extinguished.

Power to
owners to
grant ease-
ments.

14. Persons empowered by the Lands Clauses Consolidation Act 1845 to sell and convey or release lands may if they think fit subject to the provisions of that Act and of the Lands Clauses Consolidation Acts Amendment Act 1860 and of this Act grant to the

Company any easement right or privilege (not being an easement of water) required for the purposes of this Act in over or affecting lands and the provisions of the said Acts with respect to lands and rent-charges as far as the same are applicable in this behalf, shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

15. The Company shall not less than eight weeks before they take in any parish fifteen houses or more occupied either wholly or partially by persons belonging to the labouring classes as tenants or lodgers make known their intention to take the same by placards handbills or other general notice placed in public view upon or within a reasonable distance from such houses and the Company shall not take any such houses until they have obtained the certificate of a justice that it has been proved to his satisfaction that the Company have so made known their intention.

Notice to be given of taking houses of labouring classes.

16. Before taking in any parish fifteen houses or more occupied either wholly or partly by persons belonging to the labouring classes as tenants or lodgers who may for the time being be occupiers of any house or part of any house which the Company are by this Act authorised to acquire the Company shall (unless the Company and such persons otherwise agree) procure sufficient accommodation elsewhere for such persons. Provided always that if any question shall arise as to the sufficiency of such accommodation the same shall be determined by a justice. And the Company may for the purpose of procuring such accommodation appropriate any lands for the time being belonging to them or which they have power to acquire and may purchase by agreement such further lands as may be necessary for such purpose and may on any such lands erect labouring-class dwellings and may let or otherwise dispose of such lands and dwellings and may apply for the purposes of this section or any of them any moneys they may have already raised or are authorised to raise.

Company to procure accommodation for persons of the labouring classes to be displaced.

17. 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 three years from the passing of this Act.

Period for compulsory purchase of lands.

18. The Company may subject to the provisions of Part II. of the Companies Clauses Act 1863 from time to time raise for the purposes of this Act and for the general purposes of their undertaking being in every case purposes to which capital is properly applicable any additional capital not exceeding in the whole the sum of one hundred thousand pounds by the issue at their option of new ordinary shares or stock or new preference shares or stock or wholly or partly by any one or more of those modes respectively.

Power to Company to raise additional capital.

A.D. 1884.

[Ch. ccii.]

Taff Vale Railway Act, 1884.

[47 & 48 VICT.]

Shares not
to be issued
until one-
fifth part
thereof shall
have been
paid up.

Calls.

19. The Company shall not issue any share created under the authority of this Act of a less nominal amount than ten pounds nor shall any share vest in the person accepting the same unless and until a sum not being less than one-fifth of the amount of such share shall have been paid in respect thereof.

20. One-fifth of the amount of a share shall be the greatest amount of a call and two months at least shall be the interval between successive calls and four-fifths of the amount of a share shall be the utmost aggregate amount of the calls made in any year upon any share.

Power to
borrow.

21. The Company may in respect of the additional capital of one hundred thousand pounds which they are by this Act authorised to raise from time to time borrow on mortgage of their undertaking any sum not exceeding in the whole thirty-three thousand pounds but no part of the said sum of thirty-three thousand pounds shall be borrowed until shares for so much of the additional capital by this Act authorised as is to be raised by means of shares are issued and accepted and one-half thereof is paid up and the Company have proved to the justice who is to certify under the fortieth section of the Companies Clauses Consolidation Act 1845 before he so certifies that shares for the whole of the said capital have been issued and accepted and that one-half thereof has been paid up and that not less than one-fifth part of the amount of each separate share in such respective capital has been paid on account thereof before or at the time of the issue or acceptance thereof and until stock for one-half of such respective capital as is to be raised by means of stock is fully paid up and the Company have proved to such justice as aforesaid before he so certifies that such shares or stock as the case may be were issued accepted and paid up bonâ fide and are held by the persons or corporations, to whom the same were issued or their executors administrators successors or assigns and also if such capital is raised by shares that such persons or corporations their executors administrators successors or assigns are legally liable for the same Upon production to such justice of the books of the Company and of such other evidence as he shall think sufficient he shall grant a certificate that the proof aforesaid has been given which shall be sufficient evidence thereof.

For appoint-
ment of a
receiver.

22. The mortgagees of the Company may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a receiver In order to authorise the appointment of a receiver in respect of arrears of principal the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than ten thousand pounds in the whole.

23. All mortgages granted by the Company in pursuance of the powers of any Act of Parliament before the passing of this Act and subsisting at the passing hereof shall during the continuance of such mortgages and subject to the provisions of the Acts under which such mortgages were respectively granted have priority over any mortgages granted by virtue of this Act. But nothing in this section contained shall affect any priority of the interest of any debenture stock at any time created and issued by the Company.

A.D. 1884.

Priority of existing mortgages.

24. The Company may create and issue debenture stock subject to the provisions of Part III. of the Companies Clauses Act 1863. But notwithstanding anything therein contained the interest of all debenture stock at any time after the passing of this Act created and issued by the Company shall rank *pari passu* with the interest of all mortgages at any time after the passing of this Act granted by the Company and shall have priority over all principal moneys secured by such mortgages.

Debenture stock.

25. All moneys raised under this Act whether by shares or stock or debenture stock or borrowing shall be applied only to the purposes of this Act to which capital is properly applicable being in every case purposes to which capital is properly applicable.

Application of moneys.

26. The Company may apply to the purposes of this Act or to the general purposes of their undertaking to which capital is properly applicable any of the moneys which they now have in their hands or which they have power to raise by shares or mortgage by virtue of any Acts relating to them and which may not be required for the purposes to which they are by any such Act made specially applicable.

Power to apply corporate funds to purposes of Act.

27. No interest or dividend shall be paid out of any share or loan capital which the Company are by this or any other Act authorised to raise to any shareholder on the amount of the calls made in respect of the shares held by him. But nothing in this Act shall 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.

Interest not to be paid on calls paid up.

28. The Company shall not out of any money by this Act authorised to be raised pay or deposit any sum 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 purpose of obtaining an Act authorising the Company to construct any other railway or to execute any other work or undertaking.

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

A.D. 1884.
—
Provision as
to general
railway Acts.

29. Nothing in this Act contained shall exempt the Company or their railways from the provisions of any general Act relating to railways or the better or 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 or alteration under the authority of Parliament of the maximum rates of fares and charges or of the rates for small parcels authorised to be taken by the Company.

Costs of Act.

30. All costs charges and expenses of and incident to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company.

SCHEDULE referred to in the foregoing Act.

A.D. 1884.

MEMORANDUM OF AGREEMENT made the 10th day of April 1883 between THE MOST HONOURABLE JOHN PATRICK CRICHTON STUART MARQUESS OF BUTE AND EARL OF DUMFRIES K.T. and the TRUSTEES acting under the trusts of the Will of the late Marquess of Bute and who are herein-after called "THE UNDERTAKERS" of the one part and the TAFF VALE RAILWAY COMPANY of the other part.

WHEREAS under and by virtue of the Bute Docks Act 1882 the Undertakers on the one hand and the Taff Vale Railway Company on the other hand were empowered to enter into and carry into effect contracts agreements and arrangements for (inter alia) the construction working user management and maintenance by the contracting parties of any railways sidings works and conveniences belonging to them respectively and for the interchange conveyance and delivery by the contracting parties of the whole or any part of the traffic destined for or going from the docks railways or works of the other of them :

And whereas the Undertakers are promoting a Bill in the present session of Parliament for (amongst other things) the construction working and using of certain short pieces of railway with sidings in connexion therewith immediately adjoining the Taff Vale Railway some short distance northward of Crockherbtown Junction at Cardiff:

And whereas it has been agreed between the respective parties hereto that in order to render it unnecessary to proceed with the said Bill certain reception or storage sidings on either side of the Taff Vale Railway shall be constructed worked managed and used by the Taff Vale Railway Company upon the terms and under the conditions herein-after mentioned (that is to say):—

1. The Undertakers hereby in consideration of the provisions of this Agreement undertake not to proceed further with their Bill which is now before a Select Committee of the House of Commons.
2. The Undertakers shall forthwith provide and place at the disposal of the Taff Vale Railway Company (herein-after called "the Company") the several pieces of land coloured green on the plan annexed hereto and identified by the letters A and B respectively and signed by or on behalf of the parties hereto for the purpose of enabling the Company to construct thereon certain reception or storage sidings (herein-after sometimes called "the sidings") on lease for a term equivalent to the unexpired term of the lease granted by the trustees of the will of the late Marquess of Bute to the Company and dated 1st December 1849 subject to the payment by the Company to the Undertakers of the amount which the Undertakers have paid or have agreed to pay to certain leaseholders for their interest in a portion of the said land and to the payment by the Company to the Undertakers as lessors of the rent of one hundred pounds per annum as from the 24th day of June 1883 and which intended lease is to contain all usual covenants stipulations and provisions suited to the circumstances of

A.D. 1884.

the case and to be settled in case of difference by the senior conveyancing counsel for the time being attached to the Chancery Division of the High Court of Justice.

3. The Company hereby agree to construct and provide upon the before-mentioned land on or before the 1st of January 1884 suitable reception and storage sidings for the reception and storage of a minimum number of seven hundred and eighty loaded coal waggons destined for the Undertakers staiths at the Bute docks and also of a minimum number of five hundred coal or other waggons coming from the said staiths and to work and use such sidings upon the terms herein-after stated.
4. The Company further undertake and agree to construct and provide such further and additional siding accommodation in the immediate vicinity of the sidings before mentioned as may from time to time in the judgment of Sir John Hawkshaw and Mr. Abernethy be deemed necessary for the accommodation of the Bute docks traffic or failing agreement by them as shall be decided by some person to be nominated by the President of the Institution of Civil Engineers for the time being and in the event of the death or unwillingness to act of either of the said arbitrators then as may be decided under the arbitration clause herein-after contained.
5. The Company shall not make any higher charge for freight carriage or services or accommodation provided or rendered to or in respect of any traffic coming from or destined for any collieries or works to or from any or either of the Undertakers' docks at Cardiff than the charge made or which would be made by the Company for or in respect of traffic coming from or destined for the same collieries or works to or from the Penarth tidal harbour or dock.
6. In regard to all traffic which may be placed upon the before-mentioned reception and storage sidings or either of them the Company shall work conduct and manage the same into within and out of such sidings and deliver the traffic on to and remove the same from the staiths' sidings of the Undertakers at the Bute docks (whether directly connected with the Taff Vale Railway or by means of the Rhymney Railway or the Bute Docks Railways) so that the charge for the conveyance and services rendered by the Company to or in respect of all such traffic shall not exceed the charge made by the Company for and in respect of traffic conveyed direct from or to the collieries and works to and from the staiths' sidings at the Bute docks.
7. The Company shall deliver all laden waggons destined for the Bute docks into the staiths' sidings at such docks whether the staiths at which the contents of such waggons are to be shipped are directly connected with the Taff Vale Railway or the Rhymney Railway or the railways of the Undertakers or one or more of them and the Company shall remove and convey all empty waggons from such staiths' sidings either to the reception and storage sidings before mentioned or direct to the collieries or works with all reasonable and proper despatch.
8. The Company shall run "through trains" from and to the collieries and works to and from the docks of the Undertakers for all such traffic as may be consigned for shipment into vessels in berths ready to receive it and shall clear the empty waggons away from the said docks with all reasonable despatch so as to prevent delay arising either in tipping the coals at the various staiths or in the removal of empties from the staiths' sidings.

9. The Company if they lawfully can shall construct and form an independent line of railway on or before the 30th day of June 1884 from a point at or near their Crockherbtown station to the staiths' sidings on the west side of the Bute East Dock so as to establish an improved connexion between the Company's railway and such staiths' sidings and the Undertakers and the Company shall in concert and at their joint expense make such a re-arrangement of a portion of the Undertakers' present lines of railway on the west side of the Bute East Dock as will enable the Company's engines to run on to such lines of railway in front of the waggons and return into the Company's east branch railway between the No. 3 and No. 4 staiths such intended line of railway being constructed in such manner as may be agreed upon between Mr. William Thomas Lewis on behalf of the Undertakers and Mr. George Fisher on behalf of the Company or failing agreement between them as may be determined by Sir John Hawkshaw. In the event of the Company not having at present the necessary lawful powers for forming such independent line of railway they shall use their best exertions to obtain such powers on the first occasion on which they shall have a Bill in Parliament the present session excepted.
10. The Company shall provide and work a direct railway connexion for laden waggons between their east branch railway and the Undertakers' staiths' sidings on the west side of the Bute East Dock in connexion with Nos. 1 2 and 3 tips so as to enable the Company to place laden waggons on such staiths' sidings and remove empty waggons direct therefrom.
11. The Undertakers and the Company shall in concert and at their joint expense improve the siding accommodation at the Company's terminus on the west side of the Bute West Dock and the Company shall receive on such sidings all minerals merchandise goods and other traffic imported into the Bute docks and destined for stations on any part of the Taff Vale Railway system.
12. The Company shall if necessary construct and use for the convenience of the traffic a turntable for locomotives at a convenient place to be agreed on near the Roath Basin and also a turntable at another convenient place to be agreed on near the southern end of the Bute Viaduct so as to enable the several locomotives with full waggons to be turned and to clear a corresponding number of empty waggons with as little delay as practicable the land for each such turntable being provided by the Undertakers at a nominal rent.
13. The Company shall convert the remainder of their staiths at the Bute West Dock so as to be suitable for tipping ten-ton waggons two at least of such remaining staiths being so converted and completed on or before the 1st day of January 1884 and two more by the 31st December 1884 and the remainder on or before the 1st day of May 1886 the Undertakers making such arrangements as will secure as many vessels as possible capable of using the Bute West Dock to enter such dock and be loaded at such staiths.
14. For the purpose of determining the rates and charges to be made by the Company for the carriage of traffic to or from the Bute docks each of such docks and every portion thereof respectively shall be deemed to be equidistant from the place on the Company's system from or to which such traffic shall be conveyed.
15. As regards any traffic which may be delivered by the Company into and upon the staiths' sidings of the Undertakers and the empty waggons of

A.D. 1884.

which traffic shall be removed as promptly as circumstances will permit direct from off the Undertakers' property the Undertakers shall not make any charge under the authority of the thirty-seventh section of the Bute Docks Act 1882 either for use of sidings and railways or for the delivery and removal of traffic thereon.

16. The Company shall with all reasonable despatch convey traffic from the reception or storage sidings to the staiths' sidings of the Undertakers on request and on notice of a vessel being ready to receive such traffic and in like manner shall remove all empty waggons from such staiths' sidings to some place off the Undertakers' property.
17. The staiths on the eastern side of the river Taff shall not for the purpose of this Agreement be deemed to be a portion of the Bute docks and the Company shall not be required to deliver traffic at or take traffic from such staiths.
18. In the event of any difference or dispute arising between the parties hereto touching any matter or thing herein contained or the facilities to be afforded by either party in order to carry this Agreement into effect the same shall be referred to Sir John Hawkshaw and Mr. James Abernethy and in the event of the death of either of them or of either of them being unwilling to act to such person as may be nominated by the President for the time being of the Institution of Civil Engineers.

As witness the hands of the agents of the parties.

(Signed) W. THOMAS LEWIS,
For the Undertakers.
GEORGE FISHER,
For the Company.