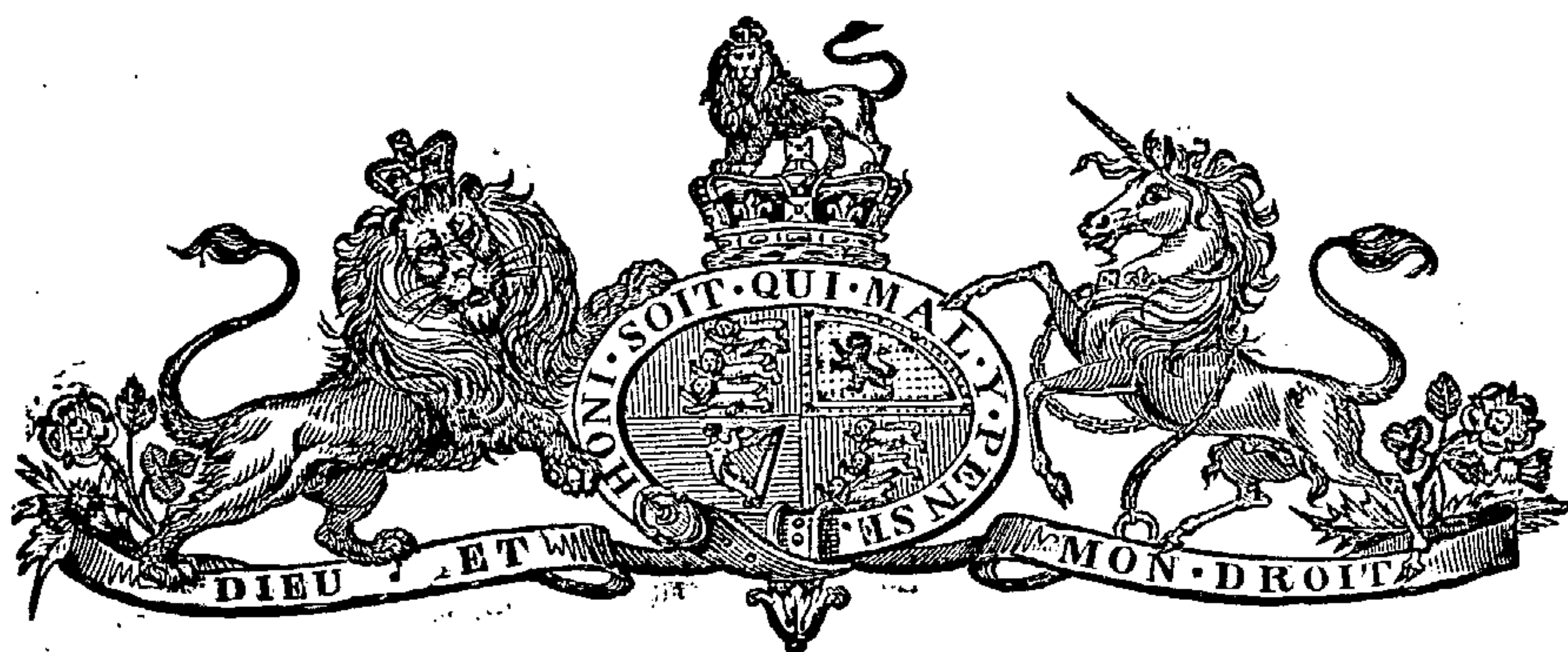




ANNO VICESIMO SEXTO & VICESIMO SEPTIMO

VICTORIÆ REGINÆ.

Cap. cxcix.

An Act for incorporating a Company, and for making and maintaining the *Ely Valley Extension* Railway; and for other Purposes.

[28th July 1863.]

WHEREAS the making and maintaining of a Railway from the *Ely Valley* Railway up the Valley of the *Ogwr Fach* in the County of *Glamorgan* would be of public and local Advantage: And whereas the several Persons in that Behalf in this Act named, with others, are willing, at their own Expense, to execute the Undertaking: And whereas Plans and Sections showing the Line and Levels of the Railway and Works by this Act authorized to be made, and the Lands to be taken for the Purposes thereof, and Books of Reference to those Plans containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of those Lands, have been deposited with the Clerk of the Peace for the County of *Glamorgan*, and those Plans, Sections, and Books of Reference are in this Act referred to as the deposited Plans, Sections, and Books of Reference: And whereas it is expedient that the Companies in this Act named be authorized to enter into Agreements as herein-after provided: 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

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enacted;

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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,)

Short Title. 1. This Act may for all Purposes be cited as the "*Ely Valley Extension Railway Act, 1863.*"

8 & 9 Vict.
cc. 16. 18. &
20. and
23 & 24
Vict. c. 106.
incor-
porated. 2. "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Acts Amendment Act, 1860," and "The Railways Clauses Consolidation Act, 1845," save so far as any of the Clauses and Provisions of those Acts respectively are varied or excepted by or are inconsistent with this Act, are incorporated with this Act.

Same Mean-
ings to
Words in
incorporated
Acts as in
this Act. 3. The several Words and Expressions to which by the Acts incorporated with this Act Meanings are assigned have in this Act the same respective Meanings, unless excluded by the Subject or Context.

Company in-
corporated. 4. The Right Honourable the Earl of *Shrewsbury*, *Nash Vaughan Edwards Vaughan* Esquire, *William Watkin Bassett* Esquire, and all other Persons or Corporations who have already subscribed or shall hereafter subscribe to the Undertaking, or take Shares in the Capital of the Company, and their Executors, Administrators, Successors, and Assigns respectively, are by this Act united into a Company for the Purposes of the Undertaking by this Act authorized, and for those Purposes are by this Act incorporated by the Name of the "*Ely Valley Extension Railway Company*," and by that Name shall be One Body Corporate, with perpetual Succession and a Common Seal, and with Power to purchase, take, hold, sell, and otherwise dispose of Lands and other Property for the Purposes but subject to the Restrictions of this Act, and to exercise the other Powers by this Act conferred upon them.

Capital. 5. The Capital of the Company shall be Twelve thousand Pounds in One thousand two hundred Shares of Ten Pounds each.

Calls. 6. Two Pounds a Share shall be the greatest Amount of any One Call, and Three Months at least shall be the Interval between successive Calls, and Three Fourths of the Amount of a Share shall be the utmost aggregate Amount of Calls in any One Year on any Share.

Power to
borrow on
Mortgage. 7. The Company from Time to Time may borrow on Mortgage any Sums not exceeding in the whole Four thousand Pounds, but no Part of such Sum shall be borrowed until the whole of the Capital of Twelve thousand Pounds shall have been subscribed for, and One Half thereof shall actually have been paid up, and the Company shall have proved to the Justice who is to certify under the Fortieth Section of "The Companies

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panies Clauses Consolidation Act, 1845," that the whole of the Capital has been subscribed for *bonâ fide*, and is held by the Subscribers or their Assigns, and for which such Subscribers or their Assigns are legally liable.

8. The Mortgagees of the Company may enforce the Payment of the Arrears of Principal and Interest due on their Mortgages by the Appointment of a Receiver, and the Amount to authorize a Requisition for a Receiver is Four hundred Pounds. Arrears may be enforced by Appointment of a Receiver.

9. All and every Part of the Monies by this Act authorized to be raised by the Company by Shares and by borrowing respectively shall be applied only to the Purposes of this Act. Application of Monies.

10. *Nash Vaughan Edwards Vaughan* Esquire, *Henry Lewis* Esquire, and *Hopkin Llewellyn Prichard* Esquire shall be the First Directors of the Company. First Directors.

11. The Number of the Directors shall be not more than Six nor less than Three, who shall be appointed in the Manner by this Act directed. Number of Directors.

12. The Quorum of a Meeting of Directors shall be Three, and Two when the Number of Directors is reduced to Three. Quorum.

13. The Qualification of a Director shall be the Possession in his own Right of Twenty-five Shares of the Capital of the Company. Qualification of Directors.

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

15. The First Ordinary Meeting of the Company shall be held within Six Months after the passing of this Act. First Ordinary Meeting.

16. The

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Newspaper
for Adver-
tisements.

16. The Newspaper for Advertisements shall be any Newspaper published and circulating in the County of *Glamorgan*.

Power to
take Lands
for Works.

17. Subject to the Provisions of this Act, the Company from Time to Time may enter upon, take, and use such of the Lands shown on the deposited Plans, and described in the deposited Books of Reference, as the Company may from Time to Time think expedient.

Powers for
compulsory
Purchases
limited.

18. 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 after the passing of this Act.

Period for
Completion
of Railway.

19. The Railway shall be completed within Three Years after the passing of this Act, and on the Expiration of that Period the Powers by this Act granted to the Company for making the same, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the same as is then completed.

Lands for ex-
traordinary
Purposes.

20. The Company, by Agreement, from Time to Time may purchase any Quantity of Land, not exceeding in the whole Two Acres, for any of the extraordinary Purposes expressed in "The Railways Clauses Consolidation Act, 1845," incorporated with this Act.

Power to
make Works
according to
deposited
Plans.

21. Subject to the Provisions of this Act, the Company from Time to Time may make the several Works by this Act authorized in the Line and according to the Levels respectively shown on the deposited Plans and Sections, and in and upon the Lands delineated on those Plans, and described in the deposited Books of Reference.

Works au-
thorized.

22. The Works by this Act authorized comprise the following Railway, with all proper Stations, Sidings, Bridges, Roads, Approaches or Communications, and other incidental Works and Conveniences ; (that is to say,)

A Railway commencing in the Parish of *Llantrissant* in the County of *Glamorgan* by a Junction with the *Ely Valley* Railway at the Western Terminus of the *Gellyrhaid* Branch on that Railway, and terminating in the Parish of *Ystradyfodwg* in the said County of *Glamorgan* on a Piece of Mountain Land known by the Name of *Gilfach-Goch*.

Gauge of
Railway.

23. The Railway shall be constructed with Rails adapted to the Passage of Engines and Carriages upon the Broad Gauge, and additional Rails adapted to the Narrow Gauge may be laid down if and when the Company shall think fit.

24. Not-

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24. Notwithstanding anything in "The Railways Clauses Consolidation Act, 1845," contained, the Company in the Construction of the Railway may deviate from the Line and Levels of any Arches, Tunnels, or Viaducts described in the deposited Plans or Sections, so as the Deviations be made within the Limits of Deviation shown on those Plans, and subject to the Limitations contained in the Eleventh, Twelfth, and Fifteenth Sections of that Act, and so as the Nature of the Work as described be not altered, and they may also substitute any other Engineering Work not shown on those Plans or Sections instead of a Tunnel, Viaduct, Arch or Arches, as shown thereon, provided that every such Substitution be authorized by a Certificate of the Board of Trade; and the said Board is hereby empowered to grant such Certificate, provided it shall appear to the Board upon due Inquiry that the Company has acted in the Matter with good Faith, and that the Owners, Lessees, and Occupiers of the Lands in which the Substitution is intended to be made consent thereto, and also that the Safety and Convenience of the Public will not be diminished thereby: Provided, that nothing herein contained shall take away or affect any of the Powers given to the Company or to the Board of Trade by the Eleventh, Twelfth, Fourteenth, or Fifteenth Sections of "The Railways Clauses Consolidation Act, 1845."

Power to alter Engineering Works.

25. As regards the Road herein-after mentioned, the Company may make such Road, when altered, of any Inclination not steeper than the Inclination following; namely,

Inclination of Road.

Number on Plan.	Parish.	Description of Road.	Rate of Inclination.
21	Llantrissant - -	Public Road - -	1 in 10 on one Side and level on the other.

26. The Junction of the Railway with the *Ely Valley* Railway shall be effected by means of Junction Rails and Points, with proper Signals in connexion therewith, of the Construction most approved, and in every Case to the reasonable Satisfaction of the Engineer of the *Ely Valley* Railway Company, or in case of Difference as shall be settled by Arbitration under "The Railway Companies Arbitration Act, 1859," by a single Arbitrator, to be in case of Difference appointed by the Board of Trade, and shall for ever thereafter be well and sufficiently maintained and kept in good and proper Repair by the Company.

Junction to be made in manner most approved.

27. With respect to the Junction, the Expense thereof, and of all requisite Works for effecting the same, and of the Signals in connexion therewith, and of all Repairs thereof, shall be paid by the Company, and those Works and Repairs shall on every Occasion be done and maintained

Works at Junction to be done to Satisfaction of Engineers.

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tained

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tained and kept in repair in such Manner as not to injure the *Ely Valley* Railway, and under the Direction and Superintendence and to the reasonable Satisfaction of the Engineer of the *Ely Valley* Railway Company, or in case of Difference to the Satisfaction of a single Arbitrator, to act under "The Railway Companies Arbitration Act, 1859," and to be appointed in case of Difference by the Board of Trade; or in default of the Works and Repairs being so done and maintained or kept in repair by the Company, the same respectively may be done, maintained, and kept in repair by the *Ely Valley* Railway Company or their Lessees, and in that Case the Expense thereof shall thereupon be forthwith repaid to that Company by the Company, and in case of Non-payment may be recovered from the Company in any Court of competent Jurisdiction; and the Expression "Superior Court," or "Court of competent Jurisdiction," or any other like Expression in this Act shall be read and have effect as if the Debt or Demand with respect to which the Expression is used were a common Simple Contract Debt, and not a Debt or Demand created by Statute.

Not to take
Lands of
Ely Valley
Company,
except for
Junctions,
&c.

28. Nothing in this Act shall authorize the Company to take or enter upon any of the Lands belonging to the *Ely Valley* Railway Company, or to alter or interfere with the Railway of that Company, or any of the Works thereof respectively, further or otherwise than is necessary for conveniently effecting the Purposes of this Act.

Provision for
Watchmen,
Signalmen,
&c.

29. The *Ely Valley* Railway Company or their Lessees may from Time to Time erect such Signals and other Works and Conveniences, and appoint and remove such Watchmen, Switchmen, Signalmen, and other Persons, as may be necessary for the Prevention of Danger or Obstruction to or Interference with Persons, Property, or Traffic at and near the Point of Junction between the Railway and the Railway of the Company; and the Working and Management of such Signals, Works, and Conveniences shall be under the exclusive Management and Regulation of the *Ely Valley* Railway Company; and all the Costs and Expenses of erecting, maintaining, and working such Signals, Works, and Conveniences, or otherwise relative thereto, and the Wages of such Watchmen, Switchmen, Signalmen, and other Persons in each Half Year, shall at the End of that Half Year be repaid by the Company to the *Ely Valley* Railway Company, and in default of such Repayment the Amount of such Costs, Expenses, and Wages may be recovered from the Company by the *Ely Valley* Railway Company in any Court of competent Jurisdiction; and in case any Difference shall arise between the Two Companies touching any of the Matters provided for by this present Clause, every such Difference shall be determined by a Referee to be appointed on the Application of either Company by the Board of Trade.

30. Whereas,

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30. Whereas, pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the Ninth Year of the Reign of Her present Majesty, Chapter Twenty, and under a Warrant or Order issued for that Purpose in pursuance of the said Act, the Sum of Eight thousand one hundred Pounds New Three Pounds *per Centum* Bank Annuities, purchased for the Sum of Seven thousand four hundred and eighty-eight Pounds, has been transferred to the Court of Chancery in respect of the Application to Parliament for this Act: And whereas the said Sum of Seven thousand four hundred and eighty-eight Pounds is Eight *per Centum* on Ninety-three thousand six hundred Pounds, the Amount of the Estimate of the Expense of the Railways originally proposed to be made under the Powers of this Act: And whereas Eight *per Centum* on Ten thousand Pounds, the Estimate of Expense of making the Railway by this Act authorized, would amount to Eight hundred Pounds only, which Sum, if invested in New Three Pounds *per Centum* Bank Annuities on the Day on which the said Sum of Seven thousand four hundred and eighty-eight Pounds was so invested, would have been equal in Value to Eight hundred and sixty-five Pounds Eighteen Shillings and Threepence New Three Pounds *per Centum* Bank Annuities: Therefore if at any Time after the passing of this Act the Persons named in the said Warrant or Order, or the Survivors or Survivor of them, or the Majority of such Persons, or the Executors or Administrators of such Survivor, shall apply by Petition to the Court of Chancery for that Purpose, the said Court shall order the Sum of Seven thousand two hundred and thirty-four Pounds One Shilling and Ninepence, Part of the said Sum of Eight thousand one hundred Pounds Bank Annuities, and a proportionate Part of the Dividends which shall at the Date of the Order have accrued in respect of the last-mentioned Sum of Bank Annuities, to be transferred and paid to the Parties or Party so applying, or to any other Person or Persons whom they or he may appoint in their Behalf, and the remaining Sum of Eight hundred and sixty-five Pounds Eighteen Shillings and Threepence Bank Annuities, and the remaining Part of the Dividends accrued up to the Date of the said Order, and the future Dividends of the said Sum of Eight hundred and sixty-five Pounds Eighteen Shillings and Threepence Bank Annuities, shall be held and disposed of by the said Court as by the said Act of the Ninth and Tenth Years of Her present Majesty is directed with reference to Securities transferred in pursuance of that Act, and the Dividend on such Securities, in the same Manner in all respects as if the said Sum of Eight hundred and sixty-five Pounds Eighteen Shillings and Threepence had been the entire Sum named in the said Warrant or Order, and transferred into the Court of Chancery with respect to this Application: Provided that, notwithstanding anything contained in that Act, the said Sum of Eight hundred and sixty-five Pounds Eighteen Shillings and Threepence Bank Annuities, or the Dividends thereof, shall not, except upon the Execution and Deposit of such

Deposit of
Guarantee
Fund with
Court of
Chancery.

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such Bond as herein-after mentioned, be paid or transferred to or on the Application of the Person or Persons or the Majority of the Persons named in the Warrant or Order issued in pursuance of the said Act, or the Survivors or Survivor of them, unless the said Company shall, previously to the Expiration of the Period limited by this Act for the Completion of the Railway hereby authorized to be made, either open the said Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations that the said Company have paid up One Half of the Amount of the Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital; and if the said Period shall expire before the said Company shall either have opened the said Railway for the public Conveyance of Passengers, or have given such Proof as aforesaid to the Satisfaction of the Lords of the said Committee, the said Sum of Eight hundred and sixty-five Pounds Eighteen Shillings and Threepence Bank Annuities, and the 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 Eight hundred and sixty-five Pounds Eighteen Shillings and Threepence shall have been executed by the said Company, with One or more Sureties, (such Bond to be prepared to the Satisfaction of, and such Surety or Sureties to be approved by the Solicitor to the Lords Commissioners of Her Majesty's Treasury,) conditioned for Payment to Her Majesty, Her Heirs or Successors, of the said Sum of Eight hundred and sixty-five Pounds Eighteen Shillings and Threepence if the said Company shall not, within the Time limited for Completion of the said Railway, either open the said Railway for public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the said Committee that the said Company have paid up One Half of the Amount of the said Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital, and if such Bond shall have been deposited with the said Solicitor to the said Lords Commissioners, then such Sum of Eight hundred and sixty-five Pounds Eighteen Shillings and Threepence Bank Annuities, and the Dividends thereof, shall be paid and transferred 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

Monies

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Monies to be recovered upon such Bond shall be dealt with in like Manner as the said Sum of Eight hundred and sixty-five Pounds Eighteen Shillings and Threepence Bank Annuities, and the Dividends thereof, would have been dealt with under this Act if such Bond had not been executed and deposited as aforesaid; and the Certificate of the said Solicitor to the said Lords Commissioners that such Bond has been executed and deposited as aforesaid, and the Certificate of the Lords of the said Committee that such Proof has been given to their Satisfaction as aforesaid, shall respectively be sufficient Evidence of the Facts so certified.

31. It shall be lawful for the Company to demand and take any Tolls for the Use of the Railway not exceeding the following; (that is to say,) Tolls.

1. In respect of the Tonnage of Articles conveyed upon the Railway, or any Part thereof, as follows: Tonnage on Articles of Merchandise.

For all Sorts of Manure, and all undressed Materials for the Repair of Highways, and for all Coals, Culm, Ironstone, and Iron Ore, *per* Ton not exceeding One Penny Halfpenny; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton not exceeding Three Eighths of a Penny:

For all Coke, Charcoal, Pitwood, Limestone, Stones for building, pitching, and paving, Bricks, Tiles, Slates, Clay, and Sand, *per* Ton not exceeding Threepence; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton not exceeding Three Eighths of a Penny:

For all Iron, Lead, Tin and Tin Plates (except Nails, Utensils, or other Articles of Merchandise), *per* Ton not exceeding Threepence; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton not exceeding Three Eighths of a Penny:

For all Goods, Wares, Merchandise, Matters, or Things (for which no other Payment is herein imposed), *per* Ton not exceeding Sixpence; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton not exceeding One Penny Halfpenny:

And for every Carriage of whatever Description, not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, carried or conveyed on a Truck or Platform belonging to the Company, not exceeding One Shilling and Sixpence:

And a Sum not exceeding Fourpence Halfpenny for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton which any such Carriage may weigh.

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

For every Person conveyed in or upon any such Carriage, not exceeding Sixpence; and if conveyed in or upon any Carriage belonging
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belonging to the Company, an additional Sum not exceeding Fourpence Halfpenny :

For every Horse, Mule, Ass, or other Beast of Draught or Burden, and for every Ox, Cow, Bull, or Neat Cattle, conveyed in or upon any such Carriage, not exceeding Ninepence ; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum not exceeding Threepence :

For every Calf or Pig, Sheep, Lamb, or other small Animal conveyed in or upon any such Carriage, not exceeding Threepence ; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum not exceeding Three Farthings.

Tolls for
propelling
Power.

32. The Company may demand for the Use of Steam Engines or other moving Power, when provided by them for propelling Carriages, any Tolls not exceeding the following ; (that is to say,)

For each Passenger or Animal, Threepence ; for Coals, Culm, Coke, Ironstone, and Iron Ore, and for Iron, Lead, Tin, and Tin Plates (except Nails, Utensils, or other Articles of Merchandise), One Penny Farthing *per* Ton ; and for other Goods, One Penny Halfpenny *per* Ton.

Regulations
as to the
Tolls.

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

For a Fraction of a Ton the Company may demand Toll according to the Number of Quarters of a Ton in such Fraction, and if there be a Fraction of a Quarter of a Ton such Fraction shall be deemed a Quarter of a Ton :

With respect to all Articles, except Stone and Timber, the Weight shall be determined according to the usual Avoirdupois Weight :

With respect to Stone and Timber, Fourteen Cubic Feet of Stone, Forty Cubic Feet of Oak, Mahogany, Teak, Beech, or Ash, and Fifty Cubic Feet of any other Timber, shall be deemed One Ton Weight, and so in proportion for any smaller Quantity.

Tolls for
small Parcels
and single
Articles of
great
Weight.

34. And with respect to small Packages and single Articles of great Weight the Company may lawfully demand the Tolls following ; (that is to say,)

For the Carriage (over the whole or any Part of the Line) of small Parcels not exceeding Seven Pounds in Weight, Threepence :

For any Parcel exceeding Seven Pounds but not exceeding Fourteen Pounds in Weight, Fivepence :

For any Parcel exceeding Fourteen Pounds but not exceeding Twenty-eight Pounds in Weight, Sevenpence :

For any Parcel exceeding Twenty-eight Pounds but not exceeding Fifty-six Pounds in Weight, Ninepence :

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For Parcels exceeding Fifty-six Pounds the Company may demand any Sum which they think fit: Provided always, that Articles sent in aggregate Quantities, although made up of separate Parcels, such as Bags of Sugar, Coffee, Meal, and the like, shall not be deemed small Parcels, but such Term shall apply only to single Parcels in separate Packages:

For the Carriage of any One Boiler, Cylinder, Bob, or single Piece of Machinery, or single Piece of Timber or Stone, or any other single Article, the Weight of which, including the Carriage, shall exceed Four Tons, but shall not exceed Eight Tons, the Company may demand such Sum as they from Time to Time may think fit, not exceeding One Shilling and Sixpence:

For the Carriage of any single Piece of Timber, Stone, Machinery, or other single Article, the Weight of which, with the Carriage, shall exceed Eight Tons, or which on account of the Length thereof may require more than One Carriage, the Company may demand such Sum as they think fit.

35. Provided always, That the maximum Rate of Charge to be made by the Company for the Conveyance of Goods, Animals, and other Things, including the Toll for the Use of the Railway, and of Waggons or Trucks and locomotive Power, and every Expense incidental to such Conveyance, except a reasonable Sum for loading, covering, and unloading of Goods at any Terminal Station of such Goods, and for Delivery and Collection, and any other Services incidental to the Business or Duty of a Carrier, where such Services or any of them are or is performed by the Company, shall not exceed the Sums following; (that is to say,)

Maximum
Charges for
Cattle and
Goods.

For all Sorts of Manure, and all undressed Materials for the Repair of Highways, and for all Coals, Culm, Ironstone, and Iron Ore, *per* Ton Threepence:

For all Coke, Charcoal, Pitwood, Limestone, Stones for building, pitching, and paving, Bricks, Tiles, Slates, Clay, and Sand, Fourpence Halfpenny *per* Ton:

For all Iron, Lead, Tin, and Tin Plates (except Nails, Utensils, or other Articles of Merchandise), Fourpence Halfpenny *per* Ton:

For all Goods, Wares, or Merchandise, Matters, or Things (for which no other Payment is herein imposed), Ninepence *per* Ton:

For every Carriage of whatever Description, not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, carried or conveyed on a Truck or Platform, not exceeding One Shilling and Sixpence, and not exceeding Fourpence Halfpenny for every additional Quarter of a Ton which such Carriage may weigh:

For every Horse, Mule, Ass, or other Beast of Draught or Burden conveyed in or upon any such Carriage, not exceeding One Shilling:

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For every Ox, Cow, Bull, or Neat Cattle conveyed in or upon any such Carriage, not exceeding Ninepence :

For every Calf or Pig, Sheep, Lamb, or other small Animal, conveyed in or upon any such Carriage, not exceeding Sixpence.

Maximum
Charges for
Passengers.

36. Provided also, That the maximum Rate of Charges to be made by the Company for the Conveyance of Passengers, including the Tolls for the Use of the Railway, and of Carriages, and for locomotive Power, and every other Expense incidental to such Conveyance, shall not exceed the following Sums ; (to wit,)

For every Passenger conveyed in a First-class Carriage, Ninepence :

For every Passenger conveyed in a Second-class Carriage, Sixpence :

For every Passenger conveyed in a Third-class Carriage, Fourpence Halfpenny.

Definition
of Terminal
Station.

37. No Station is to be considered a Terminal Station in regard to any Goods conveyed on the Railway which have not been received thereat direct from the Consignor of such Traffic, or are not directed to be delivered thereat to the Consignee.

Restriction
as to Charges
not to apply
to Special
Trains.

38. The Restrictions as to the Charges to be made for Passengers, Animals, Minerals, Goods, and Things do not extend to any Special Train that is required to run on the Railway, but apply only to the Ordinary and Express Trains from Time to Time appointed by the Company for the Conveyance of Passengers, Animals, Goods, and Things on the Railway.

Company
may take in-
creased
Charges by
Agreement.

39. Nothing in this Act contained shall prevent the Company from taking any increased Charges, over and above the Charges by this Act limited, for the Conveyance of Goods of any Description, except small Parcels, by Passenger Trains, by Agreement with the Owners of or Persons in charge of the Goods, either with respect to the Conveyance thereof, or by reason of any other special Service performed by the Company in relation thereto.

Passengers
Luggage.

40. Any Person travelling upon the Railway of the Company may take with him his ordinary Luggage, not exceeding One hundred and twenty Pounds in Weight for First-class Passengers, One hundred Pounds in Weight for Second-class Passengers, and Sixty Pounds in Weight for Third-class Passengers, without any Charge being made for the Carriage thereof.

Company
and Ely
Valley Com-
pany to
afford Traffic

41. The Company on the one hand, and the *Ely Valley* Railway Company on the other hand, shall from Time to Time afford to each other all reasonable and proper Facilities for the due Interchange, Accommodation, Protection, and direct and speedy Transmission of, and shall

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shall accordingly interchange, accommodate, protect, or directly and speedily transmit on their respective Railway, or any Part thereof, any Traffic passing or intended to pass over their own and each others Railways respectively, and which is from Time to Time tendered to one Company by the other Company for Transmission on their own respective Railway, or any Part thereof.

Facilities to each other.

42. All such Facilities for the Interchange, Accommodation, Protection, and Transmission of Traffic shall be afforded by each of the Companies herein-before mentioned, subject to such reasonable Rules and Regulations, and on Payment of such Tolls, Fares, Rates, and Charges, as the Companies shall from Time to Time agree on.

Terms for affording the Traffic Facilities.

43. The Company on the one hand, and the *Ely Valley* Railway and the *Great Western* Railway Companies, or either of them, on the other hand, may from Time to Time enter into and carry into effect all such Agreements for any of the Purposes for which they respectively are by this Act authorized to enter into Agreements as they from Time to Time think fit.

Power for Company and the other Companies to enter into Agreements.

44. The Purposes for which such Agreements may be entered into between the said Companies under the Authority of this Act include the following Purposes and all incidental Matters ; (that is to say,)

Purposes for which the Agreement may be made.

First, the Maintenance, Management, working, and using by the *Ely Valley* Railway and the *Great Western* Railway Companies, or either of them, of the Railway and Works of the Company, and the Terms and Conditions thereof :

Secondly, the Traffic Facilities to be afforded by one Company to the other Company, and the Terms and Conditions for the same :

Thirdly, the Interchange of Traffic between the Companies, and the working and using of their respective Lines of Railway and Works, or any of them :

Fourthly, the Supply of any Rolling or Working Stock required for the proper and efficient Development of the Traffic on or over all or any Part of the Railway :

Fifthly, the fixing, Collection, taking, and levying of Tolls, Rates, Duties, and Charges :

The Division between the Companies of the Receipts arising from the said Traffic :

Sixthly, the Appointment of a Joint Committee or Committees for carrying into effect such Agreements and Arrangements :

Seventhly, and for all other Matters or Things necessary or expedient for all or any of the said Purposes.

45. No such Agreement (except only so far as it might be entered into under the Provisions of "The Railways Clauses Consolidation Act, 1845,") shall have any Operation until it be approved by the Board of

Restrictions as to Agreements between the

Ely Valley Extension Railway Act, 1863.

Company
and the
respective
Companies.

Trade, and no such Agreement shall in any Manner alter, affect, increase, or diminish any of the Tolls, Fares, Rates, or Charges which the Parties thereto are from Time to Time respectively authorized and entitled to demand and take from any Person or any other Company, but all such Persons and other Companies shall, notwithstanding any such Agreement, be entitled to the Uses and Benefit of the Railways to which the respective Agreement relates on the same Terms and Conditions, and on Payment of the same Tolls, Fares, Rates, and Charges, as they would be entitled to if the Agreement were not made.

Sanction of
Share-
holders to
Modification
of Agree-
ment.

46. Provided, That no such Agreement, nor any Modification thereof, shall be effectual as to any Company Party thereto without the Sanction of Three Fifths of the Votes of the Shareholders present, in person or by proxy, at a General Meeting of the respective Company specially convened for the Purposes.

Approval by
the Board
of Trade.

47. Provided, That the Board of Trade shall not approve any such Agreement without being satisfied of its having received such Sanction of Shareholders as is by this Act required.

Agreements
between
Company
and respec-
tive Com-
panies may
be modified
by Board of
Trade.

48. If at the Expiration of Ten Years after the making of any such Agreement, and so from Ten Years to Ten Years, the Board of Trade are of opinion that the public Interests are injuriously affected by any of the Terms or Conditions thereof, the Board of Trade may require the Parties thereto to modify the Terms and Conditions of the Agreement in such Manner as the Board of Trade think necessary for removing the public Injury, and the Agreement shall be modified accordingly.

During Con-
tinuance of
Agreement,
Railways to
be con-
sidered as
One Rail-
way.

49. During the Continuance of any such Agreement the Railways of the Companies Parties thereto shall, for the Purposes of Tolls and Charges, be considered One Railway, and in estimating the Amount of Tolls or Charges in respect of Traffic conveyed partly on the Railway of each of the contracting Companies for a less Distance than Three Miles no higher Charge shall be made in respect of such Traffic than the respective Sums by this Act authorized.

Power to
Companies
to enter into
Agreements
for laying
down Rails
on both
Gauges.

50. The Company on the one hand, and the *Ely Valley*, the *Great Western*, and the *South Wales* Railway Companies respectively, or any of them, on the other hand, may enter into and carry into effect such Agreement or Agreements as they may think fit with respect to the laying down additional Rails upon the Railway hereby authorized and the Railways of those Companies respectively, or any of them, or any Part or Parts thereof, so as to adapt the same to the Passage of Traffic upon both the Broad and the Narrow Gauge.

51. The

Ely Valley Extension Railway Act, 1863.

51. The Company shall not, out of any Money by this Act authorized to be raised by Shares or by borrowing, pay Interest or Dividend to any Shareholder on the Amount of Calls made on the Shares held by him : Interest not to be paid on Calls paid up. Provided, that the Company may pay to any Shareholder such Interest on Money advanced by him beyond the Amount of the Calls actually made as is in conformity with the Provisions in that Behalf of "The Companies Clauses Consolidation Act, 1845," incorporated with this Act.

52. The Company shall not, out of any Money by this Act authorized 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 Purpose of obtaining an Act authorizing the Company to make any other Railway, or execute any other Work or Undertaking. Deposits for future Bills not to be made out of Capital.

53. Except only so far as is by this Act provided, nothing in this Act shall take away, lessen, prejudice, or alter any of the Estates, Rights, Interests, Powers, Privileges, or Authorities of any of the several Railway Companies named in this Act. Saving Rights of Companies.

54. Nothing in this Act shall exempt the Railway by this Act authorized or the Railways of any other Company to which this Act relates from the Provisions of any General Act relating to Railways, or to the better and more impartial Audit of the Accounts of Railway Companies, now in force or which may hereafter pass during this or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges or the Rates for small Parcels by this Act or any of the Acts relating to those Railways respectively authorized. Railway not exempt from Provisions of present and future General Acts.

55. 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 Company. Expenses of Act.

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