



ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

Cap. clxxxviii.

An Act for making Railways in the County of *Glamorgan*, to be called the *Rhondda Valley and Hirwain Junction Railway*; and for other Purposes. [12th August 1867.]

WHEREAS the making of Railways in the County of *Glamorgan* from the *Rhondda Fawr* Branch of the *Taff Vale* Railway to the *Hirwain Common* Railway and the *Vale of Neath* Railway will be of local and public Advantage: And whereas the several Persons herein-after named, with others, are willing at their own Expense to carry the said Undertaking into effect: And whereas Plans and Sections describing the Line of the intended Railways, and the Lands in or through which the same will be made, with a Book of Reference to the Plans, have been deposited at the Office of the Clerk of the Peace for the County of *Glamorgan*, and are in this Act referred to as the deposited Plans, Sections, and Book of Reference: And whereas the Purposes aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the

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Lords

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Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

Short Title. 1. This Act may be cited for all Purposes as “The *Rhondda Valley and Hirwain Junction Railway Act, 1867.*”

8 & 9 Vict. cc. 16. 18. and 20., 23 & 24 Vict. c. 106., and 26 & 27 Vict. cc. 92. & 118. incorporated. 2. “The Companies Clauses Consolidation Act, 1845,” “The Lands Clauses Consolidation Act, 1845,” “The Lands Clauses Consolidation Acts Amendment Act, 1860,” “The Railways Clauses Consolidation Act, 1845,” Part I. of “The Railways Clauses Act, 1863,” and Part I. of “The Companies Clauses Act, 1863,” are (except where expressly varied by this Act) incorporated with and form Part of this Act.

Same Meanings to Words in incorporated Acts as in this Act. Interpretation of Terms. 3. In this Act the several Words and Expressions to which Meanings are assigned by the Acts wholly or partially incorporated herewith shall have the same respective Meanings unless there be something in the Subject or Context repugnant to such Construction; the Expression “the Company” shall mean the Company incorporated by this Act; the Expressions “the Railway” and “the Undertaking” respectively shall mean the Railways and the Undertaking by this Act authorized; and 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 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.

Company incorporated. 4. *Handel Cossham, and Thomas Joseph, and Daniel Baldwin, and David Joseph* (being Subscribers to the Undertaking), and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of making and maintaining the Railway, and for other the Purposes of this Act, and for those Purposes shall be incorporated by the Name of “*The Rhondda Valley and Hirwain Junction Railway Company,*” and by that Name shall be a Body Corporate, with perpetual Succession and a Common Seal, and with Power to purchase, take, hold, and dispose of Lands and other Property for the Purposes of this Act.

Power to make Railway according to deposited Plans. 5. 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 Railways herein-after described, with all proper Stations, Approaches, Works, and Conveniences connected therewith, and may enter upon, take, and use such of the Lands

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Lands delineated on the said Plans and described in the deposited Books of Reference as may be required for that Purpose. The Railways herein-before referred to and authorized by this Act are,—

No. 1. A Railway, Five Miles Six Furlongs One hundred and eighty-seven Yards or thereabouts in Length, commencing in the Parish of *Ystradyfodwg* by a Junction with the *Rhondda Fawr* Branch of the *Taff Vale* Railway, and terminating in the said Parish of *Ystradyfodwg* and in the Parish of *Aberdare*, or One of them, by a Junction with the *Hirwain Common* Railway :

No. 2. A Railway, Three Furlongs Fifty-six Yards or thereabouts in Length, commencing by a Junction with Railway No. 1. on *Hirwain Common*, and terminating on the *Pond* Line of the *Hirwain Common* Railway :

No. 3. A Railway, Three Furlongs Thirty-three Yards or thereabouts in Length, commencing at the before-described Termination of Railway No. 2. by a Junction with that Railway, and terminating by a Junction with the *Vale of Neath* Railway at or near the Westernmost or Down Line Junction of the *Pond* Line with the *Vale of Neath* Railway :

No. 4. A Railway, One Furlong Ninety Yards or thereabouts in Length, commencing by a Junction with the *Vale of Neath* Railway at or near the Point where the *Vale of Neath* Railway passes under the Turnpike Road leading from *Aberdare* to *Brecon*, and terminating on the said *Pond* Line by a Junction with Railway No. 3.

6. The Capital of the Company shall be One hundred and thirty-five thousand Pounds in Thirteen thousand five hundred Shares of Ten Pounds each. Capital.

7. The Company shall not issue any Share created under the Authority of this Act, 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. Shares not to issue until One Fifth paid up.

8. One Fifth of the Amount of a Share shall be the greatest Amount of a Call and Three Months at least shall be the Interval between successive Calls and Three Fifths of the Amount of a Share shall be the utmost aggregate Amount of the Calls made in any Year upon any Share. Calls.

9. The Company may from Time to Time borrow on Mortgage any Sum not exceeding in the whole Forty-five thousand Pounds, but no Part thereof shall be borrowed until the whole Capital of One hundred and thirty-five thousand Pounds is subscribed for, issued, and accepted, and One Half thereof is paid, and the Company have proved to the Justice who is to certify under the Fortieth Section of "The Companies Power to borrow on Mortgage.

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Companies Clauses Consolidation Act, 1845," before he so certifies, that the whole of such Capital has been subscribed for, 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 Capital has been paid on account thereof before or at the Time of the Issue or Acceptance thereof, and that such Capital was issued *bonâ fide*, and is held by the Subscribers or their Assigns, and that such Subscribers or their Assigns are legally liable for the same, and 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 the Purposes of this Section; the Sum deposited as herein-after mentioned shall be held to be Capital subscribed for, issued, accepted, and paid up.

Arrears may be enforced by Appointment of a Receiver.

10. 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; and in order to authorize the Appointment of a Receiver in respect of Principal, or Principal and Interest, the Amount owing to the Mortgagees by whom the Application for a Receiver is made shall not be less than Five thousand Pounds in the whole.

Money borrowed on Mortgage to have Priority.

11. All Monies to be borrowed on Mortgage under this Act from the Time when the said Monies shall be advanced, and the Interest for the Time being due thereon, shall have Priority against the Company, and all the Property from Time to Time of the Company, over all other Claims on account of any Debts incurred or to be incurred or Engagements entered into or to be entered into by them: Provided always, that such Priority shall not prejudice or affect any Claim against the Company or their Property in respect of any Rent-charge to be granted by them in pursuance of the Provisions of "The Lands Clauses Consolidation Act, 1845," or "The Lands Clauses Consolidation Acts Amendment Act, 1860," nor shall anything herein-before contained prejudice or affect any Claim or Lien in respect of any Land taken, used, or occupied by the Company for the Purposes of the Railway, or injuriously affected by the Construction thereof, or by the Exercise of any of the Powers by this Act conferred on the Company.

Application of Monies.

12. All Monies raised under this Act, whether by Shares or borrowing, shall be applied for the Purposes of this Act only.

First Ordinary Meeting.

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

14. The

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14. The Quorum of General Meetings of the Company shall be Five Shareholders present in person or by proxy, holding in the aggregate not less than Five thousand Pounds in the Capital of the Company.

Quorum of General Meeting.

15. The Number of Shareholders on whose Requisition an Extraordinary Meeting may be required to be convened shall be not less than Five, and such Shareholders shall hold in the aggregate not less than Five thousand Pounds in the Capital of the Company.

Number of Shareholders to convene Extraordinary Meeting.

16. The Number of Directors shall be Six.

Number of Directors.

17. The Qualification of a Director shall be the Possession in his own Right of not less than Thirty Shares.

Qualification of Directors.

18. The Quorum of a Meeting of Directors shall be Three.

Quorum.

19. *Handel Cossham, and Thomas Joseph, and John Daniel Thomas, and David Joseph, and James Marychurch, and Evan Davies* shall be the first Directors of the Company, and shall continue in Office until the First Ordinary Meeting held after the passing of this Act; at that Meeting the Shareholders present in person or by proxy may either continue in Office the Directors appointed by this Act, or any of them, or may elect a new Body of Directors, or Directors to supply the Place of those not continued in Office, the Directors appointed by this Act being, if qualified, eligible for Re-election; and at the First Ordinary Meeting to be held in every Year after the First Ordinary Meeting the Shareholders present in person or by proxy shall (subject to the Power herein-before contained for reducing the Number of Directors) elect Persons to supply the Places of the Directors then retiring from Office agreeably to the Provisions in "The Companies Clauses Consolidation Act, 1845," 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 same Act.

First Directors.

Election of Directors.

20. The Quantity of Land to be taken by the Company by Agreement for the extraordinary Purposes mentioned in "The Railways Clauses Consolidation Act, 1845," shall not exceed Three Acres.

Lands for extraordinary Purposes.

21. 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.

Powers for compulsory Purchases limited.

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Period for
Completion
of Works.

22. The Railway shall be completed within Five Years from the passing of this Act, and on the Expiration of that Period the Powers by this Act granted to the Company for executing the Railway, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall then be completed.

Not to take
Lands or in-
terfere with
Railway of
Great West-
ern Railway
Company
except for
the Purpose
of Junctions.

23. Notwithstanding anything herein or in the incorporated Acts contained, it shall not be lawful for the Company, nor any Person acting under or in execution of this Act, to enter upon, occupy, or use, either permanently or temporarily, any of the Lands, Works, or Property of the *Great Western* Railway Company, or in any Manner to alter, vary, or interfere with their Railway or Works, without the Consent of that Company under their Common Seal, save only for the Purpose of effecting the Junctions and Communications by this Act authorized.

Provisions
for Protec-
tion of Pro-
perty of the
Aberdare
Canal Com-
pany.

24. For the Protection of the Company of Proprietors of the *Aberdare* Canal Navigation, (in this Act called the Canal Company,) the following Provisions shall take effect; that is to say,

1. The Company shall at their own Expense divert the Tramroad of the Canal Company in the Direction shown by a Red Line drawn from A to B and from B to C on the Plan, dated the Twentieth of *March* One thousand eight hundred and sixty-seven, signed by the respective Solicitors of the Company and of the Canal Company, and intended to be deposited with the Clerk of the Peace for the County of *Glamorgan*, and the Company shall at their own Expense acquire the necessary Land, and make and complete the Formation of such diverted Tramroad, either before they interfere with the existing Tramroad, or simultaneously with such Interference; and such diverted Tramroad shall be of a Width equal to that of the present Tramroad, and shall have an uniform Gradient from A to B, and also an uniform Gradient from B to C, and the Company shall effectually convey and transfer such diverted Tramway and the Soil thereof to the Canal Company:
2. The Company shall, in making their Railway No. 2. across the Tramroad of the Canal Company at the Point marked D on the said Plan, carry the said Railway over such Tramroad by means of an Arch or Opening, to be Fourteen Feet high at the least over every Part of such Tramroad, and Twenty Feet wide at the least:
3. The Company shall not, in the making of either of their Railways No. 2., 3., or 4., take any Land used by the Canal Company as a Pond or Ponds upon *Hirwain Common* at any greater Distance than Forty-five Feet from the Centre Line of the said

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said Railway or Railways as shown upon the deposited Plans; and if the Company shall take any Part of such Pond or Ponds so as to diminish the Capacity thereof for storing Water, the Company shall enlarge or excavate such Pond or Ponds to such an Extent as that the same shall be capable of containing a Quantity of Water at least as great as the same Pond or Ponds can hold at present, and such Excavation shall be made simultaneously with the making of the Works which shall diminish the Capacity of the said Pond or Ponds:

4. The Company, in crossing any Watercourse or Watercourses leading from the said Pond or Ponds, shall effect such crossing by a Culvert or Culverts to be not less than Five Feet in Height and Four Feet in Width, and the Company shall at all Times keep such Culvert or Culverts free from Obstruction and in good Condition and Repair, and the Canal Company shall at all Times have Power to enter into such Culvert or Culverts to clear the same, if necessary, and to see to the Condition and State of Repair thereof:
5. In making their Railway between the Pond or Ponds of the Canal Company and the Land whence Water is supplied or flows to such Pond or Ponds, the Company shall, at their own Expense, make all such Gutters, Drains, Culverts, Siphons, and other necessary Works under or over or by the Side of the said Railway or Works, or adjacent thereto, as shall ensure at all Times the flowing of as much Water into such Pond or Ponds as would flow or get into the same if such Railway had not been made:
6. All and every the Works to be executed by the Company for the Protection of the Canal Company shall be executed in such Manner and within such Time as reasonably to satisfy the Engineer for the Time being of the Canal Company, and in case there shall be any Question or Difference between such Engineer and the Company as to the Sufficiency of the said Works, or the Mode or the Time of their Execution, such Questions shall be referred to some Engineer or Arbitrator to be appointed by the Board of Trade, whose Decision shall be final, and such Engineer or Arbitrator shall determine who shall pay the Costs of such Arbitration.

25. Notwithstanding anything herein or in the incorporated Acts contained, it shall not be lawful for the Company, nor any Person acting under or in the Execution of this Act, to enter upon, occupy, or use, either permanently or temporarily, any of the Lands, Works, or Property of the *Taff Vale* Railway Company, or in any Manner to alter, vary, or interfere with their Railway or Works, without the Consent

Company not to interfere with Taff Vale Railway except for the Purpose of a Junction.

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sent of that Company under their Common Seal, save only for the Purpose of effecting the Junction and Communication by this Act authorized, with all proper and sufficient Works connected therewith.

Provisions for
the Countess
Dowager of
Dunraven
and her
Lessees.

26. And whereas the *Cardiff Merthyr Steam Coal Company* (Limited) (in this Act called the Coal Company) and *Ebenezer Lewis*, of *Brocastle*, Colliery Owner, are severally Lessees under the Right Honourable *Caroline Countess Dowager of Dunraven* of Property on and near the Railway Number 1. by this Act authorized, and have a Communication between their respective Properties and the *Rhondda Fawr Branch* of the *Taff Vale Railway* by means of an existing Tramroad, and they respectively had, previously to the Application to Parliament for this Act, made Arrangements with the *Taff Vale Railway Company* for an improved Communication with the said *Rhondda Fawr Branch*, but which Communication will be prevented by the making of the said Railway Number 1.: And whereas the said *Caroline Countess Dowager of Dunraven* is Tenant for Life of the Estates of which the Mineral Properties comprised in the Leases to the Coal Company and *Ebenezer Lewis* respectively form Part, and by the said Leases the Coal Company and *Ebenezer Lewis* respectively have entered into certain Covenants with the said *Caroline Countess Dowager of Dunraven* for the Construction of certain Branch Railways for the Accommodation (in the Manner in the said Leases respectively mentioned) of the said Countess or her Assigns, or other the Person or Persons entitled for the Time being to the said Estates: And whereas the Construction of such Branch Railways will be rendered unnecessary by the making of the said Railway Number 1.: Therefore for the Protection and Benefit of the Coal Company and the said *Ebenezer Lewis*, and their respective Assigns, Lessees for the Time being of the said Properties respectively, and also for the Protection and Benefit of the said *Caroline Countess Dowager of Dunraven*, and other the Person or Persons for the Time being entitled to the actual Possession or to the Receipt of the Rents of the said Properties, her and their Heirs and Assigns, the following Provisions shall have Effect; that is to say,

(A.) The Portion of the Railway Number 1. by this Act authorized between its Commencement by a Junction with the said *Rhondda Fawr Branch* of *Taff Vale Railway*, and the Point on the said Railway Number 1. marked on the deposited Plans One Mile Four Furlongs, shall be completed and opened for public Traffic within Twelve Months from the passing of this Act, and until the said Portion is opened for public Traffic the Company shall not open for public Traffic any other Portion of the said Railway Number 1., or any Part of the other Railways by this Act authorized:

(B.) Until

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(B.) Until the said Portion of Railway is opened for public Traffic the Company shall either keep open for Traffic the said existing Tramroad, or provide other suitable Connexion by Tramroad between the said Properties respectively and the said *Rhondda Fawr* Branch of the *Taff Vale* Railway, so that the Communication by Tramroad between those Properties respectively and the said Branch may not be interrupted at any Time before such opening:

(C.) The Coal Company and the said *Ebenezer Lewis* respectively, and their respective Assigns as aforesaid, and also the said *Caroline* Countess Dowager of *Dunraven*, and other the Person or Persons for the Time being entitled as aforesaid, her and their Heirs and Assigns, and also (but only if and so long as authorized by the Coal Company and the said *Ebenezer Lewis* and the said *Caroline* Countess Dowager of *Dunraven* respectively, or their respective Assigns, or other the Person or Persons for the Time being entitled as aforesaid, their Heirs and Assigns,) the *Taff Vale* Railway Company, at all Times after the opening for public Traffic of the said Portion of Railway Number 1., may, with Engines, Carriages, Waggons, and Trucks belonging to or provided by them respectively, and with their own Officers and Servants, (but only for the Purpose of conveying Traffic and empty Carriages, Waggons, and Trucks from or to the aforesaid Properties or any other Works of the Coal Company and the said *Ebenezer Lewis* respectively, or their respective Assigns as aforesaid, or from or to the other Lands of the said *Caroline* Countess Dowager of *Dunraven*, or other the Person or Persons entitled as aforesaid, her and their Heirs and Assigns, situate North and West of the aforesaid Properties, being Parts of *Blaen Rhondda* and *Ystrad Furnal* Farms in the Parish of *Ystradyfodwg*, or in some other Parish or Parishes adjoining thereto,) run and work over and use the said Portion of Railway Number 1. and all Works and Conveniences, including Supplies of Water belonging to the Company, in, upon, or connected with the said Portion of Railway, or any Part thereof, necessary to be used for the Exercise of the said Powers: And the said Power of running and working over and User shall be exerciseable upon and subject to such Tolls, Terms, and Conditions as may from Time to Time be agreed on between the Company on the one hand, and the Company or Person respectively entitled to exercise the same Power on the other hand, or, failing Agreement, as shall from Time to Time be determined by an Arbitrator to be appointed by the Board of

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Trade on the Application of the Company, or of the Company or Person so entitled, and the Costs of the Arbitration shall be in the Discretion of the Arbitrator, and his Decision thereon shall be final and binding on all the Parties in Difference :

(D.) For the Purpose of estimating the Amount of Tolls and Charges to be paid to the Company in respect of all Traffic, Engines, Carriages, Waggon, and Trucks which, in exercise of the preceding Power, shall be conveyed or used from or to the aforesaid Properties respectively, or any other Works of the Coal Company or the said *Ebenezer Lewis*, or their respective Assigns as aforesaid, or from or to the other Lands of the said *Caroline Countess Dowager of Dunraven*, or other the Person or Persons for the Time being entitled as aforesaid, her and their Heirs and Assigns, partly over the said Portion of Railway, and partly over the said *Rhondda Fawr* Branch of the *Taff Vale* Railway, the said Portion of Railway of the Company and the said Branch shall be considered as One Railway, and the Company shall not be considered entitled to any Charge by way of Terminal at the Junction with the said Branch, or any Toll by way of Short-distance Charge, but the Tolls shall be in accordance with the actual Distance traversed.

Height and Span of certain Bridge.

27. The Company may make the Arch of the Bridge for carrying the Railway No. 2. over the Turnpike Road numbered on the deposited Plans 82, in the Parish of *Ystradyfodwg*, of a Height not less than Fifteen Feet, and of a Span not less than Thirty Feet.

Deposit Money not to be repaid until Line opened or Half the Capital paid up and expended, except on Execution of Bond, &c.

28. Whereas pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the 9th and 10th Years of Her present Majesty, Chapter 20, a Sum of Ten thousand Pounds, being Eight *per Centum* on One hundred and twenty-five thousand Pounds, the Amount of the Estimate of the Expense of the Railway by this Act authorized, has been deposited with the Court of Chancery in *England* in respect of the Application to Parliament for this Act: Therefore, notwithstanding anything contained in the said recited Act, the said Sum of Ten thousand Pounds so deposited as aforesaid in respect of the Application for this Act, or the Interest or Dividends of such Sum of Money, shall not, except upon the Execution and Deposit of such Bond as 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 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

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the 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 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 Company shall either have opened the 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 Money so deposited as aforesaid, and the Interest and Dividends thereof, shall immediately from and after the Expiration of the said Period be forfeited to Her Majesty, and be paid and transferred by the Officer or Person in whose Name they shall then be deposited or invested to the Account of Her Majesty's Exchequer, and when so paid and transferred shall be carried to and form Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*: Provided that at any Time after the passing of this Act if a Bond in twice the Amount of the said Sum of Ten thousand Pounds shall have been executed by the Company, with One or more Surety or Sureties, (such Bond to be prepared to the Satisfaction of, and such Surety or Sureties to be approved by, the Solicitor or Assistant 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 Ten thousand Pounds if the Company shall not, within the Time limited for the Completion of the said Railway, either open the said Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the said Committee that the 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 such Bond shall have been deposited with the said Solicitor or Assistant Solicitor to the said Lords Commissioners, then such Sum of Money, and the Interest or Dividends thereof, shall be paid to or on the Application of the Person or Persons or the Majority of the Persons named in such Warrant or Order as aforesaid, or the Survivors or Survivor of them, and it shall not be necessary to produce any Certificate of this Act having passed, anything in the said recited Act to the contrary notwithstanding; and the Monies to be recovered upon such Bond shall be dealt with in like Manner as the said Sum of Money, and the Interest or Dividends thereof, would have been dealt with under this Act if such Bond had not been executed and deposited as aforesaid; and the Certificate of the said Solicitor or Assistant 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

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Proof has been given to their Satisfaction as aforesaid, shall be sufficient Evidence of the Facts so certified.

Tolls.

29. The Company may demand and take in respect of the Use of the Railway any Tolls not exceeding the following; (that is to say,)

For Passengers.

First, in respect of Passengers conveyed upon the Railway, or any Part thereof, as follows:

For every Person, Twopence *per* Mile; and if conveyed in or upon a Carriage belonging to the Company, an additional Sum of One Penny *per* Mile:

For Animals.

Secondly, in respect of Animals conveyed upon the Railway, or any Part thereof, as follows:

Class 1. For every Horse, Mule, or other Beast of Draught or Burden, Threepence *per* Mile; and if conveyed in or upon a Carriage belonging to the Company, an additional Sum of One Penny *per* Mile:

Class 2. For every Ox, Cow, Bull, or Head of Neat Cattle, Twopence *per* Head *per* Mile; and if conveyed in or upon a Carriage belonging to the Company, an additional Sum of One Penny *per* Mile:

Class 3. For every Calf, Sheep, Pig, or other small Animal, Three Farthings each *per* Mile; and if conveyed in or upon a Carriage belonging to the Company, an additional Sum of One Farthing *per* Mile:

Tonnage on Articles of Merchandise.

Thirdly, in respect of Goods conveyed upon the Railway, or any Part thereof, as follows:

Class 4. For all Dung, Compost, and all Sorts of Manure, and all undressed Materials for the Repair of public Roads or Highways, Coals, Coke, Culm, Cinders, Cannel, Ironstone, Iron Ore, Limestone, Chalk, Sand, Slag, and Clay (except Fireclay), *per* Ton *per* Mile One Penny; and if conveyed in a Carriage belonging to the Company, an additional Sum *per* Ton *per* Mile of One Farthing:

Class 5. For all Charcoal, Pig Iron, Bar Iron, Rod Iron, Sheet Iron, Hoop Iron, Plates of Iron, Wrought Iron, heavy Iron Castings, Railway Chairs, Slabs, Billets, and rolled Iron, Lime, Bricks, Tiles, Slates, Salt, Fireclay, and Stone, *per* Ton *per* Mile One Penny Halfpenny; and if conveyed in a Carriage belonging to the Company, an additional Sum *per* Ton *per* Mile of One Halfpenny:

Class 6. For all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber, Staves, Deals, and Metal (except Iron), Nails, Anvils, Vices, and Chains, and for light Iron Castings, *per* Ton *per* Mile Twopence Halfpenny; and if conveyed in a Carriage belonging to the Company, an additional Sum *per* Ton *per* Mile of One Penny:

Class

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Class 7. For Cotton and other Wools, Drugs, and manufactured Goods, and all other Wares, Merchandise, Fish, Articles, Matters, or Things, *per Ton per Mile* Threepence; and if conveyed in a Carriage belonging to the Company, an additional Sum *per Ton per Mile* of One Penny:

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, conveyed on a Truck or Platform belonging to the Company, Sixpence *per Mile*; and a like Sum of One Penny Halfpenny *per Mile* for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton which any such Carriage may weigh.

30. The Toll which the Company may demand for the Use of Engines for propelling Carriages on the Railway shall not exceed One Penny *per Mile* for each Passenger or Animal, or for each Ton of Goods, in addition to the several other Tolls or Sums by this Act authorized to be taken. Tolls for propelling Power.

31. The following Provisions and Regulations shall apply to the fixing of all Tolls and Charges payable under this Act; (that is to say,) Regulations as to Tolls.

For all Passengers, Animals, or Goods conveyed on the Railway for a less Distance than Three Miles the Company may demand Tolls and Charges as for Three Miles:

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

For a Fraction of a Ton the Company may demand Tolls 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.

With respect to small Parcels not exceeding Five hundred Pounds in Weight, and single Articles of great Weight, notwithstanding any- Tolls for small Parcels and single thing

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Articles of
great
Weight.

thing in this Act, the Company may demand and take any Tolls not exceeding the following; (that is to say)

For the Carriage of small Parcels on the Railway:

For any Parcel 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;

And for any Parcel exceeding Fifty-six Pounds but not exceeding Five hundred Pounds in Weight the Company may demand any Sum which they think fit:

Provided always, that Articles sent in large aggregate Quantities, although made up in separate Parcels, such as Bags of Sugar, Coffee, Meal, and the like, shall not be deemed small Parcels, but that Term shall apply only to single Parcels in separate Packages:

For the Carriage of single Articles of great Weight on the Railway:

For the Carriage of any One Boiler, Cylinder, or single Piece of Machinery, or single Piece of Timber or Stone, or other single Article, the Weight of which, including the Carriage, shall exceed Four Tons but shall not exceed Eight Tons, the Company may demand such Sum as they think fit, not exceeding Sixpence *per Ton per Mile*:

For the Carriage of any One Boiler, Cylinder, or single Piece of Machinery, or single Piece of Timber or Stone, or other single Article, the Weight of which, with the Carriage, shall exceed Eight Tons, the Company may demand such Sum as they think fit.

Maximum
Rates for
Passengers.

32. The maximum Rate of Charge to be made by the Company for the Conveyance of Passengers upon the Railway, including the Tolls for the Use of the Railway, and for Carriages and locomotive Power, and every other Expense incidental to such Conveyance, shall not exceed the following; (that is to say,)

For every Passenger conveyed in a First-class Carriage, the Sum of Threepence *per Mile*:

For every Passenger conveyed in a Second-class Carriage, the Sum of Twopence *per Mile*:

For every Passenger conveyed in a Third-class Carriage, the Sum of One Penny Halfpenny *per Mile*.

Maximum
Rates for
Animals and
Goods.

33. The maximum Rate of Charge to be made by the Company for the Conveyance of Animals and Goods on the Railway (except such small Parcels and single Articles of great Weight as aforesaid), including

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including the Tolls for the Use of the Railway, and for Waggon or Trucks and locomotive Power, and for every other Expense incidental to the Conveyance (except a reasonable Charge for loading and unloading Goods at any Terminal Station in respect of such Goods, and for Delivery and Collection, and any other Service incidental to the Business or Duty of a Carrier where any such Service is performed by the Company), shall not exceed the following Sums; (that is to say,)

For every Animal in Class 1, Fourpence *per* Mile;

For every Animal in Class 2, Threepence *per* Mile;

For every Animal in Class 3, One Penny *per* Mile;

For everything in Class 4, except Coals, Coke, Culm, Cinders, Ironstone, and Iron Ore, One Penny Halfpenny *per* Ton *per* Mile;

For Coal, Coke, Culm, Cinders, Ironstone, and Iron Ore, One Penny and One Eighth of a Penny *per* Ton *per* Mile; but if the Waggon or Trucks be not supplied by the Company, One Penny *per* Ton *per* Mile;

For everything in Class 5, Twopence *per* Ton *per* Mile;

For everything in Class 6, Threepence *per* Ton *per* Mile;

For everything in Class 7, Fourpence *per* Ton *per* Mile;

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, *per* Mile Sixpence; and if weighing more than One Ton, One Penny Halfpenny for every additional Quarter of a Ton, or Fraction of a Quarter of a Ton, which such Carriage may weigh:

Provided always, that the Company shall not be compelled to supply Waggon or Trucks for the Carriage of Coals, Coke, Culm, Cinders, Ironstone, or Iron Ore.

34. Every Passenger travelling upon the Railway 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.

Passengers
Luggage.

35. No Station shall be considered a Terminal Station in regard to any Goods conveyed on the Railway unless such Goods have been received thereat direct from the Consignor, or are directed to be delivered thereat to the Consignee.

Terminal
Station.

36. The Restrictions as to the Charges to be made for Passengers shall not extend to any Special Train run upon the Railway, in respect of which the Company may make such Charges as they think fit, but shall

Restrictions
as to Charges
not to apply
to Special
Trains.

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shall apply only to the Ordinary and Express Trains appointed from Time to Time by the Company for the Conveyance of Passengers and Goods upon the Railway.

Company may take increased Charges by Agreement.

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

Interest not to be paid on Calls paid up.

38. The Company shall not, out of any Money by this Act authorized 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."

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

39. The Company shall not, out of any Money by this Act authorized 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 authorizing the Company to construct any other Railway, or to execute any other Work or Undertaking.

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

40. Nothing herein contained shall be deemed or construed to exempt the Railway by this Act authorized to be made 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 or Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges or of the Rates for small Parcels authorized by this Act.

Expenses of Act.

41. 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.

LONDON:

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1867.