



## CHAPTER clxxxvii.

An Act for making a Railway from Llandyssil in the county of Carmarthen to Newcastle Emlyn in the county of Cardigan, to be called the Tivy Side Railway ; and for other purposes. A.D. 1872.  
[10th August 1872.]

**W**HEREAS the making of a railway commencing by a junction with the Carmarthen and Cardigan Railway, at or near Llandyssil in the county of Carmarthen, and terminating at or near Newcastle Emlyn in the county of Cardigan, to be called the Tivy Side Railway, would be of great local and public advantage :

And whereas the persons herein-after named, with others, are willing to make such railway :

And whereas the railway of the Carmarthen and Cardigan Railway (the affairs of which Company are at present in the Court of Chancery) is a single line of railway, but laid in parts with three rails for use either as a broad or narrow gauge line, and in other parts as a narrow gauge line only, but the railway is intended to be in future used only as a narrow gauge line, and one line of rails and fastenings will therefore become unnecessary : And whereas the making of the railway by this Act authorised will be of great advantage to the Carmarthen and Cardigan Railway Company, by developing and increasing their traffic ; and it is expedient that the Carmarthen and Cardigan Railway Company be authorised to dispose of the rails and fastenings to become unnecessary in the manner herein-after provided :

And whereas it is expedient that the Carmarthen and Cardigan Railway Company and their receiver should be authorised to make over the said surplus rails and fastenings, or apply the proceeds thereof as a subscription towards the intended railway as herein-after provided :

And whereas it is expedient that the Company, the Carmarthen and Cardigan Railway Company, and the Great Western Railway Company should be authorised to enter into the arrangements herein-after contained with respect to the working, use, and manage-

A.D. 1872. ment of the intended railway, and that powers to run over and use the railway and works of the Carmarthen and Cardigan Railway Company should be conferred on the Company; and that powers to run over and use the railway and works of the Company should also be conferred on the Carmarthen and Cardigan Railway Company:

And whereas plans and sections showing the lines and levels of the intended railway and the lands which may be taken for the purposes thereof, and a book of reference to those plans, have been deposited with the clerk of the peace for the county of Cardigan at his office at Aberystwith in the said county, and with the clerk of the peace for the county of Carmarthen at his office at Llandovery; and such plans, sections, and book of reference are in this Act referred to as the deposited plans, sections, and book of reference:

And whereas the objects aforesaid cannot be effected without the authority of Parliament:

May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited for all purposes as "The Tivy Side Railway Act, 1872."

Provisions of general Acts herein named incorporated.

2. "The Companies Clauses Consolidation Act, 1845," Part I., relating to cancellation and surrender of shares, and Part III., relating to debenture stock, of "The Companies Clauses Act, 1863," "The Lands Clauses Consolidation Acts, 1845 and 1860," "The Railways Clauses Consolidation Act, 1845," and, so far as applicable, Part I., relating to construction of railway, and Part III., relating to working agreements, of "The Railways Clauses Act, 1863," are (except where expressly varied by this Act) incorporated with and form part of 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 have the same respective meanings, unless there be something in the subject or context repugnant to such construction; the expression "the Company" means the Company incorporated by this Act; the expressions "the railway" and "the undertaking" mean respectively the railway and undertaking by this Act authorised; 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.

4. John Richard Howell, John Morris Jones, Samuel Davies, 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 Tivy Side 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.

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Company in-  
corporated.

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 railway herein-after described, with all proper stations, approaches, works, and conveniences connected therewith, and may enter upon, take, and use such of the land delineated on the said plans and described in the deposited books of reference as may be required for that purpose. The railway herein-before referred to and authorised by this Act is,—

Power to  
make  
railway  
according to  
deposited  
plans.

A railway six miles six furlongs and one chain in length, or thereabouts, commencing by a junction with the Carmarthen and Cardigan Railway at Llandyssil in the county of Carmarthen, and terminating at or near Newcastle Emlyn in the county of Cardigan.

6. The capital of the Company shall be fifty thousand pounds, in five thousand 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 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.

Calls.

9. Subject to the provisions of this Act, the Company, with the authority of three fourths of the votes of the shareholders present in person or by proxy at a general meeting of the Company specially convened for the purpose, may from time to time divide any share in the capital by this Act authorised to be raised into half shares, of which one shall be called "preferred half share," and the other shall be called "deferred half share:" Provided always, that the Company shall not divide any share under the authority of this Act unless and

Power  
to divide  
shares.

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Dividends on half shares.

10. The dividend which would from time to time be payable on any divided share if the same had continued an entire share shall be applied in payment of dividends on the two half shares in manner following; (that is to say,) first, in payment of dividend, after such rate, not exceeding six pounds per centum per annum, as shall be determined once for all at a general meeting of the Company specially convened for the purpose, on the amount for the time being paid up on the preferred half share, and the remainder, if any, in payment of dividend on the deferred half share, and the Company shall not pay any greater amount of dividend on the two half shares than would have from time to time been payable on the entire share if the same had not been divided.

Dividend on preferred shares to be paid out of the profits of the year only.

11. Each preferred half share shall be entitled out of the profits of each year to the dividend which may have been attached to it by the Company as aforesaid, in priority to the deferred half share bearing the same number; but if in any year ending the thirty-first day of December there shall not be profits available for the payment of the full amount of dividend on any preferred half share for that year, no part of the deficiency shall be made good out of the profits of any subsequent year, or out of any other funds of the Company.

Half shares to be registered, and certificates issued.

12. Forthwith after the creation of any half shares the same shall be registered by the directors, and each half share shall bear the same number as the number of the entire share certificate in respect of which it was issued, and the directors shall issue certificates of the half shares accordingly, and shall cause an entry to be made in the register of the entire shares of the conversion thereof: Provided always, that the directors shall not be bound to issue a certificate of any half share until the certificate of the existing share be delivered to them to be cancelled, unless it be shown to their satisfaction that the certificate is destroyed or lost, and on any certificate being so delivered up the directors shall cancel it.

Terms of issue to be stated in certificates.

13. The terms and conditions on which any preferred half share or deferred half share created under this Act is issued shall be stated on the certificate of each such half share.

Forfeiture of preferred shares.

14. The provisions of the "Companies Clauses Consolidation Act, 1845," and Part I. of the "Companies Clauses Act, 1863," with respect to the forfeiture of shares for nonpayment of calls, shall apply to all preferred half shares to be created under the authority

of this Act, and every such preferred half share shall for that purpose be considered a whole share, distinct from the corresponding deferred half share: Provided always, that until any forfeited preferred half share shall be sold by the directors of the Company, all dividends which would be payable thereon if the same had not been forfeited shall be applied in or towards payment of any expenses attending the declaration of forfeiture thereof, and of the arrears of calls for the time being due thereon, with interest.

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**15.** No preferred half share created under the authority of this Act shall be cancelled or be surrendered to the Company.

Preferred shares not to be cancelled, &c.

**16.** The several half shares under this Act shall be half shares in the capital of the Company, and every two half shares, whether preferred or deferred, or one of each, held by the same person, shall confer such right of voting at meetings of the Company, and (subject to the provisions herein-before contained) shall confer and have all such other rights, qualifications, privileges, liabilities, and incidents as attach and are incident to an entire share.

Half shares to be half shares in capital.

**17.** It shall be lawful for the Carmarthen and Cardigan Railway Company, with the authority of three fourths of the votes of their shareholders present in person or by proxy at a general meeting of the said Company specially convened for the purpose, to resolve to convert their railway into a narrow gauge line, and to maintain it as such narrow gauge line only where already converted, and to take up the said line of rails and fastenings which will be rendered unnecessary as aforesaid, and to make over such rails and fastenings, or apply the proceeds thereof, or any part thereof, or an equivalent, as a subscription towards the railway hereby authorised, and to take and hold ordinary fully paid-up shares in the capital of the Company, to a nominal amount equal to the value of the said rails and fastenings, such subscription not exceeding in the whole the value of the said rails and fastenings; and the Carmarthen and Cardigan Railway Company and their receiver shall thereupon be authorised to make over such rails and fastenings, or apply the proceeds thereof or an equivalent, as such subscription: Provided that after the said Carmarthen and Cardigan Railway Company shall have at any meeting as aforesaid resolved to take up the rails and make the said subscription, the said Carmarthen and Cardigan Railway Company and their receiver shall carry out the objects of this enactment under the sanction of the Court of Chancery.

Carmarthen and Cardigan Railway Company may apply proceeds of certain rails towards subscription to the railway.

**18.** The said Company shall, in respect of the shares to be taken by them in the Company, have all the powers, rights, and privileges of proprietors of shares in the Company: Provided always, the Carmarthen and Cardigan Railway Company shall not sell or dispose

Carmarthen and Cardigan Company to hold shares.

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of or transfer any of the shares in the Company which they may acquire as aforesaid; and, subject to such restriction, the shares shall be dealt with in manner to be directed by the Court of Chancery in the suit of Fountaine against the Carmarthen and Cardigan Railway Company.

Votes of  
Company at  
general  
meetings.

**19.** The Carmarthen and Cardigan Railway Company, whilst shareholders of the Company, may, by writing under their common seal, from time to time appoint some person to attend any meeting of the Company, and such person shall have all the privileges and powers attaching to other shareholders at such meetings, and may vote thereat in respect of the capital held by the Carmarthen and Cardigan Railway Company.

Power to  
borrow on  
mortgage.

**20.** The Company may from time to time borrow on mortgage any sum not exceeding in the whole sixteen thousand six hundred and sixty-six pounds, but no part thereof shall be borrowed until the whole capital of fifty thousand pounds is subscribed for, 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 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.

Arrears may  
be enforced  
by appoint-  
ment of  
a receiver.

**21.** 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 one thousand five hundred pounds in the whole.

Debenture  
stock.

**22.** The Company may create and issue debenture stock.

Application  
of moneys.

**23.** All moneys raised under this Act, whether by shares, debenture stock, or borrowing, shall be applied for the purposes of this Act only.

First ordi-  
nary meet-  
ing.

**24.** The first ordinary meeting of the Company shall be held within six months after the passing of this Act.

**25.** The number of directors shall be five, but the Company may from time to time reduce the number, provided that the number be not less than three. A.D. 1872.  
Number of directors.

**26.** The qualification of a director shall be the possession in his own right of not less than ten shares. Qualification of directors.

**27.** The quorum of a meeting of directors shall be three when the number of directors is more than three, and when the number of directors is three shall be two. Quorum.

**28.** John Richard Howell, John Morris Jones, Samuel Davies, Gwinnett Tyler, and James Thomas 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.

**29.** Notwithstanding anything in Part III. of the Companies Clauses Act, 1863, contained, the interest of all debenture stock at any time created and issued by the Company shall rank *pari passu* with the interest of all mortgages at any time granted by the Company, and shall have priority over all principal moneys secured by such mortgages. Priority of mortgages and debenture stockholders inter se.

**30.** 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 one acre. Lands for extraordinary purposes.

**31.** 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.

**32.** The Company shall not erect any station or other erection or works at Llandyssil junction, nor within a distance of half a mile of that junction, without the consent of the Carmarthen and Cardigan Railway Company. Station not to be erected at certain point.

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Power to cross certain roads on the level.

**33.** Subject to the provisions in "The Railways Clauses Consolidation Act, 1845," and in Part I. (relating to the construction of a railway) of "The Railways Clauses Act, 1863," contained in reference to the crossing of roads on the level; the Company may in the construction of the railway carry the same with a single line only whilst the railway shall consist of a single line, and afterwards with a double line only, across and on the level of the roads next herein-after mentioned; (that is to say,)

No. on deposited Plan.	Parish.	Description of Road.
30a	Llandy-friog - -	Public road.

Inclination of roads.

**34.** In altering for the purposes of this Act the roads next herein-after mentioned the Company may make the same of any inclinations not steeper than the inclinations herein-after mentioned in connexion therewith respectively; (that is to say,)

No. on deposited Plan.	Parish.	Description of Road.	Intended Inclination.
8	Llanfair Orllwyn -	Public road -	1 in 10

Height and span of bridges.

**35.** The Company may make the arches of the bridges for carrying the railway over the roads next herein-after mentioned of any heights and spans not less than the heights and spans herein-after mentioned in connexion with those roads respectively; (that is to say,)

No. on deposited Plan.	Parish.	Description of Road.	Height.	Span.
8	Llanfair Orllwyn -	Public road - -	15·0	12'0"

Bridges for railway.

**36.** In carrying the several roads numbered respectively on the said plans as follows over the railway the Company may make the bridges of the following dimensions; (that is to say,)

No. on deposited Plan.	Parish.	Description of Road.	Width between Parapets.
17	Llangeller - -	Turnpike road -	25 feet
3	" - -	Disused turnpike -	15 "
37	Llanfair Orllwyn -	Public road - -	18 "
17	Henllan - -	" - -	20 "



**37.** Whereas, pursuant to the standing orders of both Houses of Parliament, and to an Act of the ninth and tenth years of Her present Majesty, chapter twenty, a sum of two thousand three hundred and nine pounds eighteen shillings, being five per cent. upon the amount of the estimate in respect of the railway, has been deposited with the Court of Chancery in England in respect of the application to Parliament for this Act: Be it enacted, that notwithstanding anything contained in the said recited Act, the said sum of two thousand three hundred and nine pounds eighteen shillings so deposited as aforesaid in respect of the application for this Act shall not 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 completion of the railway, either open the said railway for the public conveyance of passengers, or prove to the satisfaction of the Board of Trade that the Company have paid up one half of the amount of the capital by this Act authorised 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 said railway for the public conveyance of passengers, or have given such proof as aforesaid to the satisfaction of the Board of Trade, the said sum of money deposited as aforesaid shall be applied in the manner herein-after specified; and the certificate of the Board of Trade that such proof has been given to their satisfaction as aforesaid shall be sufficient evidence of the fact so certified, 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.

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 Deposit money not to be repaid until line opened, or half the capital paid up and expended.

**38.** The said sum of money deposited 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 Court of Chancery in England may seem fit; and if no such compensation shall be payable, or if a portion of the said sum of money shall have been found sufficient to satisfy all just claims in

Application of deposit.

A.D. 1872. respect of such compensation, then the said sum of money, or such portion thereof as may not be required as aforesaid, 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 survivor or survivors of them: Provided that until the said sum of money shall have been repaid to the depositors, or shall have become otherwise applicable as herein-before mentioned, any interest or dividends accruing thereon shall from time to time, and as often as the same shall become payable, 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.

Period for completion of works.

**39.** The railway shall be completed within five years from the passing of this Act, and if the railway shall not be completed within that period, then on the expiration thereof the powers by this Act granted to the Company for making and completing the railway, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall then be completed.

Tolls for passengers and animals.

**40.** The Company may demand and take in respect of the use of the railway any tolls not exceeding the following; (that is to say,)

In respect of passengers and animals conveyed on the railway:

For every person conveyed in or upon any carriage on the railway, per mile not exceeding twopence; and if conveyed in or upon any carriage belonging to the Company, an additional sum per mile not exceeding one penny half-penny:

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, per mile not exceeding threepence; and if conveyed in or upon any carriage belonging to the Company, an additional sum per mile not exceeding one penny:

For every calf or pig, sheep, lamb, or other small animal conveyed in or upon any such carriage, per mile not exceeding one penny; and if conveyed in or upon any carriage belonging to the Company, an additional sum per mile not exceeding one farthing.

Tolls for goods.

**41.** In respect of goods conveyed on the railway:

For all coals, cinders, dung, compost, and all sorts of manure, lime, and limestone, and all undressed materials for the repair of public roads or highways, per ton per mile not exceeding one penny; and if conveyed in carriages belonging to the Company, an additional sum per ton per mile not exceeding one halfpenny:

For all coke, culm, and charcoal, all stones for building, pitching, and paving, all bricks, tiles, slates, clay, sand, ironstone, and iron ore, pig iron, bar iron, rod iron, hoop iron, and all other similar descriptions of wrought iron and iron castings not manufactured into utensils or other articles of merchandise, per ton per mile not exceeding one penny halfpenny; and if conveyed in carriages belonging to the Company, an additional sum per ton per mile not exceeding one halfpenny :

For all sugar, grain, corn, flour, hides, dyewoods, earthenware, timber, staves, and deals, metals (except iron), nails, anvils, vices, and chains, per ton per mile twopence; and if conveyed in carriages belonging to the Company, an additional sum per ton per mile not exceeding three farthings :

For all cotton and other wools, drugs, manufactured goods, and all other wares, merchandise, fish, articles, matters, or things, per ton per mile not exceeding threepence; and if conveyed in carriages belonging to the Company, an additional sum per ton per mile not exceeding one penny :

And for every carriage of whatever description, and 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 a sum of twopence per mile for every additional quarter of a ton or fractional part of a quarter of a ton which any such carriage may weigh; and if conveyed on a truck or platform belonging to the Company, an additional sum per mile not exceeding twopence.

**42.** 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 authorised to be taken.

Tolls for propelling power.

**43.** 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,)

Maximum rates for passengers.

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.

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Maximum  
rates for  
animals and  
goods.

44. The maximum rate of charge to be made by the Company for the conveyance of animals and goods (except such small parcels and single articles of great weight as aforesaid) on the railway, including the tolls for the use of the railway and for waggons 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 all dung, compost, and all sorts of manure, lime, and limestone, and all undressed materials for the repair of public roads or highways; per ton per mile one penny halfpenny;

For all coals, cinders, coke, culm, and charcoal, all stones for building, pitching, and paving, all bricks, tiles, slates, clay, sand, ironstone, and iron ore, pig iron, bar iron, rod iron, hoop iron, and all other similar descriptions of wrought iron, and iron castings not manufactured into utensils or other articles of merchandise, per ton per mile twopence;

For all sugar, grain, corn, flour, hides, dyewoods, earthenware, staves and deals, metals (except iron), nails, anvils, vices, and chains, per ton per mile threepence;

For all cotton and other wools, drugs, manufactured goods, and all other wares, merchandise, fish, articles, matters, or things, per ton per mile fourpence;

For every carriage of whatever description, and not being 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 one penny 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, per mile fourpence;

For every ox, cow, bull, or neat cattle, per mile threepence;

And for every calf or pig, sheep, lamb, or other small animal, per mile one penny.

Regulations  
as to tolls.

45. The following provisions and regulations shall apply to the fixing of all tolls and charges payable under this Act; (that is to say,)

For all passengers, animals, or goods conveyed on the railway for a less distance than four miles, the Company may demand tolls and charges as for four miles:

For a fraction of a mile beyond four 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:

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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.

46. With respect to small parcels not exceeding five hundred pounds in weight, and single articles of great weight, notwithstanding anything in this Act, the Company may demand and take any tolls not exceeding the following; (that is to say,)

Tolls for small parcels and single articles of great weight.

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 in weight and not exceeding fourteen pounds in weight, fivepence:

For any parcel exceeding fourteen pounds in weight but not exceeding twenty-eight pounds in weight, sevenpence:

For any parcel exceeding twenty-eight pounds in weight but not exceeding fifty-six pounds in weight, ninepence; and for any parcel exceeding fifty-six pounds in weight the Company may demand any sum which they may 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 one shilling per ton per mile:

For the carriage of any single piece of stone, timber, machinery, or other single article, the weight of which, with the carriage,

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shall exceed eight tons, the Company may demand such sum as they think fit.

Passengers  
luggage.

47. 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.

Terminal  
station.

48. 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.

Restrictions  
as to charges  
not to apply  
to special  
trains.

49. 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 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.

50. 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.

Power to  
run over  
and use the  
Carmarthen  
and Cardigan  
Railway.

51. The Company and all other companies and persons lawfully using the railway may run over, work, and use with their engines, carriages, and servants, and for the purpose of their traffic of every description, the railway of the Carmarthen and Cardigan Railway Company, together with all terminal and other stations, roads, platforms, water, water engines, engine sheds, standing room for engines, booking and other offices, warehouses, sheds, sidings, machinery, works, and conveniences of or connected with the said railway, and may levy tolls, rates, and duties in respect of passengers and other traffic conveyed over the railways of the said Carmarthen and Cardigan Railway Company; and the Carmarthen and Cardigan Railway Company, and all other companies and persons lawfully using their railway, shall have the like powers in reference to the undertaking of the Company: Provided it shall not be lawful for either of the said companies, or any other person or company, in the exercise of such running powers, to take up passengers, goods, or minerals at any station of the railway run over, and to deliver the same at another station of that railway.

**52.** The terms, conditions, and regulations for or in respect of the use of the said railways, stations; works, and premises connected therewith, and the tolls and other considerations to be paid for the same, shall be such as may from time to time be agreed upon between the Company and the Carmarthen and Cardigan Railway Company, where those two companies are alone concerned; and in all other cases between such last-mentioned companies on the one part, and any other company or persons lawfully using the railways of the Company and of the Carmarthen and Cardigan Railway Company, or either of them, as the case may be, on the other part, or as in case of difference shall be determined by arbitration, according to the Common Law Procedure Act, 1854, or any statutory modification thereof, on the application of either company; and in case the companies do not agree as to the tolls, rents, or other consideration to be paid for the respective users, it shall nevertheless be lawful for the companies respectively to exercise the mutual powers hereby granted, pending the decision of an arbitrator to be appointed as aforesaid, and the arbitrator may take into his consideration the period during which the user has been exercised by either company, and make allowance therefor in his decision.

A.D. 1872.  
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Terms for  
such use.

**53.** The Company on the one hand, and the Carmarthen and Cardigan Railway Company and the Great Western Railway Company, or either of these companies, on the other hand, may, subject to the provisions of Part III. of the Railways Clauses Act, 1863, from time to time enter into contracts or arrangements with respect to the following purposes, or any of them; (that is to say,)

Power to  
enter into  
working  
agreements  
with railway  
company.

The management, use, working, and maintenance of the railway, or of any part or parts thereof:

The supply of any rolling or working stock, and of officers and servants, for the conduct of the traffic on the said railway:

The payments to be made and the conditions to be performed with respect to the matters aforesaid:

The interchange, accommodation, conveyance, and delivery of traffic coming from or destined for the undertakings of the contracting companies, and the fixing and division between the said companies of the receipts arising from such traffic, and the mode of dealing with such receipts: Provided the Company shall not enter into any such contract or arrangement with the Great Western Railway Company without the consent of the Carmarthen and Cardigan Railway Company.

**54.** During the continuance of any agreement to be entered into under the provisions of this Act the railways of the companies parties to such agreement shall, for the purposes of tolls and charges, be considered as one railway; and in estimating the amount of tolls

Tolls on  
traffic  
conveyed  
partly on  
the railway

A .D. 1872.

and partly  
on the rail-  
way of the  
Great  
Western  
Company.

and charges in respect of traffic conveyed partly on the railway and partly on the railway of the companies or company parties or party to such agreement for a less distance than four miles, tolls and charges may only be charged as for four miles; and in respect of passengers, for every mile or fraction of a mile beyond four miles, tolls and charges as for one mile only; and in respect of animals and goods, for every quarter of a mile or fraction of a quarter of a mile beyond four miles, tolls and charges as for a quarter of a mile only; and no other short-distance charge shall be made for the conveyance of passengers, animals, or goods partly on the railway and partly on the railway of the companies or company parties or party to such agreement.

Interest not  
to be paid  
on calls  
paid up.

**55.** The Company shall not, out of any money by this Act authorised to be raised by calls, debenture stock, or 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.

**56.** 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.

Railway not  
exempt from  
provisions  
of present  
and future  
general Acts.

**57.** Nothing herein contained shall be deemed or construed to exempt the railway 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 authorised by this Act.

Expenses of  
Act.

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