



ANNO OCTAVO & NONO

# VICTORIÆ REGINÆ.

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## *Cap. clix.*

An Act for making a Railway from the *Taff Vale* Railway near *Ynys Meyrick* to *Aberdare*, with a Branch therefrom, to be called “*The Aberdare Railway.*” [31st *July* 1845.]

**W**HEREAS the making of a Railway from the *Taff Vale* Railway to a certain Tramroad leading from the *Hirwain* Iron Works to the *Aberdare* Canal in the Parish of *Aberdare* in the County of *Glamorgan*, with a certain Branch therefrom, would be of great public Advantage: And whereas the Persons herein-after named are willing, at their own Expence, to carry such Undertaking into execution; but the same 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, That the said several Acts of Parliament following, that is to say, the Companies Clauses Consolidation Act, 1845, the Lands Clauses Consolidation Act, 1845, and 20. with this Act.

[*Local.*]

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Incorporation of Acts 8 & 9 Vict. cc. 16. 18. and 20. with this Act.

and the Railway Clauses Consolidation Act, 1845, shall be incorporated with and form Part of this Act, and together therewith shall be construed as One Act.

Short Title. II. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Instruments, it shall be sufficient to use the Expression "The *Aberdare* Railway Act, 1845."

Subscribers incorporated. III. And be it enacted, That Sir *Josiah John Guest* Baronet, M.P., *Crawshay Bailey*, *Edward John Hutchins*, *Edward Morgan Williams*, *Thomas Evans*, *Philip Williams*, *John Jayne*, *David Evans*, *Edward Morgan*, *Charles William David*, *Charles Herbert James*, 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 a Railway from the *Taff Vale* Railway to *Aberdare*, together with the Branch Railway herein-after mentioned, with proper Works and Conveniences belonging thereto, according to the Provisions of the said recited Acts and of this Act, and for other the Purposes herein and in the said recited Acts contained; and for the Purposes aforesaid such Company shall be incorporated by the Name of "The *Aberdare* Railway Company," and by that Name shall be a Body Corporate, with perpetual Succession, and shall have Power to purchase and hold Lands for the Purposes of the Undertaking, within the Restrictions herein and in the recited Acts contained.

Capital. IV. And whereas the estimated Expenditure of making the said Railway is Fifty thousand Pounds; be it enacted, That the Capital of the Company shall be Fifty thousand Pounds.

Number and Amount of Shares. V. And be it enacted, That the Number of Shares into which the Capital shall be divided shall be One thousand, and the Amount of each Share shall be Fifty Pounds.

Power to borrow Money. VI. And be it enacted, That it shall be lawful for the Company to borrow on Mortgage or Bond any Sums not exceeding in the whole the Sum of Sixteen thousand six hundred Pounds; but no Part of such Sum shall be borrowed until the whole of the said Capital or Sum of Fifty thousand Pounds shall have been subscribed for, and One Half thereof shall have been actually paid up.

Number of Shareholders to convene Extraordinary Meeting. VII. And be it enacted, That the Number of Shareholders on whose Requisition an Extraordinary Meeting may be required to be convened shall be Five Shareholders holding in the aggregate not less than Two thousand five hundred Pounds in the Capital of the Company.

Number and Qualification of Directors. VIII. And be it enacted, That the Number of Directors shall be Six; and the Qualification of a Director shall be the Possession in his own Right of Ten Shares in the Undertaking.

IX. And



IX. And be it enacted, That it shall be lawful for the Company to increase or reduce the Number of Directors, provided that the increased Number do not exceed Ten, and that the reduced Number be not less than Five.

Power to vary the Number of Directors.

X. And be it enacted, That Sir *Josiah John Guest* Baronet, M.P., *Crawshay Bailey*, *Edward John Hutchins*, *Thomas Evans*, *David Evans*, and *Edward Morgan Williams*, shall be the first Directors of the Company.

First Directors.

XI. And be it enacted, That the Directors appointed by this Act shall continue in Office until the first Ordinary Meeting to be held after the passing of the Act; and at such Meeting the Shareholders present, personally or by Proxy, may either continue in Office the Directors appointed by this Act, or any Number of them, or may elect a new Body of Directors, or Directors to supply the Places of those not continued in Office, the Directors appointed by this Act being eligible as Members of such new Body.

Election of Directors at first Ordinary Meeting.

XII. And be it enacted, That at the first Ordinary Meeting to be held in the Year next after the Year in which such last-mentioned Directors shall have been appointed or elected 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 said Companies Clauses Consolidation Act contained; and the several Persons elected at any such Meeting, being neither removed or disqualified nor having resigned, shall continue to be Directors until others are elected in their Stead in manner provided by the said Companies Clauses Consolidation Act.

Subsequent Election of Directors.

XIII. And be it enacted, That the Quorum of a Meeting of Directors shall be Three.

Quorum.

XIV. And be it enacted, That the Number of Directors of which Committees appointed by the Directors shall consist shall be not less than Three nor more than Five, and the Quorum of such Committees shall be Three.

Committees of Directors.

XV. And be it enacted, That the Newspaper in which the Advertisements relating to the Affairs of the Company are to be inserted shall be some Newspaper published in the County of *Glamorgan*.

Newspaper for Insertion of Advertisements.

XVI. And whereas Plans and Sections of the Railway, showing the Line and Levels thereof, and also Books of Reference, containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners and Lessees and Occupiers of the Lands through which the same is intended to pass, have been deposited with the Clerk of the Peace of the County of *Glamorgan*; be it enacted, That, subject to the Provisions in this and the said recited Acts contained, it shall be lawful for the said Company to make and maintain the said Railway and

Power to make Railway according to deposited Plans.



and Works in the Line and upon the Lands delineated on the said Plans and described in the said Books of Reference, and to enter upon, take, and use such of the said Lands as shall be necessary for such Purpose.

Line of  
Railway.

XVII. And be it enacted, That the said Railway shall commence by a Junction with the *Taff Vale* Railway at or near to a Place or Farm called *Ynys Meyrick* within the Parish of *Llanwonno* in the County of *Glamorgan*, and thence shall pass from, in, through, or into the several Parishes of *Llanwonno* aforesaid and *Aberdare* in the said County of *Glamorgan*, and shall terminate at or near to a certain Tramroad leading from *Hirwain* Iron Works to the *Aberdare* Canal on *Gadlys Ucha* Farm in the said Parish of *Aberdare*; and the said Branch shall commence from and out of the said intended Main Line of Railway at or near *Aberaman* Farm, in the said Parish of *Aberdare*, and shall terminate at or near *Cwm Bach* Colliery in the same Parish.

Power to  
cross certain  
Roads on a  
Level.

XVIII. And whereas the Line of the said Railway is proposed to be carried across the Roads numbered as follows on the Plans of the Railway herein-before referred to; (that is to say,) Numbers 14, 22, and 34 in the Parish of *Llanwonno*, and Number 50 in the Parish of *Aberdare*; and it is expedient that the said Railway should cross the said Roads on a Level; be it therefore enacted, That the said Company may make the said Railway across the said Roads at or near the Points designated on the said Plans on a Level.

Provision  
as to the  
crossing of a  
certain Road.

XIX. And be it enacted, That the Company shall carry the Railway across the Road numbered 6 in the Parish of *Aberdare* on the Plans deposited as herein-before mentioned on the present Level thereof; and it shall not be lawful for the Company to stop up the said Road, or, except so far as may be necessary for the Passage of Engines or Carriages across the same, obstruct or impede the free Use and Enjoyment thereof.

Land for ex-  
traordinary  
Purposes.

XX. And be it enacted, That the Quantity of Land to be taken by the Company for extraordinary Purposes shall not exceed Thirty Acres.

For Protec-  
tion of  
Owners of  
Lands.

XXI. And be it enacted, That nothing in this Act contained shall prevent the Owners of any Lands or Minerals through or adjoining to which the said Railway shall pass, or their respective Heirs or Assigns or Lessees, from making and using any Communications and Roads across the said Railway, and along such Roads or Communications to take and haul any Materials or Things: Provided always, that every such Communication or Road be made by means of a good, sufficient, and proper Bridge or Tunnel, to be carried over or under the said Railway, and which said Bridges, Tunnels, and Roads shall be made by and at the Expence of the said Owners respectively, or their respective Heirs or Assigns or Lessees, and by them kept in good Repair and Condition; provided also, that such Communications or Roads shall



shall not be used for the Purpose of diverting the Traffic from the Railway by this Act authorized to any other Railway, nor shall such Communications or Roads be so made as to impede the Traffic upon the said Railway.

XXII. Provided always, and be it enacted, That nothing in this Act or in the recited Acts, or any or either of them, contained, shall extend or be construed to extend to alter, prejudice, vary, extinguish, or diminish any of the Rights, Powers, Privileges, or Authorities in and by a certain Act of Parliament made and passed in the Thirty-third Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for making and maintaining a navigable Canal from the Glamorganshire Canal to or near the Village of Aberdare in the County of Glamorgan; and for making and maintaining a Railway or Stone Road from thence to or near Abernant in the Parish of Cadoxton juxta Neath in the said County*, given or reserved to or vested in the Company of Proprietors of the *Aberdare* Canal Navigation, or any other Person or Persons, Company or Companies, Bodies Politic or Corporate whomsoever, but the same shall be held, used, exercised, and enjoyed in all respects as fully and effectually as if this Act, or the Three first herein-before recited Acts, or any of them, had not been passed, or as if the Formation of the Railway and other Works had not been hereby authorized.

Saving  
Rights of  
Aberdare  
Canal  
Company.

33 G. 3. c.95.

XXIII. And be it enacted, That the Powers of the Company for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Three Years from the passing of this Act.

Period within  
which Lands  
are to be  
purchased.

XXIV. And be it enacted, That the Railway shall be completed within Three Years from the passing of this Act; and on the Expiration of such Period the Powers by this or the recited Acts granted to the Company for executing the Railway, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the Railway as shall then be completed.

Period for  
Completion  
of Works.

XXV. And be it enacted, That it shall be lawful for the Company to demand 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  
Merchan-  
dize.

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 per Mile* not exceeding One Halfpenny; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding One Eighth of a Penny:

For all Coke, Charcoal, Pitwood, Limestone, Stones for building, pitching, and paving, Bricks, Tiles, Slates, Clay, and Sand, *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 Eighth of a Penny:

[Local.]

41 B

For

For all Iron, Lead, Tin and Tin Plates, (except Nails, Utensils, or other Articles of Merchandize,) *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 Eighth of a Penny :

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

And a Sum not exceeding Two-pence *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 such Carriage be conveyed on a Truck or Platform belonging to the Company, an additional Sum *per Mile* not exceeding Two-pence.

Tolls for  
Passengers  
and Animals.

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

For every Person conveyed in or upon any such Carriage, *per Mile* not exceeding Two-pence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per Mile* not exceeding Three Halfpence :

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 Three-pence; 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  
propelling  
Power.

XXVI. And be it enacted, That 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, Two-pence *per Mile*; for Coals, Culm, Coke, Ironstone and Iron Ore, and for Iron, Lead, Tin, and Tin Plates, (except Nails, Utensils, or other Articles of Merchandize,) Three Eighths of a Penny *per Ton per Mile*; and for other Goods, One Halfpenny *per Ton per Mile*: Provided nevertheless, that the Company may demand and receive any Tolls they may think fit for such moving Power in respect of such small Parcels for which they are herein-after authorized to take Tolls for the Use of the Railway, without Limitation as to Amount.

XXVII. And



XXVII. And be it enacted, That the following Provisions and Regulations shall be applicable to the fixing of such Tolls; (that is to say,) Regulations  
as to the  
Tolls.

For Articles or Persons conveyed on the Railway for a less Distance than Three Miles the Company may demand and receive the afore-mentioned Rates, Tolls, and Charges for Conveyance, as the Case may be, for Three Miles :

For a Fraction of a Mile beyond Three Miles, or beyond any greater Number of Miles, the Company may demand Tolls on Merchandize 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 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.

XXVIII. And with respect to small Packages and single Articles of great Weight, be it enacted, That the Company may lawfully demand the Tolls following; (that is to say,) Tolls for  
small Parcels  
and great  
Weights.

For the Carriage of small Parcels (that is to say, Parcels not exceeding Five hundred Pounds Weight each,) the Company may demand any Sum which they think fit: Provided always, that Articles sent in large 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, 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 single Piece of Timber, Stone, Machinery, 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.

XXIX. And be it enacted, That every Passenger travelling upon the Railway may take with him his ordinary Luggage, not exceeding One hundred and fifty Pounds in Weight for First Class Passengers, One hundred Pounds in Weight for Second Class and for Third Class Passengers  
Luggage.



Class Passengers, without any Charge being made for the Carriage thereof.

Maximum  
Charges for  
Cattle and  
Goods.

XXX. And be it enacted, That, with respect to the Conveyance of Horses, Cattle, Carriages, and Goods, the maximum Rate of Charge to be made by the Company, including the Tolls for the Use of the Railway, and of Waggons or Trucks and locomotive Power, and every Expence incidental to such Conveyance (except loading and unloading Goods, where that Service is performed by the Company), shall not exceed the Sums following ; (that is to say,)

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 per Mile* One Penny :

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

For all Iron, Lead, Tin, and Tin Plates, (except Nails, Utensils, or other Articles of Merchandize,) One Penny Halfpenny *per Ton per Mile* :

For all Goods, Wares, or Merchandize, Matters or Things (for which no other Payment is herein imposed), Three-pence *per Ton per Mile* :

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* not exceeding Sixpence :

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 Five-pence :

For every Calf, or Pig, Sheep, Lamb, or other small Animal, conveyed in or upon any such Carriage, *per Mile* not exceeding Two-pence.

Limiting  
Tolls for  
Passengers.

XXXI. And be it enacted, That the whole Charge for Tolls, Carriage, and locomotive Power to be made for every Passenger shall not, if conveyed in a First Class Carriage, exceed Three-pence *per Mile*, if conveyed in a Second Class Carriage exceed Two-pence *per Mile*, and if conveyed in a Third Class Carriage exceed One Penny Halfpenny *per Mile*.

Restrictions  
as to Tolls  
for Passen-  
gers not ap-  
plicable to  
special  
Trains.

XXXII. Provided always, and be it enacted, That the Restriction as to the Charges to be made for Passengers shall not extend to any special or extra Train that may be required to run upon the said Railway, but shall apply only to the ordinary or any Trains appointed or to be appointed by the said Company for the Conveyance of Passengers and Goods upon the said Railway.

Power to  
lease the  
Railway to  
the Taff Vale  
Railway  
Company.

XXXIII. And be it enacted, That it shall be lawful for the Company, with the Consent of a Majority consisting of Three Fifths at least of the Votes of the Proprietors present at any General Meeting convened for the Purpose, to grant a Lease of the Railway and Branch  
1  
Railway



Railway and Works by this Act authorized to be made, or any of them, or any Part or Parts thereof, and all or any of their Powers, Rights, or Privileges in relation thereto, to the *Taff Vale* Railway Company, for such Term, not exceeding Twenty-one Years, and upon such Terms and Conditions, as the Companies may mutually agree on; and such Lease shall during the Continuance thereof entitle the Lessee or Lessees thereunder to the free Use and Enjoyment of the Railway, Branch Railway, and Works, or the Parts thereof thereby demised, and to the Perception of the Tolls arising thereon, and to the Exercise of all Powers and the Enjoyment of all Rights and Privileges of the said Railway Company in relation thereto which may be specifically assigned to such Lessee or Lessees by virtue of such Lease.

XXXIV. And be it enacted, That it shall be lawful for the Company, with the Consent and Approbation of a Majority consisting of Three Fifths at least of the Votes of the Proprietors present, either personally or by Proxy, at some Meeting of the said Company specially convened for that Purpose, to enter into and accept from the Owners or Proprietors of or other the Parties for the Time being interested in or entitled to any Tramway already constructed or which may at any Time hereafter be constructed, otherwise than under the Authority of an Act of Parliament, to communicate with the said Railway hereby authorized, a Lease thereof or of any Part thereof, or to purchase any such, and all or any of the Works and Conveniences connected therewith, for such Term and on such Conditions as shall be mutually agreed upon between the Parties.

Power to purchase or lease Branch Railways.

XXXV. And whereas an Act was passed in the Second Year of the Reign of Her present Majesty, intituled *An Act to provide for the Conveyance of the Mails by Railway*; and another Act was passed in the Fourth Year of the Reign of Her said Majesty, intituled *An Act for regulating Railways*; and another Act was passed in the Sixth Year of the Reign of Her said Majesty, intituled *An Act for the better Regulation of Railways, and for the Conveyance of Troops*; and another Act was passed in the Eighth Year of the Reign of Her said Majesty, intituled *An Act to attach certain Conditions to the Construction of future Railways authorized or to be authorized by any Act of the present or succeeding Sessions of Parliament*; and for other Purposes in relation to Railways; be it enacted, That nothing in this Act contained shall be held to exempt the said Railway or the said Company from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect of the said Railway and Company so far as the same shall be applicable thereto.

Railway to be subject to the Provisions of 1 & 2 Vict. c. 98., 3 & 4 Vict. c. 97., 5 & 6 Vict. c. 55., and 7 & 8 Vict. c. 85.

XXXVI. And be it enacted, That 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 this Act, or of any general Act relating to Railways, which may hereafter pass during the present or any future Session of Parliament, or from any

Railway not to be exempt from Provisions of any future general Act.

[Local.]

41 C

future



future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges authorized by this Act.

Public Act. XXXVII. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

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