ANNO VICESIMO OCTAVO & VICESIMO NONO

VICTORIÆ REGINÆ.

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Cap. cclxxvi.

An Act for making a Railway from the *West Midland* Railway to the *Coleford, Monmouth, Usk, and Pontypool* Railway, and for other Purposes. [5th *July* 1865.]

WHEREAS the Construction of a Railway from the *West Midland* Railway of the *Great Western* Railway Company in the Parish of *Llantillio Pertholey* in the County of *Monmouth* to the *Coleford, Monmouth, Usk, and Pontypool* Railway in the Parish of *Cwmcarvon* in the same County would be of public and local Advantage: And whereas it is expedient that the Persons herein-after named, with other Persons, should be incorporated for the Purpose of constructing such Railway, and for other the Purposes of this Act: And whereas it is expedient that the Company so to be incorporated should be empowered to run over, work, and use the Portions of Railway and Stations herein-after in that Behalf mentioned: And whereas it is expedient that such Provision as is herein-after contained should be made for facilitating and securing the Interchange and Transmission of Traffic between, from, to, at, and over the Railway by this Act authorized, and the several other Railways herein-after in that Behalf mentioned: And whereas it is expedient that the

Company so to be incorporated, and the several other Companies herein-after mentioned, should be empowered to enter into such Traffic and other Agreements as herein-after in that Behalf expressed: And whereas Plans and Sections showing the Situation, Lines, and Levels of the proposed Railway, and the Lands proposed to be taken or which may be required to be taken for the Purposes thereof, and Books of Reference to those Plans containing the Names of the Owners and Lessees or reputed Owners and Lessees and of the Occupiers of those Lands respectively, have been deposited with the Clerk of the Peace for the County of *Monmouth*, and those 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; (that is to say,)

Short Title.

1. This Act may be cited for any Purpose as "*Abergavenny and Monmouth* Railway Act, 1865."

8 & 9 Vict. cc. 16., 18., & 20., 23 & 24 Vict. c. 106., and 26 & 27 Vict. cc. 92. & 118. incorporated.

2. "The Companies Clauses Consolidation Act, 1845," Part I., relating to Cancellation and Surrender of Shares, of "The Companies Clauses Act, 1863," "The Lands Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Acts Amendment Act, 1860," "The Railways Clauses Consolidation Act, 1845," and Part I. relating to Construction of a Railway, and Part III. relating to Working Agreements, of "The Railways Clauses Act, 1863," shall (except in so far as the Provisions of those Acts or Parts of Acts are expressly varied or excepted by this Act) be incorporated with and form Part of this Act.

Interpretation of Terms in incorporated Acts.

3. In construing, in connexion with this Act, the Acts and Parts of Acts incorporated herewith, the Term "Superior Courts" includes any Court of competent Jurisdiction as in this Act defined, and the Word "Share" includes Stock.

Interpretation of Terms in this Act.

4. In this Act, and the Acts and Parts of Acts incorporated therewith, the Expression "Court of competent Jurisdiction," or any other like Expression, 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; and the Term "Traffic" shall have the Meaning assigned to that Term in and by "The Railway and Canal Traffic Act, 1854."

17 & 18 Vict. c. 31.

5. All

Applying other Interpretations of General Acts.

5. All Words and Expressions to which by any Act wholly or partially incorporated with this Act Meanings are assigned shall in this Act have the respective Meanings so assigned to them, unless there be something in the Subject or Context repugnant to or inconsistent with such Construction, or other Meanings be assigned to them by this Act.

Incorporation of Company.

6. *Crawshay Bailey*, *Henry Morgan Clifford*, *Abraham Darby*, *Frederick Levick*, *John Allen Rolls*, 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 herein-after described, with all proper Works and Conveniences belonging thereto, according to the Provisions of this Act, and for other the Purposes herein and in the said incorporated Acts and Parts of Acts respectively contained, and for the Purposes aforesaid are hereby incorporated by the Name of "The *Abergavenny and Monmouth* Railway Company," and by that Name shall be a Body Corporate, with perpetual Succession and a Common Seal, and shall have Power to purchase and hold Lands for the Purposes of the Undertaking, within the Restrictions herein and in the said incorporated Acts and Parts of Acts contained.

First Ordinary Meeting.

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

Number and Qualification of Directors.

8. The Number of Directors of the Company, unless and until reduced as herein-after provided, shall be Six, and the Qualification of a Director shall be the Possession in his own Right of Shares in the Undertaking of the aggregate nominal Value of Five hundred Pounds at the least.

Power to vary the Number of the Directors.

9. The Company, by Order of any General Meeting, may from Time to Time reduce the Number of the Directors to any Number not less than Four, and on each Reduction may determine which Director or Directors shall retire, and the Rotation in which the reduced Number of Directors shall go out of Office.

Quorum of Directors.

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

First Directors.

11. *Crawshay Bailey*, *Henry Morgan Clifford*, *Abraham Darby*, *Frederick Levick*, *John Allen Rolls*, and such One other Person as they or the Survivors, or the Majority of the Persons above named or the Survivors of them, shall nominate in this Behalf, shall be the First Directors of the Company: Provided always, that the Acts and Proceedings of the Directors previously to such Nomination shall not

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be invalidated or prejudiced by reason of their Number being less than Six.

Provision for Directors retiring.

12. The First Directors shall continue in Office until the First Ordinary Meeting of the Company, and at such Meeting the Shareholders present personally or by proxy may either continue in Office the First Directors, or may elect a new Body of Directors, and additional Directors to make up the Number of or may continue in Office any Number of the First Directors, and elect Directors to supply the Places of those not continued in Office, the First Directors being in each Case eligible for Re-election.

Future Elections.

13. At the First Ordinary Meeting to be held in the Year One thousand eight hundred and sixty-six, and at the First Ordinary Meeting in every subsequent Year, One Third of the Directors (to be determined as in "The Companies Clauses Consolidation Act, 1845," provided,) shall retire from Office, and the Shareholders present personally or by proxy shall, agreeably to the Provisions of that Act in that Behalf, elect Persons to supply the Places of the Directors then retiring from Office; and the several Persons elected at any such Meeting, being neither removed nor disqualified nor having resigned, shall continue Directors until others are elected in their Stead in manner provided by that Act.

Capital.

14. The Capital of the Company shall be One hundred and fifty thousand Pounds, divided into Seven thousand five hundred Shares of the Amount of Twenty Pounds each.

Calls.

15. The greatest Amount of any One Call to be made on any Share shall not exceed One Fourth of the Amount of such Share, and Three Months at the least shall be the Interval between successive Calls, and One Half of the Amount of a Share shall be the utmost aggregate Amount of the Calls to be made in any One Year upon such Share.

Shares not to issue until One Fifth paid up.

16. It shall not be lawful for the Company to issue any Share, nor shall any Share vest in the Person accepting the same, unless and until a Sum not being less than One Fifth Part of the Amount of such Share shall have been paid up in respect thereof.

As to Money payable to Persons under Disability.

17. If any Money be payable to any Shareholder being a Minor, Idiot, Lunatic, or *non compos mentis*, the Receipt of the Guardian of such Minor, or of the Committee of such Idiot, Lunatic, or Person *non compos mentis*, shall be a sufficient Discharge to the Company for the same.

18. When

Power to borrow Money on Mortgage.

18. When the whole of the said Capital of One hundred and fifty thousand Pounds has been subscribed for, and One Half thereof paid up, the Company may borrow on Mortgage any Sum or Sums not exceeding in the whole Forty-nine thousand nine hundred Pounds; but no Part of such last-mentioned Sum of Forty-nine thousand nine hundred Pounds shall be borrowed until the whole of the said Capital or Sum of One hundred and fifty thousand Pounds shall have been *bonâ fide* subscribed for and issued, and One Half thereof paid up, and the Company shall have proved to the Justice who is to certify, under the Provisions contained in the Fortieth Section of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that the whole of the said Capital or Sum of One hundred and fifty thousand Pounds has been subscribed for *bonâ fide* and issued, and One Half thereof paid up, and that not less than One Fifth of the Amount of each Share has been paid on Issue of the same, and that such Shares are held by the Subscribers or their Assigns, and that such Subscribers or their Assigns are legally liable for the same, of which Proof having been given the Certificate of the Justice under that Section shall be sufficient Evidence.

Arrears may be enforced by Appointment of a Receiver.

19. The Mortgagees of the Company may enforce Payment of Arrears of Principal and Interest due on their Mortgages by the Appointment of a Receiver; and in order to authorize the Appointment of a Receiver, in the event of the Principal Money or Interest due on such Mortgages not being duly paid, the Amount owing to the Mortgagees by whom the Application for a Receiver shall be made shall not be less than Five thousand Pounds in the whole.

Application of Monies raised.

20. All Monies raised under the Powers of this Act, either by Shares or by borrowing, shall be applied in carrying out the Purposes of this Act only, and for no other Purpose.

Power to construct Railway.

21. Subject to the Provisions and Powers of Deviation contained in this Act and the Acts and Parts of Acts incorporated herewith, the Company may make the Railway and Works by this Act authorized in the Line and upon the Lands delineated on the deposited Plans and described in the deposited Book of Reference, and according to the Levels defined upon the deposited Sections, and may enter upon, take, and use such of the said Lands as may be necessary for that Purpose.

Description of Railway.

22. The Railway by this Act authorized is a Railway commencing in the Parish of *Llantillio Pertholey* in the County of *Monmouth* by a Junction with the *West Midland* Railway of the *Great Western* Railway Company, and terminating in the Parish of *Cwmcarvon* in the

the same County by a Junction with the *Coleford, Monmouth, Usk, and Pontypool* Railway.

Inclination of a certain Road.

23. The Company may make the Turnpike Road numbered on the deposited Plans 9 in the Parish of *Llantillio Pertholey*, when altered for the Purposes of this Act, of any Inclination not steeper than One in Twenty-five.

Dimensions of Bridge.

24. The Company may make the Arch of the Bridge for carrying the Railway over the Turnpike Road numbered on the deposited Plans 3 in the Parish of *Llanthewry Rytherch* of any Span not less than Twenty Feet.

Powers for compulsory Purchases limited.

25. 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.

Land for extraordinary Purposes.

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

Limiting Time for Completion of Works.

27. The Railway shall be completed within Five Years from the passing of this Act, and upon the Expiration of that Period all the Powers by this Act granted for making the same, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the same as shall then be completed.

Security for Completion of Railway within Time limited.

28. And whereas, pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the Ninth Year of Her present Majesty, Chapter Twenty, Exchequer Bills of the nominal Value of Nine thousand five hundred Pounds purchased with the Sum of Nine thousand six hundred and forty-six Pounds and Threepence, being more than Eight *per Centum* upon the Sum of One hundred and seventeen thousand Pounds, the Amount of the Estimate of the Expense of the Railway by this Act authorized, have been deposited with the Court of Chancery in *England* in respect to the Application to Parliament for this Act: Therefore, notwithstanding anything contained in the said recited Act, the said Exchequer Bills so deposited as aforesaid in respect of the Application for this Act, or the Interest thereon, 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 Completion

Completion of the Railway, either open the same 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 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 Board of Trade, the said Exchequer Bills so deposited as aforesaid, and the Interest thereon, 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 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 Sum of Nine thousand three hundred and sixty Pounds, being Eight *per Centum* upon the Amount of the said Estimate, 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 to the Lords Commissioners of Her Majesty's Treasury,) conditioned for Payment to Her Majesty, Her Heirs or Successors, of a Sum equal to the said Sum of Nine thousand three hundred and sixty Pounds if the Company shall not, within the Time limited for the Completion of the Railway, either open the same 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 authorized to be raised by means of Shares, and have expended for the Purposes of the Railway a Sum equal in Amount to such One Half of the said Capital, and if such Bond shall have been deposited with the said Solicitor to the said Lords Commissioners, then such Exchequer Bills so deposited, and the Interest thereon, shall be paid or transferred to or on the Application of the Person or Persons or the Majority of the Persons named in such Warrant or Order as aforesaid, or the Survivors or Survivor of them, or the Executors or Administrators of such Survivor, 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 Exchequer Bills so deposited, and the Interest thereon, would have been dealt with under this Act if such Bond had not been executed and deposited as aforesaid; and the Certificate of the said Solicitor to the said Lords Commissioners that such Bond has been executed and deposited as aforesaid, and the Certificate of the Board of

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

Tolls, on Goods and Merchandise.

29. The Company may demand any Tolls for the Use of the Railways not exceeding the following; (to wit,)

In respect of the Tonnage of all Articles conveyed upon the Railway or any Part thereof respectively, as follows:

Class 1. For all Dung, Compost, and all Sorts of Manure, Lime and Limestone, and all undressed Materials for the Repair of public Roads or Highways, Coals, Coke, Culm, Charcoal, and Cinders, all Stones for building, pitching, and paving, all Bricks, Tiles, Slates, Clay, Sand, Ironstone and Iron Ore, Copper, Tin, Lead, and other Ores, *per* Ton *per* Mile not exceeding Three Farthings; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Halfpenny:

Class 2. For all 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 Farthing; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Halfpenny:

Class 3. For all Sugar, Grain, Corn, Flour, Meal, Hides, Dyewoods, Earthenware, Timber, Staves, and Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, *per* Ton *per* Mile not exceeding Twopence; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding Three Farthings:

Class 4. 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:

Class 5. 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 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:

Tolls for Animals, &c.

In respect of Animals conveyed in Carriages upon the Railway, as follows:

Class 6. For every Horse, Mule, Ass, or other Beast of Draught or Burden (except Oxen) conveyed in or upon any Carriage, *per*

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 Halfpenny:

Class 7. For every Ox, Cow, Bull, or Head of Neat Cattle conveyed in or upon any Carriage, *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:

Class 8. For every Calf or Pig, Sheep, Lamb, or other small Animal, conveyed in or upon any Carriage, *per* Mile not exceeding Three Farthings; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Farthing:

Tolls for Passengers.

In respect to Passengers conveyed in Carriages upon the Railway, as follows:

For every Person conveyed in or upon any Carriage, *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.

Tolls for propelling Power.

30. The Company may demand for the Use of Engines for propelling Carriages on the Railway any Tolls not exceeding One Penny *per* Mile for each Passenger or Animal, or for each Ton of Goods or other Articles, in addition to the several other Tolls by this Act authorized to be taken: Provided always, that with regard to Goods and Articles mentioned in Class 1. and Class 2. respectively carried over the entire Length of the Railway by this Act authorized, the Company shall not demand or take for the Use of Engines as aforesaid Tolls exceeding One Halfpenny *per* Ton.

Maximum Rates of Charge for Passengers.

31. The maximum Rates 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 of Carriages and for locomotive Power, and every other Expense incidental to such Conveyance, shall not exceed the following Sums:

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.

Restrictions as to Charges not to apply to Special Trains.

32. The Restriction as to the Charges to be made for Passengers shall not extend to any Special Train that may be required to be run upon the Railway, but shall apply only to the Ordinary and Express

Express Trains appointed from Time to Time by the Company for the Conveyance of Passengers upon the Railway.

Passengers Luggage.

33. Every Passenger travelling upon the Railway may take with him his ordinary Luggage, not exceeding One hundred and twenty Pounds in Weight if a First-class Passenger, One hundred Pounds in Weight if a Second-class Passenger, and Sixty Pounds in Weight if a Third-class Passenger, without any Charge being made for the Carriage thereof.

Maximum Charges for Goods and Animals.

34. The maximum Rate of Charge to be made by the Company for the Conveyance of Animals, Articles, Matters, or Things respectively included in the Classes before mentioned, including the Tolls for the Use of the Railway and of Carriages and for locomotive Power, and every other Expense incidental to such Conveyance, except a reasonable Sum for loading, covering, and unloading Goods at any Terminal Station of such Goods, and for Delivery and Collection and any other Services incidental to the Business or Duty of a Carrier, where such Services or any of them are or is performed by the Company, shall not exceed the Amounts following; (to wit,)

For the Matters mentioned in Class 1. not exceeding One Penny Farthing *per* Ton *per* Mile:

For the Matters mentioned in Class 2. not exceeding One Penny Three Farthings *per* Ton *per* Mile:

For the Matters mentioned in Class 3. not exceeding Threepence *per* Ton *per* Mile:

For the Matters mentioned in Class 4. not exceeding Fourpence *per* Ton *per* Mile:

For any Carriage mentioned under Class 5. not weighing more than One Ton, not exceeding Sixpence *per* Mile; and if weighing more than One Ton, not exceeding One Penny Halfpenny *per* Mile for every Quarter of a Ton or fractional Part of a Quarter of a Ton:

For every Animal mentioned in Class 6. not exceeding Fourpence *per* Mile:

For every Animal mentioned in Class 7. not exceeding Twopence *per* Mile:

For every Animal mentioned in Class 8. not exceeding One Penny *per* Mile.

Regulations as to Tolls.

35. The following Provisions and Regulations shall be applicable to the fixing of the Tolls and maximum Rates of Charge; (to wit,)

For Articles, Animals, or Persons conveyed on the Railway for a less Distance than Four Miles the Company may demand Tolls and Charges as for Four Miles:

For

For a Fraction of a Mile beyond Four Miles or beyond any greater Number of Miles the Company may demand in respect of Passengers Tolls and Charges as for One Mile, and in respect of Animals and Articles Tolls and Charges in proportion to the Number of Quarters of a Mile contained in such Fraction; and for this last-mentioned Purpose a Fraction of a Quarter of a Mile shall be deemed a Quarter of 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.

Tolls for small Parcels and single Articles of great Weight.

36. With respect to small Packages and single Articles of great Weight, notwithstanding the Rate of Tolls prescribed by this Act, the Company may demand any Tolls not exceeding the following; (to wit,)

For the Carriage of small Parcels on the Railway or any Part thereof, as follows:

For any Parcel not exceeding Seven Pounds in Weight, Threepence:

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

Provided 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 any One 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 any Sum not exceeding Sixpence *per* Ton *per* Mile:

For the Carriage of any One Boiler, Cylinder, or any single Piece of Machinery, or single Piece of Timber, 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.

Definition of Terminal Station.

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

Company may take increased Charges by Agreement.

38. This Act or anything herein contained shall not prevent the Company from taking any increased Charges, over and above the Charges by this Act limited, for the Conveyance of Goods of any Description, by Agreement with the Owners or Persons in charge of such Goods, either by reason of any special Service performed by the Company in relation thereto, or in respect to the Conveyance of any Goods other than small Parcels by Passenger Trains.

Power to use other Railways.

39. The Company and all other Companies and Persons from Time to Time lawfully using the Railway or any Part of the Railway of the Company may run over, work, and use with their Engines and Carriages, Officers and Servants, and for the Purposes of Traffic of every Description, the Railways, Portions of Railways, and Stations following; (that is to say,)

The *Coleford, Monmouth, Usk, and Pontypool* Railway from the Junction therewith of the Railway authorized by this Act to the authorized Junction of the said *Coleford, Monmouth, Usk, and Pontypool* Railway with the *Worcester, Dean Forest, and Monmouth* Railway, together with the Stations there of those Companies respectively:

The *West Midland* Railway of the *Great Western* Railway Company from the Junction therewith of the Railway authorized by this Act to the *Abergavenny* Station of the last-mentioned Company, together with that Station:

And so much of the *Merthyr, Tredegar, and Abergavenny* Railway as lies between the Junction of that Railway with the *West Midland* Railway aforesaid and the *Brecon* Road Station on the said *Merthyr, Tredegar, and Abergavenny* Railway, and also all Junctions, Sidings, Roads, Platforms, Booking and other Offices, Wharves, Yards, Warehouses, Sheds, Standing Room for Engines, Watering Places, and Supplies of Water, Approaches, Signals, Signal Posts, Telegraphs, Turntables, Machinery, Works, and Conveniences necessary for such Traffic in, upon, or connected with the said Railways, Portions of Railways, and Stations respectively:

And as regards Traffic conveyed by them, the Company may demand and take the same Tolls and Charges upon and in respect of the said Railways, Portions of Railways, and Stations as if such Railways, Portions of Railways, and Stations were Part of the Railway by this Act authorized.

Terms of such Use.

40. The Terms, Conditions, and Regulations to be observed and fulfilled, and the Tolls, Charges, Rent, or other Consideration to be paid, by the Company for and in respect of the Use of such Railways, Portions of Railways, and Stations, shall be such as are from Time to Time agreed upon between the Company and the Company owning or lawfully working such Railways, Portions of Railways, and Stations respectively, or failing such Agreement as may from Time to Time be determined by an Arbitrator to be appointed by the Board of Trade on the Application of either of the Companies interested, and the Cost of the Arbitration shall be in his Discretion, and the Decisions of such Arbitrator shall be final and binding on both Parties.

As to Junctions with Great Western Railway.

41. The Junction with the *Newport, Abergavenny, and Hereford* Line of the *Great Western* Railway Company, and the Crossing or Interference with any of the Lines of Rails or Sidings of that Railway, shall be effected only in such Manner and at such Place within the Limits of Deviation, and subject to such Mode of working and Use, as shall be approved of by the *Great Western* Railway Company; and if any Dispute shall arise between the Company and the *Great Western* Railway Company with reference to any such Matters, such Disputes shall be settled by the Board of Trade, or by an Arbitrator appointed by them, and the Board or the Arbitrator shall have Power to require such Sidings, Bridges, or Works to be constructed by the Company as may be necessary for the safe and convenient working of the Traffic on both Railways.

Facilitating Transmission of Traffic over certain Lines.

42. The several Companies owning or working the Portions of Railways and Stations herein-before mentioned, and each and every of these Companies, shall from Time to Time book and invoice through and render all necessary Facilities by Through Rates (to be divided by Mileage), Through Waggons, Carriages, and Trucks, and otherwise, and perform all necessary Services for the Transmission of Traffic passing or intended to pass over the Railway by this Act authorized, or any Part thereof, to or from the Railways or any Part of the Railways of such other Companies or of any or either of them, and for providing against any undue Interruption or Delay in the Passage of such Traffic to its Destination.

Tolls may be taken by other Com-

43. If under the Provisions of this Act, or of "The Railways Clauses Consolidation Act, 1845," or any Contract or Agreement authorized

panies subject to Working Agreements.

authorized by this Act, the Company agree with any other Company for the Use by any such other Company of the Railway by this Act authorized, then and in such Case during such Contract or Agreement Tolls and Charges not exceeding such as are authorized by this Act may be demanded and taken by such other Company upon or in respect of the Railway in accordance with the Terms and Stipulations of such Contract or Agreement; and such Tolls and Charges, or any agreed proportionate Part thereof, shall be paid over to the Company, or be retained by such other Company for their own Use or Benefit, subject to such Deductions, Payments, or Liabilities as may be provided for in such Contract or Agreement.

Traffic Arrangements.

44. The Company on the one Part, and the *London and North-western* and the *Vale of Crickhowell* Railway Companies, or either of those Companies, on the other Part, may from Time to Time enter into and carry into effect Contracts or Agreements with respect to the following Purposes or any of them, and any incidental Matters; (that is to say,)

The Maintenance, Use, and working by any or either of the contracting Companies of all or any Part of the Railways and Works of the other or others of them, and of all or any of the Stations, Works, and Conveniences belonging thereto, and the Costs and Expenses thereof:

The Regulation, Management, and Transmission by any or either of the contracting Companies of the whole or any Part of the Traffic thereon:

The Supply, Maintenance, and Use of any Rolling or Working Stock and Plant required for such Purposes, and the Employment, Payment, and Dismissal of Officers and Servants:

The fixing, Collection, Payment, Division, Appropriation, and Distribution of the Tolls and other Income arising from such Railways and Works:

The Rents, Payments, Deductions, and Allowances to be made or paid by any or either of the contracting Companies to or for any other or others of them:

And any such Contract or Agreement may be made for the same Period of Time with reference to all the Purposes of the Conract, or for different Periods with reference to different Purposes.

Tolls partly on Railway and partly on Railways of other Companies.

45. Where under this Act any Passengers, Animals, or Things are conveyed by the Two Companies or either of them a Distance less in the whole than Four Miles partly on the Railway by this Act authorized, and partly on any other Railway worked over by such other Companies or Company, such Companies or Company may demand and take Tolls, Fares, Rates, and Charges not exceeding the maximum Tolls, Fares, Rates, and Charges as for Four Miles only, and for a Fraction

Fraction of a Mile beyond Four Miles that Company may, with respect to Goods and Animals, demand Tolls 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 with respect to Passengers every Fraction of a Mile beyond Four Miles shall be deemed a Mile; and no other Short-distance Charge shall be made for the Conveyance of Passengers, Animals, or Goods conveyed as aforesaid than the Charge in this Behalf herein authorized.

Railways to be deemed continuous as to Tolls.

46. In estimating Tolls, Fares, Rates, or Charges when the Railway by this Act authorized, or any Part thereof, is from Time to Time worked over by the Five Companies, or any or either of them, the same and the several other Railways from Time to Time worked over by such other Companies or Company shall be deemed One continuous Line of Railway.

Saving Rights of Companies.

47. Except only as is by this Act expressly provided, this Act or anything therein contained shall not take away, lessen, alter, or prejudice any of the Rights, Privileges, Powers, or Authorities of any Company herein-before mentioned.

Interest or Dividend not to be paid on Calls paid up.

48. It shall not be lawful for the Company, out of any Money by this Act authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay Interest or Dividend to any Shareholder on the Amount of Calls made in respect of the Shares held by him in the Capital by this Act authorized to be raised: Provided always, that nothing herein contained shall be deemed to prevent the Company from paying to any Shareholder such Interest on Money advanced by him beyond the Amount of Calls actually made as shall be in conformity with the Provisions in "The Companies Clauses Consolidation Act, 1845," in that Behalf contained.

Deposit for future Bills not to be paid out of Company's Capital.

49. It shall not be lawful for the Company, out of any Money by this Act authorized to be raised, to pay or deposit any Sum of Money which, by any Standing Order of either House of Parliament now in force or hereafter to be 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 execute any other Work or Undertaking.

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

50. Nothing in this Act contained shall exempt the Railway by this Act authorized to be made from the Provisions of any General Act relating to Railways, or to the better and more impartial Audit of the Accounts of Railway Companies, now in force or which may hereafter pass during this or any future Session of Parliament, or from any

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 by this Act respectively authorized.

Expenses of Act.

51. All Costs, Charges, and Expenses of and incident to the obtaining and passing of this Act, or otherwise in relation thereto, shall be paid by the Company.

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