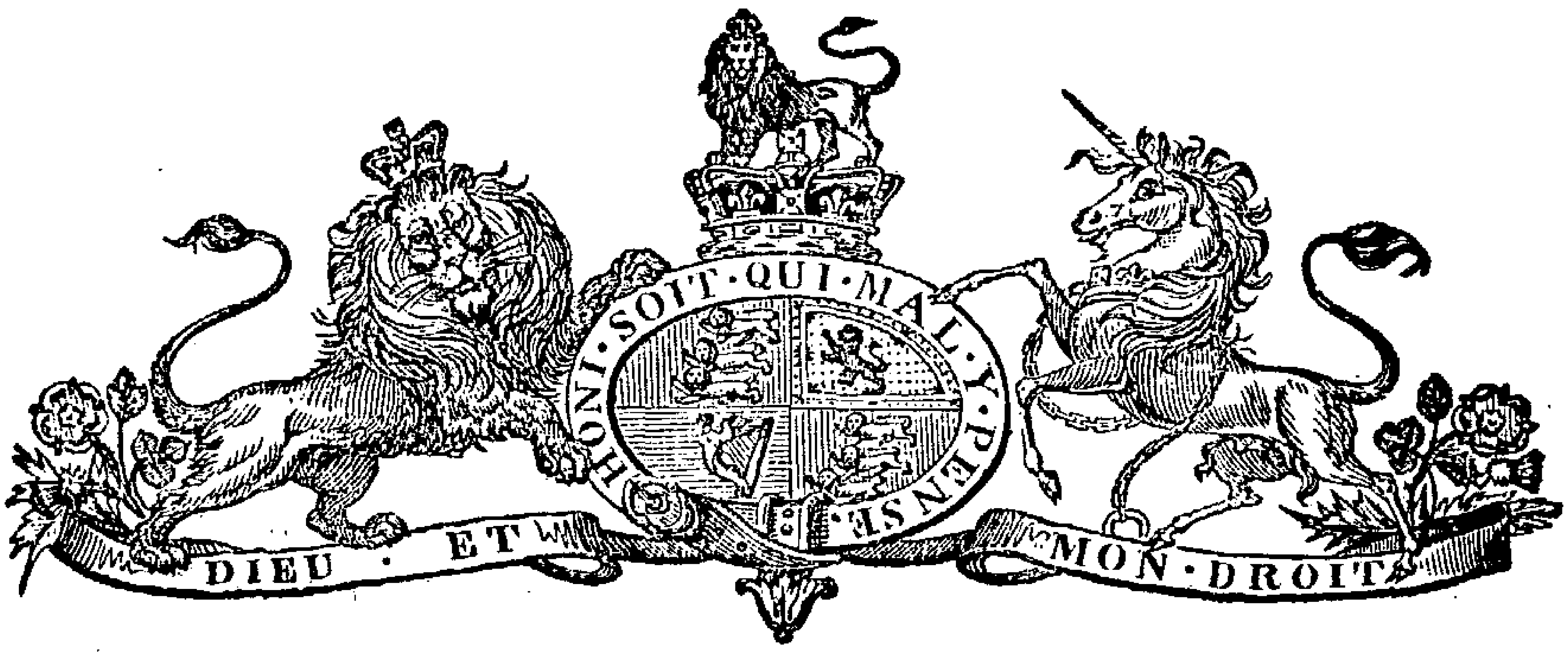


ANNO VICESIMO OCTAVO & VICESIMO NONO

VICTORIÆ REGINÆ.

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Cap. ccv.

An Act for the Amalgamation of the *Ogmore Valley* Railways Company and the *Ely Valley Extension* Railway Company; and for other Purposes.

[5th *July* 1865.]

WHEREAS by "The *Ogmore Valley* Railways Act, 1863," 26 & 27 Vict. c. cxxxix.
the *Ogmore Valley* Railway Company, in this Act called the "*Ogmore* Company," was incorporated, with a Capital of Ninety thousand Pounds and Power to borrow Thirty thousand Pounds, and was authorized to construct a Railway from the *Llynvi Valley* Railway to *Melin-Evan-du*, and from thence to *Nanty-Moel*, with a Branch to *Llys-Cwm-Llorog*, in the County of *Glamorgan:* And whereas by "The *Llynvi and Ogmore* Railways Act, 27 & 28 Vict. c. xlviii.
1864," the *Ogmore Valley* Railway Company are empowered to raise a further Capital of Thirty thousand Pounds, and Power to borrow Ten thousand Pounds for the Purposes in that Act mentioned: And whereas by "The *Ely Valley Extension* Railway Act, 26 & 27 Vict. c. cxcix.
1863," the *Ely Valley Extension* Railway Company, in this Act called the "*Ely* Company," was incorporated, with a Capital of Twelve thousand Pounds and Power to borrow Four thousand Pounds, and was authorized to construct a Railway from the *Ely Valley* Railway up the Valley of the *Ogwr Fach* in the County of *Glamorgan:* And whereas the *Ogmore Valley* Railway is nearly completed, and will

shortly be open for public Traffic: And whereas the *Ogmore* Company have paid up One Half of their Share Capital and have partially exercised their Borrowing Powers: And whereas the *Ely* Company have paid up One Half of their Share Capital, but have not exercised any of their Borrowing Powers: And whereas it is expedient that Provision be made for an Amalgamation of the *Ely* Company with the *Ogmore* Company: And whereas the Objects of this Act cannot be attained without the Authority of Parliament: May it therefore please Your Majesty that it may be 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 all Purposes as "The *Ogmore* and *Ely* Railways (Amalgamation) Act, 1865."

26 & 27 Vict. c. 92. incorporated.

2. Part I. (relating to Cancellation and Surrender of Shares) and Part V. (relating to Amalgamation) of "The Railways Clauses Act, 1863," (save so far as any of the Provisions of that Act and Parts respectively are expressly varied or excepted by this Act,) are incorporated with and form Part of this Act.

Same Meaning to Words in incorporated Act as in this Act.

3. Except as is by this Act otherwise provided, the several Words and Expressions to which in the Act partially incorporated with this Act Meanings are assigned shall have in this Act the same respective Meanings, unless excluded by the Subject or Context.

Amalgamation of Ogmore and Ely Companies.

4. From and after the passing of this Act the *Ely* Company shall be dissolved, and their Undertaking shall be transferred to and amalgamated with and be deemed a Part of the Undertaking of the *Ogmore* Company; and for the Purposes of Part V. of "The Railways Clauses Act, 1863," the said Companies shall be deemed amalgamated by this Act.

Shareholders of the Ely Company to be entitled to Ordinary Shares in the Ogmore Company.

5. Every Person, Company, or Corporation who at the Time of Amalgamation shall be the Proprietor of any Shares in the *Ely* Company shall for and in respect of every Two of such Shares receive and become the Proprietor of One Ordinary Share of Twenty Pounds in the *Ogmore* Company; and it shall be lawful for the *Ogmore* Company to create such Number of Ordinary Shares in their Undertaking as may be required for that Purpose; and the Proprietors of such last-mentioned Shares shall be entitled to the same Dividend, Rights, and Privileges as any other Proprietor of Ordinary Shares in the *Ogmore* Company.

Certificates of Shares to be delivered to Proprietors.

6. After the Amalgamation the *Ogmore* Company shall, on Demand of any Proprietor of Shares in the *Ely* Company, and in Exchange for the Certificate of Shares in that Company held by him, deliver to such Proprietor, free of Expense, a Certificate of the Ordinary

Ordinary Shares in the *Ogmore* Company to which such Proprietor has become entitled under the Provisions of this Act.

Deposited Plans, &c., to remain with Clerk of the Peace.

7. Notwithstanding the Amalgamation, all Plans and Sections and Books of Reference, and all Corrections and Certificates of Corrections thereof respectively, deposited for the Purposes of either of the recited Acts with any Clerk of the Peace, shall remain in his Custody as if they were deposited for the Purposes of this Act and in accordance with the Provisions of the Act of the First Year of Her present Majesty, Chapter Eighty-three, and every such Clerk of the Peace shall accordingly permit the same to be inspected, and Copies thereof and Extracts therefrom to be taken.

Number and Qualification of Directors.

8. Subject to the Provisions herein contained for increasing or reducing the Number of the Directors, the Number of Directors of the *Ogmore* Company after Amalgamation shall be Six; and the Qualification of a Director shall be the Possession of Twenty-five Shares in the Undertaking.

Power to vary Number of Directors.

9. It shall be lawful for the Company from Time to Time to increase or reduce the Number of Directors, provided that the Number be not at any Time more than Eight nor less than Four.

Quorum of Directors.

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

First Directors.

11. The present Directors of the Two Companies shall be the First Directors of the *Ogmore* Company after the Amalgamation, and the Powers of the existing Directors of the Two Companies shall thereupon cease and determine.

Borrowing Powers under recited Act repealed.

12. All the Powers and Provisions of the recited Acts with reference to borrowing Money on Mortgage shall be and the same are hereby repealed.

Power to borrow on Mortgage.

13. When the whole of the Capital authorized to be raised by the recited Acts has been subscribed and One Half thereof paid up, the *Ogmore* Company may borrow on Mortgage any Sum or Sums of Money not exceeding in the whole, and including all Monies already borrowed by them, Forty-four thousand Pounds, but no Part of such last-mentioned Sum of Forty-four thousand Pounds, beyond what has been already borrowed, shall be borrowed until the whole of the said Capital shall have been *bonâ fide* subscribed 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 has been subscribed for *bonâ fide* and issued, and that One Half thereof has been paid up, and that such Shares are held by the Subscribers or their Assigns, and for which such Subscribers or their Assigns are legally liable, of which Proof having been given the Certificate of the Justice under

that Section shall be sufficient Evidence: Provided, that any Money so borrowed shall be charged upon the Railways amalgamated under the Powers of this Act.

Saving existing Mortgages.

14. Nothing in this Act contained shall prejudice or affect any Mortgages granted by the *Ogmore* Company before, and in force at the Commencement of this Act, but all such Mortgages shall, while in force and as regards the specific Security for the same, have Priority over all Mortgages granted by virtue of this Act.

Receiver for Mortgagees.

15. The Mortgagees of the *Ogmore* Company may enforce the Payment of the Arrears of Interest, or of Principal and Interest, on their respective Mortgages by the Appointment of a Receiver, and the Amount to authorize a Requisition for a Receiver is Five thousand Pounds.

Tolls.

16. After the passing of this Act, Sections 31, 32, 33, 34, 35, 36, 37, 38, 39, and 40 of "The *Ely Valley* Extension Railway Act, 1863," shall be and the same are hereby repealed; and Sections 32,33, 34, 35, 36, 37, 38, 39, 40, and 41 of "The *Ogmore Valley* Railways Act, 1863," shall apply to the Undertaking of the *Ely Valley Extension* Company, as if the same had been included in and authorized by that Act.

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

17. The *Ogmore* Company shall not, out of any Money by this Act authorized to be raised by Shares or by borrowing, pay or deposit any Sum of Money which, by any Standing Order of either House of Parliament now or hereafter in force, may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing the Company to make any other Railway or execute any other Work or Undertaking.

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

18. Nothing in this Act shall exempt the Railways of the *Ogmore* Company from the Provisions of any General Act relating to Railways, or to the better and more impartial Audit of the Accounts of Railway Companies, now in force or which may hereafter pass during this or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges, or the Rates for small Parcels.

Expenses of Act.

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

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