CHAPTER cci.

An Act for incorporating the Rhondda and Swansea Bay Railway Company and for other purposes. A.D. 1882.

[10th August 1882.]

WHEREAS the construction of the railways herein-after described between the Rhondda Valley Port Talbot and Briton Ferry would be of public and local advantage:

And whereas the several persons herein-after named with others are willing at their own expense to carry the undertaking into execution on being incorporated into a Company for the purpose:

And whereas it is expedient that such provision be made as is herein-after contained with respect to the acquisition and use by the Company of the railway or tramway known as "the Cwmafon Railway":

And whereas plans and sections showing the lines and levels of the railways authorised by this Act and books of reference to the plans containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act were duly deposited with the clerk of the peace for the county of Glamorgan and are herein-after respectively referred to as the deposited plans sections and books of reference:

And whereas the purposes of this Act 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:

1. This Act may be cited as the Rhondda and Swansea Bay Railway Act 1882. Short title.

2. The Companies Clauses Consolidation Act 1845 Part I (relating to cancellation and surrender of shares) and Part III Incorporation of Acts. 8 & 9 Vict. c. 16.

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26 & 27 Vict. c. 118.
8 & 9 Vict. c. 18.
23 & 24 Vict. c. 106.
32 & 33 Vict. c. 18.
8 & 9 Vict. c. 20.
26 & 27 Vict. c. 92.

(relating to debenture stock) of the Companies Clauses Act 1863 the Lands Clauses Consolidation Acts 1845 1860 and 1869 the Railways Clauses Consolidation Act 1845 and Part I (relating to construction of a railway) of the Railways Clauses Act 1863 are (except where expressly varied by this Act) incorporated with and form part of this Act.

Interpretation.

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" "the railways" and "the undertaking" mean respectively the railways and the undertaking by this Act authorised and for the purposes of this Act 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 simple contract debt and not a debt or demand created by statute.

Company incorporated.

4. The Right Honourable Victor Albert George Child Villiers Earl of Jersey Sir John Jones Jenkins Charles Bath Thomas Cory John Richardson Francis Thomas Joseph and Morgan Bransby Williams and all other persons and corporations who have already subscribed to or shall hereafter become proprietors in the undertaking and their executors administrators successors and assigns respectively shall be and are hereby united into a Company for the purpose of making and maintaining the railways and for other the purposes of this Act and for those purposes shall be and are hereby incorporated by the name of the Rhondda and Swansea Bay Railway Company and by that name shall be a body corporate with perpetual succession and a common seal and with power to purchase take hold and dispose of lands and other property for the purposes of this Act.

Power to make railways.

5. Subject to the provisions of this Act the Company may make and maintain in the lines and according to the levels shown on the deposited plans and sections the railways herein-after described with all proper stations sidings bridges viaducts rails tanks tunnels roads buildings yards approaches works and conveniences connected therewith and may enter upon take and use such of the lands delineated on the said plans and described in the deposited books of reference as may be required for that purpose The railways herein-

before referred to and authorised by this Act will be situate in the county of Glamorgan and are—

(1) A railway (No. 1) 14 miles 2 furlongs and 8·65 chains or thereabouts in length commencing by a junction or junctions with the Rhondda Fawr Branch of the Taff Vale Railway and terminating in the parish of Baglan at the sea wall and embankment forming the northern boundary of the piece of land numbered 635 in the tithe commutation map of the said parish of Baglan.

(2) A railway (No. 2) 2 furlongs and 5·10 chains or thereabouts in length wholly in the parish of Baglan commencing by a junction or junctions with the Railway No. 1 authorised by this Act and terminating by a junction or junctions with the South Wales Line of the Great Western Railway Company.

(3) A railway on the deposited plans and sections called Railway (No. 5) 6 furlongs and 5·80 chains or thereabouts in length commencing by a junction or junctions with Railway No. 1 by this Act authorised and terminating by a junction or junctions with the Cwmafon Railway.

(4) A railway on the deposited plans and sections called Railway (No. 6) 1 furlong and 4 chains or thereabouts in length commencing by a junction or junctions with the Railway No. 5 by this Act authorised and terminating on the tramway leading from the Oakwood Tramway to Tewgoed.

Company not to take property numbered 61 in Ystradyfodwg.

6. Notwithstanding anything in this Act contained or shown on the deposited plans the Company shall not except with the consent of the owner or owners thereof enter upon take or use under the powers of this Act the property numbered on the deposited plans 61 in the parish of Ystradyfodwg.

For protection of Great Western and Llynvi and Ogmore Railway Companies.

7. For the protection of the Great Western Railway Company (in this section called "the Great Western Company") and for the protection of the Llynvi and Ogmore Railway Company (in this section called "the Llynvi Company") the following provisions shall have effect (that is to say) :—

Not to enter on lands of Great Western Company until plans of proposed works affecting the said company approved.

(1) The Company shall not enter upon or interfere with the railway of the Great Western Company or the railways of the Llynvi Company or any of the lands or works of those companies respectively or execute any works whatever under over or affecting the same until the Company shall have delivered to the Great Western Company plans and drawings of such intended works and those plans and drawings shall have been approved

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in writing by the principal engineer for the time being of the Great Western Company or in the event of his failure for fourteen days after the delivery of the plans and drawings until the same shall have been approved by an engineer to be appointed on the application of the Company by the Board of Trade and all the intended works shall be executed by the Company at their sole expense in all things according to such approved plans and drawings and to the reasonable satisfaction of the said engineer for the time being of the Great Western Company or in case of difference by an engineer to be appointed by the Board of Trade.

Construction of railway on lands of Llynvi Company.

(2) In constructing the Railway No. 1 through or over the land and property of the Llynvi Company the Company shall not deviate from the centre line shown on the deposited plans where the railway passes under the railway of the Llynvi Company without the previous consent in writing of that company under their common seal and the railway shall be carried under the arches of the present viaduct of the Llynvi and Ogmore Railway and the Great Western Company and the Llynvi Company or either of them may at any time or times thereafter upon giving one month's notice to the Company and without being required to pay any sum of money by way of acknowledgment for the easement which may be required for the purpose construct and thereafter maintain at their own expense any widening of the said viaduct to such an extent as may be necessary to enable them to carry any number of additional lines of rails platforms or buildings over the railway of the Company and such crossing of the railway of the Llynvi Company shall be effected in such a manner as not to injure the stability of the railway and works of that company in any way whatever.

(3) The said Railway No. 1 where the same is intended to cross the main line of the Great Western Railway shall be carried over that railway and works by means of a bridge of two spans of not less than 30 feet each on the square and a headway of not less than 15 feet high and such crossing of the railway and land for sidings shall be effected in such a manner as not to injure the stability of the railway and works of the Great Western Company in any way whatever.

Company to pay to Great Western Company expenses of

(4) The Company shall bear and on demand pay to the Great Western Company the reasonable expense of the employment by them during the making of the Railways Nos. 1 and 2 over under and adjacent to the railways of the Llynvi and Great

Western Companies respectively of a sufficient number of inspectors signalmen or watchmen to be appointed by them for watching the said railways and works and the conduct of the traffic thereon with reference to and during the execution of the intended works and for preventing as far as may be all interference obstruction danger and accident from any of the operations or from the acts or defaults of any person or persons in the employ of the Company with reference thereto or otherwise.

watchmen during construction of works.

(5) Notwithstanding anything in this Act contained the Company shall from time to time be responsible for and make good to the Great Western Company and the Llynvi Company or either of them all losses costs damages and expenses which may be occasioned to them or any of their works or property or to the traffic on their railways or to any company or persons using the same or otherwise during the execution or renewal or by means of the failure of any of the intended works or of any act default or omission of the Company or of any person in their employ or of their contractors or otherwise and the Company shall effectually indemnify and hold harmless the Great Western Company and the Llynvi Company or either of them from all claims and demands upon or against them by reason of such execution or failure and of any such act default or omission.

Damages sustained by Great Western and Llynvi Companies to be repaid.

(6) The Company shall at their sole expense and at all times maintain the bridge by which the said Railway No. 1 shall be carried over the South Wales Railway of the Great Western Company in substantial repair and good order and condition to the reasonable satisfaction in all respects of the engineer for the time being of the Great Western Company and if and whenever the Company fail so to do after one month's notice from the Great Western Company for that purpose or in case of urgency without any notice being required the Great Western Company may make and do in and upon as well the land of the Company as their own land all such works and things as shall be requisite in that behalf for ensuring such repair and the sum from time to time reasonably incurred in that behalf shall be repaid to them by the Company and in default of full repayment the amount due may be recovered with full costs by the Great Western Company from the Company in any court of competent jurisdiction.

Maintenance of works affecting railway of Great Western Company.

(7) In constructing and maintaining the Railways Nos. 1 and 2 by this Act authorised the Company shall not in any way

Not to interfere with traffic on

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railways of Great Western or Llynvi Companies.

obstruct or interfere with the traffic passing along the railway of the Great Western Company or the railway of the Llynvi Company and if by reason of any works or proceedings of the Company there shall be any unnecessary obstruction or interference with the said railways or either of them so as to impede or prevent the convenient passage of engines and carriages along the same the Company shall pay to the Great Western Company the sum of twenty pounds per hour for each railway during which any such obstruction shall continue thereon.

No land of Llynvi or Great Western Companies to be taken except for certain works.

(8) Except so far as shall be necessary in constructing the railways or in altering maintaining or using the Cwmafon Railway the Company shall not take or acquire any rights over any land of the Llynvi Company or of the Great Western Company and save as aforesaid nothing in this Act contained shall extend to authorise or enable the Company to take or enter upon or use either temporarily or permanently any of the lands of the Llynvi Company or of the Great Western Company or to alter vary or interfere with the railways or either of them of that company or with any of the works thereof further or otherwise than is necessary for the construction of the railways or the alteration maintenance or user of the Cwmafon Railway without the consent in writing in every instance for that purpose first had and obtained of the Great Western Company under their common seal and with respect to any lands of the Llynvi Company or of the Great Western Company which the Company are by this Act from time to time authorised to use enter upon or interfere with the Company shall not purchase and take the same but the Company may purchase and take and the Llynvi Company and the Great Western Company respectively as the case may be shall sell or grant accordingly an easement or right of using the same in perpetuity for the purposes for which but for this enactment the Company might purchase and take the same and the Great Western Company may at any time or times hereafter should it be necessary for them to do so alter or remove the junction by this Act authorised of the Railway No. 2 with their railway and substitute a new junction or junctions as the case may be therefor but so as such alteration or renewal or substituted junction or junctions as the case may be shall not stop the traffic of the railway or unnecessarily interfere therewith or cause increased expense to the Company in the working or maintenance of the junction or the substituted junction or junctions as the case may be or the signals works and conveniences connected therewith Pro-

vided that the centre line of Railway No. 1 shall not be deviated nearer to the Llynvi Company's Railway than is shown on the deposited plans between the following points on the said Railway No. 1 measuring from the commencement of that railway that is to say—

3 miles 5 furlongs and 5 chains and 3 miles and 6 furlongs.

4 miles 1 furlong and 4 miles and 2 furlongs.

4 miles 6 furlongs and 5 miles.

5 miles 3 furlongs and 5 chains and 5 miles 4 furlongs and 5 chains.

and the Company shall not take any portion of the land railway or works of the Llynvi Company so as to prevent a second line of rails being laid upon the said Llynvi and Ogmore Railway.

Company to afford facilities for the construction of branch railways or sidings with certain lands. 36 & 37 Vict. c. clxxvii.

(9) In order to provide railway communication according to section 34 of the Llynvi and Ogmore Railway Act 1873 (instead of the diversions of railway therein referred to) between the Aber-Gwynfy Branch of the Llynvi Company and the lands and minerals on the northern side of the Railway No. 1 by this Act authorised the Company shall from time to time afford to the Great Western Company and the Llynvi Company or either of them all proper and necessary facilities for the construction of branch railways or sidings not exceeding three in number over or under the said Railway No. 1 to connect the said Aber-Gwynfy Branch with the said lands and minerals and any increased expenditure which the said railway companies or either of them shall incur by reason of having to carry such branch railways or sidings over or under the said Railway No. 1 shall be repaid to them by the Company and in the event of any difference arising between the Company on the one hand and the Great Western and Llynvi Companies or either of them on the other hand as to the place or places of crossing the said Railway No. 2 or the mode of crossing or as to any of the matters provided for in this subsection the same shall be determined by arbitration in the manner herein-after provided.

Arbitration.

(10) If any dispute shall arise between the Great Western Company and the Llynvi Company or either of them on the one hand and the Company on the other hand respecting the matters and provisions aforesaid or any of them such dispute shall be settled by an arbitrator to be agreed upon between the parties or in case of difference to be appointed on the application of either party by the President for the time being of

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the Institution of Civil Engineers. The costs of the arbitration to be in the discretion of such arbitrator.

Saving rights of Great Western and Llynvi Companies.

(11) Nothing in this Act contained shall extend to prejudice diminish alter or take away any of the rights privileges or powers of the Great Western Company and Llynvi Company or either of them otherwise than is by this Act expressly provided.

Capital.

8. The capital of the Company shall be four hundred and fifty thousand pounds in forty-five thousand shares of ten pounds each.

Shares not to be issued until one fifth paid.

9. The Company shall not issue any share created under the authority of this Act nor shall any such 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 is paid in respect thereof.

Calls.

10. One fifth of the amount of a share shall be the greatest amount of a call and three months at least shall be the interval between successive calls and three fourths of the amount of a share shall be the utmost aggregate amount of the calls made in any year upon any share.

Receipt in case of persons not sui juris.

11. If any money is payable to a shareholder being a minor idiot or lunatic the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Company.

Power to divide shares.

12. 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 their capital into half shares of which one shall be called "preferred half share" and the other shall be called "deferred half share" but the Company shall not so divide any share under the authority of this Act unless and until not less than sixty per centum upon such share has been paid up and upon every such division fifty per centum upon the entire share shall be carried to the credit of the deferred half share (being the whole of the amount payable thereon) and the residue to the credit of the preferred half share.

Dividends on half shares.

13. 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 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.

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

14. 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.

15. 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 but the directors shall not be bound to issue a certificate of any half share until the certificate of the existing entire share shall be delivered to them to be cancelled unless it be shown to their satisfaction that such certificate is destroyed or lost and on any certificate being so delivered up the directors shall cancel it.

Terms of issue to be stated on certificates.

16. 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.

17. The provisions of the Companies Clauses Consolidation Act 1845 with respect to the forfeiture of shares for nonpayment of calls shall apply to all preferred half shares created under the authority of this Act and every such preferred half share shall for that purpose be considered an entire share distinct from the corresponding deferred half share and until any forfeited preferred half share shall be sold by the directors 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.

Preferred shares not to be cancelled or surrendered.

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

Half shares to be half

19. The several half shares under this Act shall be half shares in the capital of the Company and every two half shares (whether

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shares in capital.

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.

Power to borrow.

20. The Company may from time to time borrow on mortgage any sums not exceeding in the whole one hundred and fifty thousand pounds and of that sum they may borrow not exceeding in the whole seventy-five thousand pounds in respect of each two hundred and twenty-five thousand pounds of their capital but no part of any such sum of seventy-five thousand pounds shall be borrowed until the whole two hundred and twenty-five thousand pounds of capital in respect of which it is to be borrowed is 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 portion of capital has been 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 portion of capital has been paid on account thereof before or at the time of the issue or acceptance thereof and the Company have proved to such justice as aforesaid before he so certifies that such shares were issued and accepted bonâ fide and are held by the persons or corporations to whom the same were issued or their executors administrators successors or assigns and that such persons or corporations their executors administrators successors or assigns are legally liable for the same and upon production to such justice of the books of the Company and of such other evidence as he shall think sufficient he shall grant a certificate that the proof aforesaid has been given which shall be sufficient evidence thereof.

For appointment 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 eight thousand pounds in the whole.

Debenture stock.

22. The Company may create and issue debenture stock subject to the provisions of Part III. of the Companies Clauses Act 1863 but notwithstanding anything therein contained the interest of all debenture stock and of all mortgages at any time created and issued or granted by the Company under this and any subsequent Act shall subject to the provisions of any subsequent Act rank pari

passu (without respect to the dates of the securities or of the Acts of Parliament or resolutions by which the stock or mortgages were authorised) and shall have priority over all principal moneys secured by such mortgages.

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 ordinary meeting.

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

Number of directors.

25. The number of directors shall be nine but the Company may from time to time reduce and again increase the number of directors but so that the number shall be never less than five nor more than nine.

Qualification of directors.

26. The qualification of a director shall be the possession in his own right of not less than one hundred shares.

Quorum.

27. The quorum of a meeting of directors shall be five and if the number of directors is reduced to six or five the quorum shall be three.

First directors.

28. The Right Honourable Victor Albert George Child Villiers Earl of Jersey Sir John Jones Jenkins Charles Bath Thomas Cory John Richardson Francis Thomas Joseph and Morgan Bransby Williams and two other duly qualified persons to be nominated by them or the majority of them and consenting to the nomination 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 nominated as aforesaid 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 or nominated as aforesaid 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 altering the number of directors) elect persons to supply the places of the directors then retiring from office agreeably to the provisions of the Companies Clauses Consolidation Act 1845 and the several persons elected at any such meeting being neither removed not disqualified nor having died or resigned shall continue to be directors until others are elected in their stead in manner provided by the same Act.

Lands for extraordinary purposes.

29. 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 ten acres.

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Period for compulsory purchase of lands.

30. 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.

Power to cross a certain road on the level.

31. 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 No. 1 by this Act authorised carry the same with a single line only whilst the said railway shall consist of a single line and afterwards with a double line only across and on the level of the road numbered on the deposited plans of the said railway 58 in the parish of Ystradyfodwg.

Company not to cross on the level a certain tramway.

32. Nothing in this Act contained shall authorise the Company to cross on the level the tramway on the deposited plans of Railway No. 6, numbered 85 in the parish of Margam.

Inclination of roads.

33. 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) :—

Number on deposited Plan.	Parish.	Description of Road.	Intended Inclination.
	Railway No. 1.		
15*a*	Llangynwyd -	Parish - -	1 in 6
9	Margam -	Parish - -	1 in 8 on one side and level on the other.

Height and span of bridges.

34. 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 therewith respectively (that is to say) :—

Number on deposited Plan.	Parish.	Description of Road.	Height.	Span.
	Railway No. 1.			
			Ft. and ins.	Feet.
58	Ystradyfodwg -	Parish - -	15 0	20
70	Llangynwyd -	Parish - -	14 0	15
9	Margam - -	Parish - -	14 0	15
35	Michaelston super Afon.	Parish - -	11 6	15

Width of a certain roadway.

35. The Company may make the roadway over the bridge by which the road numbered 15*a* on the deposited plans of Railway No. 1 in the parish of Llangynwyd will be carried over the said railway of such width between the fences thereof as the Company think fit not being less than the width of fifteen feet.

Additional lands.

36. The Company may in addition to any other lands which they are by this Act authorised to take enter upon take and use for station purposes or any other the purposes of their undertaking all or any part of the lands in the parish of Margam shown on the deposited plans and described in the deposited books of reference.

Power to purchase portion of Cwmafon Railway.

37. The Company shall within three years from the date of the passing of this Act purchase and acquire so much of the railway or tramway (known and herein-after referred to as "the Cwmafon Railway") shown on the deposited plans and described in the deposited books of reference in the parishes of Margam Michaelston super Afon Aberavon and Baglan as lies between the junction therewith of the Railway No. 5 by this Act authorised and the termination of the Cwmafon Railway on the south side of Port Talbot Docks including the junction or junctions of the Cwmafon Railway with the South Wales Line of the Great Western Railway Company and all works junctions sidings lands houses and property rights duties privileges and immunities connected with the said portion of the Cwmafon Railway and on the completion of such purchase all privileges or rights (if any) of the public in over or with respect to the said portion of the Cwmafon Railway shall be by this Act extinguished Provided always that the purchase shall be evidenced by a deed of conveyance duly stamped in which the consideration shall be fully set forth Within three months from the completion of the purchase such duly stamped deed shall be produced to the Commissioners of Inland Revenue and in default of such production the stamp duty with interest thereon at the rate of five pounds per centum per annum from the completion of the purchase to the date of payment shall be recoverable from the Company with full costs of suit and all costs and charges attending the same.

Maintenance of Cwmafon Railway.

38. The Company may maintain and use such portion as aforesaid of the Cwmafon Railway with all stations approaches bridges level crossings sidings junctions works and conveniences connected therewith as part of their railways and undertaking and may make and maintain new or additional stations approaches bridges sidings works and conveniences in connexion therewith and may execute and do upon and in connexion with such portion of railway as

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aforesaid all such works matters and things as may from time to time be necessary or expedient for effecting such objects Provided always that the Company shall not under this section execute or be empowered to execute any works for or in respect of which by the standing orders for the time being of either House of Parliament plans and sections may be required to be deposited.

Tolls on the Cwmafon Railway.

39. The said portion of the Cwmafon Railway shall for the purposes of tolls and for all other purposes be deemed to be part of the railways by this Act authorised.

Confirming scheduled agreement.

40. The agreement made the fifteenth day of May one thousand eight hundred and eighty-two between James Shaw of No. 24 Redcliffe Square in the county of Middlesex and the Cwmafon Estate and Works Company Limited of the one part and the promoters of the Bill for this Act of the other part a copy whereof is set forth in the Second Schedule to this Act is hereby confirmed and made binding upon the said James Shaw and the Cwmafon Estate and Works Company Limited and upon the Company as if the Company had been parties thereto instead of the said promoters and shall be carried into full effect accordingly.

Company not to run engines &c. over level crossing of Cwmafon and Great Western Railway during certain times.

41. After the Company purchase and acquire the Cwmafon Railway or if they send traffic over that railway the junction or junctions of the Cwmafon Railway with the South Wales Line of the Great Western Railway Company shall after either such event be subject to the provisions as to junctions of Part I. of the Railways Clauses Act 1863 and if at any time after the passing of this Act the Great Western Railway Company shall give notice to the Company that they intend to run any passenger train over the level crossing of the Cwmafon Railway by the Great Western Railway in the parish of Margam which train shall not be timed to stop at the Port Talbot Station on the Great Western Railway and shall specify the time at which such train shall be due at the said level crossing the Company shall not allow any engine or carriage to pass on the Cwmafon Railway over the said level crossing during the fifteen minutes immediately preceding the time so specified nor until such train shall have passed the said level crossing.

Company not to oppose and to bear half cost of works for obviating level crossing of Cwmafon and Great Western Railways.

42. If at any time after the passing of this Act the Great Western Railway Company apply to Parliament for an alteration of the lines and levels of the Great Western Railway and of the Cwmafon Railway or either of those railways whereby the crossing of the said railways on the level in the parish of Margam may be obviated the Company shall not oppose such application and if such alteration be sanctioned by Parliament the Company shall bear and

pay one half of the cost and expenses of carrying such alteration into effect.

Power to take easements &c. by agreement.

43. Persons empowered by the Lands Clauses Consolidation Act 1845 to sell and convey or release lands may if they think fit subject to the provisions of that Act and of the Lands Clauses Consolidation Acts Amendment Act 1860 and of this Act grant to the Company any easement right or privilege not being an easement of water required for the purposes of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

Owners may be required to sell parts only of certain lands and buildings.

44. And whereas in the construction of the railways and works by this Act authorised portions only of certain of the lands and buildings shown on the deposited plans may be sufficient for the purposes of the same and it may happen that such portions may be severed from the remainder of the property without any material detriment to the use and enjoyment of such property Therefore notwithstanding section ninety-two of the Lands Clauses Consolidation Act 1845 the owners of and persons interested in the lands and buildings mentioned in the First Schedule to this Act annexed whereof parts only are required for the purposes of this Act may if such portion can in the judgment of the jury or arbitrator or other authority assessing or determining the compensation therefor be severed from the remainder of the said property without material detriment thereto be required to sell and convey to the Company the portions only of the premises so required without the Company being obliged or compelled to purchase the whole or any greater portion thereof the Company paying for the portions required by them and making compensation for any damage sustained by the owners thereof or other parties interested therein by severance or otherwise.

Notice to be given of taking houses of labouring classes.

45. The Company shall not less than eight weeks before they take in any parish fifteen houses or more occupied either wholly or partially by persons belonging to the labouring classes as tenants or lodgers make known their intention to take the same by placards handbills or other general notice placed in public view upon or within a reasonable distance from such houses and the Company shall not take any such houses until they have obtained the certificate of a justice that it has been proved to his satisfaction that they have so made known their intention.

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Power for Company to appropriate lands for the erection of dwelling-houses for the labouring classes.

46. The Company may from time to time if and when they think fit appropriate any lands acquired by them under the powers of this Act and which may not be required for the railways and works for the purpose of the erection of dwelling-houses or buildings for persons belonging to the labouring classes whose dwellings may be required for the works by this Act authorised and before displacing any person or persons belonging to the labouring classes who may for the time being be the occupier or occupiers of any house or part of any house which the Company are by this Act authorised to acquire the Company shall procure sufficient accommodation elsewhere for such person or persons unless the Company and such person or persons otherwise agree Provided always that if any question shall arise as to the sufficiency of such accommodation the same shall be determined by a justice.

Deposit money not to be repaid except so far as railway is opened.

47. Whereas pursuant to the standing orders of both Houses of Parliament and to an Act of the ninth year of the reign of Her present Majesty chapter 20 a sum of twenty-three thousand three hundred and eighty-six pounds sixteen shillings equal to five per centum upon the amount of the estimate in respect of the railways proposed to be authorised by the Bill for this Act as originally introduced into Parliament has been deposited with the Chancery Division of the High Court of Justice in England in respect of the application to Parliament for this Act And whereas such railways included several railways which were struck out of the Bill during its progress through Parliament and the estimate for the railways authorised by this Act amounts to four hundred and four thousand two hundred and thirty-one pounds Be it enacted that notwithstanding anything contained in the said Act out of the said sum so paid as aforesaid in respect of the application for this Act a sum of twenty thousand two hundred and eleven pounds eleven shillings (which last-mentioned sum is in this Act referred to as the deposit fund) 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 (which persons survivors or survivor are or is in this Act referred to as the depositors) unless the Company shall previously to the expiration of the period limited by this Act for the completion of the railways open the same for the public conveyance of passengers Provided that if within such period as aforesaid the Company open any portion of the railways for the public conveyance of passengers then on the production of a certificate of the Board of Trade specifying the length of the portion

of the railways opened as aforesaid and the portion of the deposit fund which bears to the whole of the deposit fund the same proportion as the length of the railways so opened bears to the entire length of the railways the Court shall on the application of the depositors or the majority of them order the portion of the deposit fund specified in the certificate to be paid or transferred to them or as they shall direct and the certificate of the Board of Trade shall be sufficient evidence of the facts therein certified and it shall not be necessary to produce any certificate of this Act having passed anything in the above-mentioned Act to the contrary notwithstanding.

Application of deposit.

48. If the Company do not previously to the expiration of the period limited for the completion of the railways complete and open the same for the public conveyance of passengers then and in every such case the deposit fund or so much thereof as shall not have been paid to the depositors shall be applicable and after due notice in the London Gazette shall be applied towards compensating any landowners or other persons whose property has been interfered with or otherwise rendered less valuable by the commencement construction or abandonment of the railways or any portion thereof or who 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 has been paid and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the Chancery Division of the High Court of Justice in England may seem fit and if no such compensation is payable or if a portion of the deposit fund has been found sufficient to satisfy all just claims in respect of such compensation then the deposit fund or such portion thereof as may not be required as aforesaid shall either be forfeited to Her Majesty and accordingly be paid or transferred to or for the account of Her Majesty's Exchequer in such manner as the Chancery Division thinks fit to order on the application of the Solicitor of Her Majesty's Treasury and shall be carried to and form part of the Consolidated Fund of the United Kingdom or in the discretion of the Court if the Company is insolvent and has been ordered to be wound up or a receiver has been appointed shall wholly or in part be paid or transferred to such receiver or to the liquidator or liquidators of the Company or be otherwise applied as part of the assets of the Company for the benefit of the creditors thereof provided that until the deposit fund has been repaid to the depositors or has become otherwise applicable as herein-before mentioned any interest or dividends accruing

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thereon shall from time to time and as often as the same shall become payable be paid to or on the application of the depositors.

Release of balance of deposit.

49. On the application of the persons named in the warrant or order issued in pursuance of the said Act of the ninth year of the reign of Her present Majesty chapter twenty or of the survivors or survivor of them or of the majority of such persons or survivors or of the executors or administrators of the last survivor by petition in a summary way at any time after the passing of this Act the Court may and shall order that the balance of the said sum of twenty-three thousand three hundred and eighty-six pounds and sixteen shillings so paid as aforesaid over and above the deposit fund and the interest and dividends thereof shall be paid to the persons or person so applying or to any other person or persons whom they or he may appoint in that behalf.

Period for completion of works.

50. If the railways are not completed within five years from the passing of this Act then on the expiration of that period the powers by this Act granted to the Company for making and completing the same or otherwise in relation thereto shall cease to be exercised except as to so much thereof as is then completed.

Tolls for passengers and animals.

51. The Company may demand and take in respect of the use of the railways any tolls not exceeding the following (that is to say):—

In respect of passengers and animals conveyed on the railways:—

Class 1. For every person conveyed in a first-class carriage per mile twopence;

Class 2. For every person conveyed in a second-class carriage per mile one penny halfpenny;

Class 3. For every person conveyed in a third-class carriage per mile one penny;

Class 4. For every horse mule or ass or other beast of draught or burden conveyed in or upon any carriage per mile twopence;

Class 5. For every ox cow bull or head of neat cattle conveyed in or upon any carriage per mile one penny halfpenny;

Class 6. For every calf pig sheep or lamb or other small animal conveyed in or upon any carriage per mile one halfpenny;

In respect of goods conveyed on the railways—

Class 7. For all coals coke culm slack cannel cinders lime limestone sand clay fire-clay pitwood chalk dung compost and all sorts of common manure and all undressed materials for the repair of highways clay ironstone and iron ore per ton per mile one penny;

Class 8. For all pig iron bar iron and all other similar descriptions of iron and iron castings not manufactured into utensils or other articles of merchandise undressed stones for building pitching and paving bricks tiles common slates charcoal bats copper tin lead and other ores per ton per mile one penny halfpenny;

Class 9. For all sugar grain corn flour potatoes guano and artificial manures hides (dried and salted) dyewoods timber staves and deals metals (except iron) tinned plates nails anvils vices hoop-iron sheet-iron and chains per ton per mile twopence;

Class 10. For lace furs silk drapery millinery china glass cotton wool manufactured goods drugs and all other wares merchandise fish articles matters or things per ton per mile threepence;

In respect of carriages conveyed on the railways—

Class 11. 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 belonging to the Company if having more than two wheels per mile fourpence and if having only two wheels per mile threepence and for every additional quarter of a ton up to four tons which any such carriage weighs one penny per mile in addition if such carriage have more than two wheels and three farthings per mile in addition if the same have only two wheels.

Tolls for carriages, &c.

52. For carriages supplied by the Company the Company may (in addition to the other tolls by this Act authorised) demand or take for or in respect of goods articles matters or things persons or animals comprised in either of the classes herein-before specified any tolls not exceeding the tolls next herein-after mentioned in connexion with the class in which such goods articles matters or things persons or animals are respectively comprised (to wit):—

For Class 1 for each person per mile one penny;
For Class 2 for each person per mile three farthings;
For Class 3 for each person per mile one halfpenny;
For Class 4 for each animal per mile one penny;
For Class 5 for each animal per mile one penny;
For Class 6 for each animal per mile one halfpenny;
For Class 7 per ton per mile one halfpenny;
For Class 8 per ton per mile one halfpenny;
For Class 9 per ton per mile three farthings;
For Class 10 per ton per mile one penny;
For Class 11 for each carriage per mile twopence.

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Tolls for propelling power.

53. The tolls which the Company may demand for the use of engines for propelling carriages on the railways 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.

Regulations as to tolls;

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

Short distances;

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

Fractional parts of a mile;

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;

Fractional parts of a ton;

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;

General weight;

With respect to all articles except stone and timber the weight shall be determined according to the usual avoirdupois weight;

Weight of stone and timber.

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 articles of great weight.

55. 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) :—

For the carriage of small parcels on the railways:—

For any parcel not exceeding seven pounds in weight three-pence;

For any parcel exceeding seven pounds but not exceeding four-teen pounds in weight fivepence;

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

For any parcel exceeding twenty-eight pounds but not exceeding fifty-six pounds in weight ninepence.

For any parcel exceeding fifty-six pounds the Company may demand any sum they think fit;

Provided always that articles sent in large aggregate quantities although made up in separate parcels such as bags of sugar coffee meal and the like shall not be deemed small parcels but that term shall apply only to single parcels in separate packages.

For the carriage of any single thing the weight of which including the carriage exceeds four tons but does not exceed eight tons the Company may demand and take any sum not exceeding sixpence per ton per mile;

For the carriage of any single thing the weight of which with the carriage exceeds eight tons the Company may demand and take any sum they think fit.

Maximum rates for passengers.

56. The maximum rate of charge to be made by the Company for the conveyance of passengers upon the railways including the tolls for the use of the railways and for carriages and locomotive power and every other expense incidental to such conveyance shall not exceed the following (that is to say);—

For every passenger conveyed in a first-class carriage the sum of threepence per mile;

For every passenger conveyed in a second-class carriage the sum of twopence per mile;

For every passenger conveyed in a third-class carriage the sum of one penny per mile.

Maximum rates for animals and goods.

57. 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 railways including the tolls for the use of the railways 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 of 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):—

Class 4. For each animal fourpence per mile;

Class 5. For each animal twopence per mile;

Class 6. For every calf or pig one penny per mile and for every other small animal three farthings per mile;

Class 7. One penny halfpenny per ton per mile;

Class 8. Twopence per ton per mile;

Class 9. Threepence per ton per mile;

Class 10. Fourpence per ton per mile;

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Class 11. For every carriage if having more than two wheels and not weighing more than one ton and a half fivepence and one penny farthing for every additional quarter of a ton and if having only two wheels fourpence per mile and one penny for every additional quarter of a ton.

As to rates for coal to certain places.

58. Notwithstanding anything in this Act contained the maximum tolls rates or charges which the Company may demand and take in respect of coals conveyed upon their main lines of railway from the Rhondda Valley to Port Talbot (and to Briton Ferry Docks and Neath Docks and Swansea so far as the railways of the Company extend) respectively shall not exceed one penny per ton per mile which shall be divided in the following proportions viz.:

For toll one halfpenny per mile.

For use of waggons or trucks if supplied by the Company one eighth of a penny per mile.

For locomotive power if provided by the Company three eighths of a penny per mile.

Passengers luggage.

59. Every passenger travelling upon the railways 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 charg being made for the carriage thereof.

Terminal station.

60. No station shall be considered a terminal station in regard to any goods conveyed on the railways unless such goods have been received thereat direct from the consignor or are directed to be delivered thereat to the consignee.

Foregoing charges not to apply to special trains.

61. The restrictions as to the charges to be made for passengers shall not extend to any special train run upon the railways 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 railways.

Company may take increased charges by agreement.

62. 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 and goods (other than small parcels) by passenger trains.

Classification table to be open to inspection and copies to be sold.

63. The book tables or other document in use for the time being containing the general classification of goods carried by goods or merchandise train on the railways of the Company shall during all reasonable hours be open to the inspection of any person without the payment of any fee at every station at which goods or merchandise are received for transmission and such book tables or other document as annually revised shall be kept on sale at the principal office of the Company at a price not exceeding one shilling The Company shall within one week after application in writing made to the secretary of the Company by any person interested in the carriage of any goods which have been or are intended to be carried over the railways render an account to the person so applying in which the charge made or claimed by the Company for the carriage of such goods shall be divided and the charge for conveyance over the railways shall be distinguished from the terminal charges if any and if any terminal charge is included in such account the nature and detail of the terminal expenses in respect of which it is made shall be specified If the Company fail to comply with the provisions of this section they shall for each offence and in the case of a continuing offence for every day during which the offence continues be liable to a penalty not exceeding five pounds which penalty shall be recovered and applied in the same manner as penalties imposed by section 14 of the Regulation of Railways Act 1873.

Terminal charges (if any) to be specified on application.

Penalty.

36 & 37 Vict. c. 48.

Power to Taff Vale Railway Company to run over part of Railway No. 1.

64. The Taff Vale Railway Company may run over and use with their engines and carriages and with their clerks officers and servants for traffic of every description except passengers to and from the colliery herein-after referred to so much of the Railway (No. 1) as lies between the junction of that railway with the Rhondda Fawr Branch of the Taff Vale Railway and the sidings when made of the colliery now being sunk or intended to be sunk by Mr. Thomas Joseph on land belonging or reputed to belong to Lord Bute near the Blaenselsig Old Farm House which land is numbered 45 and 46 in the parish map of the parish of Ystradyfodwg paying therefor the ordinary tolls of the railway for the actual mileage run and no more and without being subject to any terminal or short distance charge but subject to such regulations as may be agreed on between the Taff Vale Railway Company and the Company or as failing agreement may be determined by an arbitrator to be appointed by the Board of Trade on the application of either party and the cost of the arbitration and of the arbitrator shall be in his discretion and the decision of such arbitrator shall be final and binding on all parties.

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Tolls on traffic conveyed partly on the railways and partly on Taff Vale railways.

65. During the exercise of any running powers hereby given the railways of the Company and of the Taff Vale Railway Company shall for the purposes of short distance tolls and charges be considered as one railway and in estimating the amount of tolls and charges in respect of traffic conveyed partly on the railways of the Company and partly on the railways of the Taff Vale Railway Company 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 railways of the Company and partly on the railways of the Taff Vale Railway Company.

Saving rights of the Crown in the foreshore.

66. Nothing contained in this Act shall authorise the Company to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any right in respect thereof belonging to the Queen's most Excellent Majesty in right of her Crown and under the management of the Board of Trade without the previous consent in writing of the Board of Trade on behalf of Her Majesty (which consent the Board of Trade may give) neither shall anything in this Act contained extend to take away prejudice diminish or alter any of the estates rights privileges powers or authorities vested in or enjoyed or exerciseable by the Queen's Majesty her heirs or successors.

Interest not to be paid on calls paid up.

67. The Company shall not out of any money by this Act authorised to be raised pay interest or dividend to any shareholder on the amount of the calls made in respect of the shares held by him but nothing in this Act shall 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.

68. 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 to 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.

Provision as to general

69. Nothing in this Act contained shall exempt the Company or the railways 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.

Railway Acts.

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

Costs of Act.

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The SCHEDULES referred to in the foregoing Act.

THE FIRST SCHEDULE.

Parish.	No. on Plan.
	Railway No. 1.
Ystradyfodwg - -	48, 49, 50, 44, 45, 46, 47.
Llangynwyd - - -	12, 13, 14.
Margam - - -	18, 19, 32, 26, 53, 52, 40, 48, 54, 55, 64, 4.
Michaelston-super-Afon -	24, 25, 53, 57, 52, 58, 59, 60, 61, 60*a*, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 74, 73, 75, 76, 77*a*, 79, 77, 78, 80, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 114, 115, 116, 117.
Baglan - - - -	1, 2, 3, 5, 6, 7, 7*a*, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 24*a*, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 36, 37, 38, 39, 41.
Llansamlet - - -	5, 6, 7, 2, 3, 1.
	Railway No. 5.
Margam - - -	33, 48, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 64, 40, 65, 66, 67, 68, 69, 70, 71, 72, 73, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86.
	Railway No. 6.
Michaelston-super-Afon -	6, 1, 2, 4, 5.
	Cwmavon Railway and Land.
Margam - - -	The whole.
Michaelston-super-Afon -	
Aberavon - - -	

THE SECOND SCHEDULE.

AN AGREEMENT made the fifteenth day of May one thousand eight hundred and eighty-two between James Shaw of No. 24 Redcliffe Square in the county of Middlesex Esquire and the Cwmafon Estate and Works Company limited (herein-after with the said James Shaw called the said Owners) of the one part and the promoters of a Bill introduced in the present session of Parliament for incorporating a Company to be called "The Rhondda and Swansea Bay Railway Company" who together with the said Company are comprised in the term "the said Promoters" wherever the same is herein-after used of the other part.

WHEREAS the said Owners are the proprietors of an estate in the county of Glamorgan consisting of the Cwmafon Works and lands collieries buildings tramways and works adjoining or adjacent thereto and of a railway constructed for the use and development of the same estate and shown on the plans deposited in reference to the said Bill and known as the Cwmafon Railway all of which several properties are situate in the respective parishes of Margam Michaelston-super-Afon Aberavon and Baglan in the said county of Glamorgan And whereas the said Promoters propose to take power by the said Bill as deposited to purchase and acquire the said Cwmafon Railway and all works junctions sidings lands houses and property rights duties privileges and immunities connected therewith and also to levy tolls in respect of the traffic to be carried by them over the said Cwmafon Railway which tolls as alleged by the said Owners will be much in excess of the costs now incurred by the said Owners in working their traffic over the said railway And whereas the said Owners object to the provisions of the said Bill so far as they relate to the purchase and acquisition of the said Cwmafon Railway and the levying of tolls on their traffic as aforesaid and they have threatened to oppose the said Bill in Parliament Now these presents witness that in consideration of the purchase of the Cwmafon Railway if Parliament should sanction the same by the Promoters and of the loss and injury which the said Owners will sustain by being thereby deprived of the means of working their own traffic over the same and also in consideration of the agreement herein-after contained by the Owners not to oppose the said Bill in the present session of Parliament the said Promoters agree with the said Owners that the tolls which the Company to be incorporated as aforesaid may demand and take from the said Owners in respect of the use by the said Owners and their customers (in connexion with their existing Cwmafon works or any future extension thereof or any works or collieries which may be established or opened out by the said Owners or their successors upon the said estate adjoining to or served by the said Cwmafon Railway) of the railways or works proposed to be constructed or acquired under the powers or provisions of the said Bill for all goods and minerals included under the head of class seven in the toll clauses of

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the said Bill shall not exceed inclusive of all charges for locomotive power carriages (if and when found by the Company to be incorporated as aforesaid) and terminals the following rates (that is to say) for the whole or any portion of the distance between the junction of the said Cwmafon Railway with the proposed railway described in the Bill as Railway No. 6 and the Great Western Railway fourpence halfpenny per ton and from the same junction to any point between the Great Western Railway and Port Talbot for the whole or any portion of the distance sixpence per ton the said tolls being subject to a deduction of one halfpenny a ton in the case of every ton of such goods or minerals carried or conveyed where the trucks shall be found by the freighters the consignors or consignees of such goods or minerals All traffic to be conveyed as aforesaid shall be subject to the ordinary and reasonable byelaws rules and regulations of the Company to be incorporated as aforesaid for the time being in force.

Provided always that if the said Owners shall at any time hereafter find the rates above mentioned to be excessive they shall not be debarred by reason of the existence of this agreement from applying to the Railway Commissioners for a reduction thereof to such a reasonable amount as may be determined by the Railway Commissioners And the said Promoters shall schedule this agreement to the said Bill and insert in the said Bill a clause confirming the said agreement.

And these presents further witness that in consideration of the agreements by the said Promoters herein-before contained the said Owners will not oppose the passing of the said Bill into a law but on the contrary will support the same by all reasonable means at the cost of the Promoters.

And it is hereby declared that these presents are contingent on the proposed Bill passing into an Act during the present session of Parliament.

As witness the hands of the said parties

JAMES SHAW
For self and the Cwm Avon Estate and Works Co. (Limited).

Witness—Henry Nelson.

EDWD. STRICK
Solicitor for the Promoters.

Witness—Eustace Vansittart Freere.

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