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Cap. cclix.

An Act for authorizing the *Rhymney* Railway Company to make and maintain certain new Lines of Railway in connexion with their Undertaking; and for other Purposes. [23d *July* 1866.]

WHEREAS by the *Rhymney* Railway Act, 1857, the *Rhymney* Railway Company (in this Act called "the Company") incorporated by the Act of 1854 (therein recited and thereby repealed) were continued, incorporated, and were authorized to make and maintain the Main Line, and the Branch and Extension and Junction Lines of the *Rhymney* Railway therein (Section 65) described and authorized by their Act of 1854 and their Act of 1855 (also therein recited and thereby repealed), and to make and maintain the *Caerphilly* Branch Railway by the reciting Act (Section 36) authorized, and their Capital was declared (Section 38) to be Three hundred thousand Pounds, and they were authorized (Section 49) to borrow not exceeding One hundred thousand Pounds: And whereas by the "*Rhymney* Railway (Capital and Branch) Act, 1861," the Powers of the Company for making their *Bargoed* Branch Railway which had expired were renewed, and they were authorized (Section 20) to raise an additional Capital of One hundred and forty-one thousand Pounds, and (Section 42) to borrow an additional Sum of Forty-seven thousand Pounds:

17 & 18 Vict. c. cxciii.

24 & 25 Vict. c. cxliv.

27 & 28 Vict. c. cclxiv.

Pounds: And whereas by "The *Rhymney* Railway (*Cardiff* and *Caerphilly*) Act, 1864," the Company were authorized to make and maintain (Section 8) their *Cardiff and Caerphilly* Railway and Lines of Railway at *Eglwysilan*, and (Section 18) to raise an additional Capital of Two hundred and ten thousand Pounds, and (Section 22) to borrow an additional Sum of Seventy thousand Pounds: And whereas by "The

27 & 28 Vict. c. cclxxv.

Rhymney Railway (Northern Lines) Act, 1864," the Company were authorized to make and maintain (Section 8) Lines of Railway having Junctions with the *Brecon and Merthyr Tydfil Junction* Railway (in this Act called "the *Brecon* Railway") and the *Merthyr, Tredegar, and Abergavenny* Railway (in this Act called "the *Abergavenny* Railway") respectively, and (Section 15) to raise a further Capital of Forty-five thousand Pounds, and (Section 17) to borrow a further Sum of Fifteen thousand Pounds: And whereas the Company's authorized Capital is Six hundred and ninety-six thousand Pounds, and they are authorized to borrow on Mortgage Two hundred and thirty-two thousand Pounds: And whereas the Company's Capital is held by registered Holders thereof to the Amount of Three hundred and eighty-nine thousand one hundred and seventy Pounds, which is paid up in full, and their Mortgage Debt is One hundred and twenty-one thousand two hundred and ninety Pounds: And whereas by

27 & 28 Vict. c. ccciv.

"The *Brecon and Merthyr* Railway (New Lines) Act, 1864," the *Brecon and Merthyr Tydfil Junction* Railway Company (in this Act called "the *Brecon* Company") were authorized to make and maintain a Railway (therein called "the *Rhymney Cardiff* Junction"); but it was (Section 12) provided that the *Brecon* Company should not before the First Day of *November* One thousand eight hundred and sixty-five exercise any of their Powers under that Act of acquiring Lands and existing Works for the Purposes of their *Rhymney Cardiff* Junction, and if before that Day the Company gave to the *Brecon* Company Notice in Writing of the Intention of the Company to apply to Parliament in the Year One thousand eight hundred and sixty-five or the Year One thousand eight hundred and sixty-six for Authority for them to make and maintain that Railway, or any Railway by way of Substitution for the same, and applied to Parliament accordingly, then the *Brecon* Company should not before the First Day of *October* One thousand eight hundred and sixty-six exercise any of those Powers for any of those Purposes; and if before that Day Parliament authorized the Company to make and maintain the Railway to which their Application so related, then on the passing of the Act for the Purpose the *Brecon* Company's Powers under the reciting Act for making and maintaining their *Rhymney Cardiff* Junction, and otherwise in relation thereto, should absolutely cease, and they should be freed by the reciting Act from all Liability with respect to the completing and opening for public Traffic of the same; provided that if the Company so applied for Authority to

make

make and maintain a Railway, the Bill deposited by them for the Purpose should contain Provisions proper and sufficient for authorizing the *Brecon* Company to work over and use the Railway, and for affording to them Traffic Facilities in relation thereto, and in that event the *Brecon* Company should not either directly or indirectly offer or sanction any Opposition to the Application, but on the contrary should assent thereto, save only that if the Bill contained any Provisions in excess of the several Purposes provided for by the reciting Section the *Brecon* Company, if they thought fit, might oppose all or any of the Provisions so in excess: And whereas the Company before the First Day of *November* One thousand eight hundred and sixty-five gave to the *Brecon* Company Notice in Writing of the Intention of the Company to apply to Parliament in the Year One thousand eight hundred and sixty-six for Authority for them to make and maintain a Railway by way of Substitution for the so authorized *Rhymney Cardiff* Junction: And whereas the Company are desirous and it is expedient that they be authorized to make and maintain the *Caerphilly Rumney* Junction by this Act authorized by way of Substitution for the so authorized *Rhymney Cardiff* Junction: And whereas it is expedient that the Provisions by this Act made with respect to the working over and using by the *Brecon* Company of that substituted Railway, and Traffic Facilities for them in relation thereto, be made: And whereas it is expedient that the Company be authorized to make and maintain the other Lines of Railway by this Act authorized, and to abandon a Portion of the Railway Number 2. by "The *Rhymney* Railway (Northern Lines) Act, 1864," authorized: And whereas it is expedient that the Company be authorized to acquire Lands near to their *Cardiff* Station for additional Station Accommodation there: And whereas it is expedient that the Company be authorized to raise further Monies: And whereas by "The *Rumney* and *Brecon and Merthyr* Railways Act, 1863," the *Brecon* Company were authorized to make and maintain a Railway (Section 7) commencing by a Junction with the *Rumney* Railway in the Parish of *Bedwelty*, and terminating in the Parish of *Gelligaer* by a Junction with the authorized Line of the Railway fifthly authorized by "The *Brecon and Merthyr* Railway Act, 1862;" but it was provided (Section 6) that in the event of the Company completing their *Bargoed* Branch the *Brecon* Company should not, without the previous Consent of the Company in Writing under their Common Seal, take, use, or enter upon any Land of the Company, save only that the *Brecon* Company might take and use such an Easement in or affecting any Land of the Company as should be necessary for the making, maintaining, and using by the *Brecon* Company of the Junction by the reciting Act authorized to be made, maintained, and used by them, but, except with the like Consent, not for any other Work or Purpose; and (Section 9) reciting that by "The *Rhymney* Railway (Capital and Branch) Act, 1861," the

26 & 27 Vict. c. ccii.

the Company were then authorized to make the *Bargoed* Branch, commencing by a Junction with the Main Line of the *Rhymney* Railway at or near to the *Bargoed* Station thereon, and terminating in the Parish of *Gelligaer*, and by "The *Brecon and Merthyr* Railway (Extensions) Act, 1861," the Company were then authorized to make and maintain a Junction of the *Bargoed* Branch with a Railway of the *Brecon* Company in and by that Act secondly described and authorized, and that the Powers of the Company to construct the *Bargoed* Branch would expire on the Tenth Day of *July* One thousand eight hundred and sixty-five, and that the Line of the Railway by the reciting Act authorized was for a Portion of its Length, (that was to say,) from a Point distant One Mile and Two Furlongs or thereabouts from its Commencement to its Termination, as shown on the Plans deposited for the Purposes of the reciting Act, identical, or nearly so, with the Line of the *Bargoed* Branch, it was enacted that the *Brecon* Company should not proceed under the Powers of the reciting Act with the Purchase of Land for or the Construction of that Portion of the Railway by the reciting Act authorized before the Eleventh Day of *July* One thousand eight hundred and sixty-five, except with the Consent of the Company under their Common Seal, but if the Company should not on or before that Day have completed and opened for Traffic the *Bargoed* Branch, and also the Junction authorized by "The *Brecon and Merthyr* Railway (Extensions) Act, 1861," between the *Bargoed* Branch and the Railway of the *Brecon* Company secondly described and authorized by the Act, then the *Brecon* Company might proceed with the Purchase of Land for and the Construction of that Portion of the Railway by the reciting Act authorized: Provided that the Completion and opening for Traffic by the *Brecon* Company of the Portion of the Railway by the reciting Act authorized from its Commencement to the Point distant One Mile and Two Furlongs from its Commencement, and the Completion and opening for Traffic by the Company of the *Bargoed* Branch, should discharge the *Brecon* Company from all Liability to complete or open for Traffic the remaining Portion of that Railway, and for all Forfeitures and Penalties by the reciting Act imposed in respect of the Non-completion thereof: And whereas before the Month of *November* One thousand eight hundred and sixty-four the *Brecon* Company made Part of their Railway, and the Company completed their *Bargoed* Branch and a Junction thereof, called the *Deri* Junction, with that Part of the *Brecon* Company's Railway: And whereas in the Month of *November* One thousand eight hundred and sixty-four the *Bargoed* Branch was opened for Traffic, and from Time to Time since that Month there has been carried over the same all such Traffic as the *Brecon* Company have thought fit to send over the same: And whereas ever since the Twenty-fourth Day of *June* One thousand eight hundred and sixty-five Goods, Merchandise, and Mineral Traffic has been booked and carried through over the *Bargoed*

24 & 25 Vict. c. ccxxxv.

goed Branch between the *Brecon* Company's Line and *Cardiff*: And whereas it is expedient that the Powers, if any, of the *Brecon* Company under their recited Act of 1863 for making that Portion of the Railway by that Act authorized which lies between a Point One Mile and Two Furlongs or thereabouts from the Commencement thereof and the Termination thereof, and their Powers, if any, for taking Lands for the Purpose, be extinguished: And whereas it is expedient that the Provision by this Act made with respect to the working over by the Company of Part of the *Abergavenny* Railway be made: And whereas it is expedient that further Provision be made with respect to the Company: And whereas Plans and Sections of the intended Railways showing the Lines and Levels thereof respectively, and the Plans also showing the Lands to be taken for the Purposes thereof and for other Purposes of this Act, and Books of Reference to the Plans containing the Names of the Owners and Lessees, or reputed Owners and Lessees, and Occupiers of the Lands, have been deposited with the respective Clerks of the Peace for the Counties of *Glamorgan* and *Brecon* and *Monmouth*, and those Plans, Sections, and Books of Reference are in this Act referred to as the deposited Plans, Sections, and Books of Reference: 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:

Short Title.

1. This Act may for all Purposes be cited as "*Rhymney* Railway (New Lines) Act, 1866."

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

2. The Provisions following of "The Companies Clauses Consolidation Act, 1845," that is to say,

With respect to the Distribution of the Capital of the Company into Shares;

With respect to the Transfer or Transmission of Shares;

With respect to the Payment of Subscriptions and the Means of enforcing the Payment of Calls;

With respect to the Forfeiture of Shares for Nonpayment of Calls;

With respect to the Remedies of Creditors of the Company against the Shareholders;

With respect to the borrowing of Money by the Company on Mortgage;

With respect to the Conversion of the borrowed Money into Capital;

With respect to the Consolidation of the Shares into Stock;

With respect to the General Meetings of the Company, and the Exercise of the Right of voting by the Shareholders;

With respect to the making of Dividends and giving of Notices;

With respect to the Provision to be made for affording Access to the Special Act;

and Part I. (relating to the Cancellation and Surrender of Shares), and Part II. (relating to additional Capital), and Part III. (relating to Debenture Stock) of "The Companies Clauses Act, 1863," and "The Lands Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Acts Amendment Act, 1860," and "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," are (except where expressly varied by this Act) incorporated with and are Part of this Act.

Interpretation of Terms.

3. The several Words and Expressions to which by the Acts in whole or in part incorporated with this Act Meanings are assigned shall have in this Act the same respective Meanings, unless there be in the Subject or Context something repugnant to the Construction; and the Expression "the Company" means the *Rhymney* Railway Company, and the Expression "the *Brecon* Company" means the *Brecon and Merthyr Tydfil Junction* Railway Company, and the Expression "the *North-western* Company" means the *London and North-western* Railway Company, and the Expression "the Local Board of Health" and "the Local Board" shall mean the Mayor, Aldermen, and Burgesses of the Borough of *Cardiff* acting as the *Cardiff* Local Board of Health, and the Expression "Superior Courts" or "Court of competent Jurisdiction," or any other like Expression in this Act or any Act in whole or in part incorporated with this Act, shall for the Purposes of this Act 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.

Power to make Railways and take Lands for the Purpose according to deposited Plans.

4. Subject to the Provisions of this Act, the Company may make and maintain in the Lines and in accordance with the Levels shown on the deposited Plans and Sections the Railways in this Section described, with all proper Sidings, Stations, Approaches, Works, and Conveniences connected therewith, and may enter upon, take, and use such of the Lands shown on the deposited Plans and specified in the deposited Books of Reference as the Company require for that Purpose. The Railways in this Section referred to and authorized by this Act are:—

1. A Railway (No. 1.), Seventy-six Chains in Length (the *Caerphilly Rumney* Junction), commencing in the Parish of *Bedwas* by a Junction with the *Caerphilly* Branch of the *Brecon* Company's *Rumney* Railway, and terminating in the Parishes of *Rudry* and *Bedwas*, or One of them, by a Junction with the Railway

Railway No. 1. described in the *Rhymney* Railway (*Cardiff* and *Caerphilly*) Act, 1864:

2. A Railway (No. 2.), Fifty-one Chains in Length (the Northern Extensions Deviation), commencing in the Parishes of *Llangynider* and *Bedwelty*, or One of them, by a Junction with the Railway No. 2. described in the *Rhymney* Railway (Northern Lines) Act, 1864, and terminating by a Junction in the Parish of *Llangynider* with the *North-western* Company's *Merthyr, Tredegar, and Abergavenny* Branch Railway.

Power to take Lands for Station Accommodation at Crockherbtown.

5. For the Purposes of Station Accommodation, Depôts, Sidings, and other Works at *Cardiff* the Company may enter upon, take, and use the Lands shown on the deposited Plans, and specified in the deposited Books of Reference, which lie along both Sides of that Portion of the Company's Railway which lies between the Southern Side of the Bridge by which their *Bute Dock* Branch is carried over the *Newport Road* otherwise *Crockherbtown* in the Parish of *Saint John the Baptist, Cardiff*, and the Bridge by which their *Bute Dock* Branch is carried over the Continuation of *Tyndall Street* in the Parish of *Saint Mary, Cardiff*: Provided always, that nothing in this Act contained shall authorize the Company, without the previous Consent in Writing of the *Taff Vale* Railway Company under their Common Seal, to enter upon, take, or use any Part of the triangular Piece of Land belonging to the *Taff Vale* Railway Company situate and being between the *Taff Vale* Railway and the Company's Railway in the Parish of *Saint John the Baptist, Cardiff*.

Company in widening Bridges in Cardiff to observe certain Lines.

6. The Company in widening their present Bridges over *Windsor Road*, *Adam Street*, and *Gaol Lane* respectively shall not, without the Consent in Writing of the Local Board of Health, carry any Addition to the present Abutments beyond the Red Lines in that Behalf shown on a Plan signed by *William Pollard Urquhart*, and deposited in the Private Bill Office of the Honourable the House of Commons; and if the Company for widening their Bridge over *Windsor Road* occupy any Portion of *Luton Street* so as to render necessary the Diversion thereof in order to give convenient and proper Access to the *Windsor Road*, the Company shall pay to the Local Board their reasonable Costs and Expenses incurred in executing the Diversion.

Screens to cover Bridges in Cardiff.

7. The Company, if required by the Board of Trade, shall construct and maintain such Parapet Walls or Screens, if any, at and upon the Bridges over the *Newport Road, Gaol Lane, Adam Street*, and *Windsor Road* respectively as the Board of Trade think requisite for preventing Horses passing along those Roads respectively from being alarmed by the Sight of Engines and Trains passing along the Railway.

8. If

As to Diversion of a Footpath.

8. If the Company divert the Footpath over the Ten-acre Field in *Cardiff*, the Diversion thereof shall not be beyond the Limits of Deviation shown on the deposited Plans.

Sewers, &c. in Cardiff to be arched over.

9. If the Company construct any Embankment or erect any Building over any Sewer or Main Drain in the Borough of *Cardiff*, they shall, before the Commencement of the Work, at their own Expense and to the reasonable Satisfaction of the Local Board, construct and thenceforth maintain such a good and sufficient relieving Arch or Culvert over each such Sewer and Drain as is necessary to protect the same from the Weight of the Works, and leave the same accessible for the Purpose of Repairs.

Power to raise additional Capital by new Shares.

10. The Company may from Time to Time raise by the Creation and Issue of new Shares of not less than Ten Pounds each, and whether ordinary or preferential or both, an additional Capital of Sixty-six thousand Pounds.

Shares not to issue until One Fifth paid up.

11. The Company shall not under this Act issue any Share, nor shall any Share vest in the Person accepting it, unless and until a Sum not being less than One Fifth of the Amount of the Share be paid in respect thereof.

Calls.

12. 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 Fifths of the Amount of a Share shall be the utmost aggregate Amount of the Calls made in any Year upon any Share created under this Act.

Power to divide Shares.

13. 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 of their Capital into Half Shares, of which one shall be called "Preferred Half Share," and the other shall be called "Deferred Half Share:" Provided that the Company shall not divide any Share under this Act unless and until not less than Sixty *per Centum* upon the Share be 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 Amount payable thereon), and the Residue to the Credit of the Preferred Half Share.

Dividends on Half Shares.

14. The Dividend which from Time to Time would be payable on any divided Share if it continued an entire Share shall be applied in Payment

Payment of Dividends on the Two Half Shares in manner following; (that is to say,)

First, in Payment of Dividend, after such Rate not exceeding Six Pounds *per Centum per Annum*, as is determined by a General Meeting of the Company specially convened for the Purpose, on the Amount from Time to Time 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 from Time to Time be payable on the entire Share if it were not divided.

Dividend on Preferred Shares to be paid out of the Profits of the Year only.

15. Every Preferred Half Share shall be entitled out of the Profits of every Year to the Dividend so attached to it by the Company in priority to the Deferred Half Share bearing the same Number, but if in any Year ending with the Thirty-first Day of *December* there be not Profits available for the Payment of the full Amount of Dividend for that Year on any Preferred Half Share, 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.

16. Forthwith after the Creation of any Half Shares they shall be registered by the Company, and each Half Share shall bear the same Number as the Number of the divided Share, and the Company shall issue Certificates of the Half Shares accordingly, and shall make an Entry in the Register of the entire Shares of the Conversion thereof: Provided that the Company shall not be bound to issue a Certificate of any Half Share until the Certificate of the entire Share be delivered to them to be cancelled, unless it be shown to the Satisfaction of the Directors that the Certificate is destroyed or lost, and on any such Certificate being so delivered up the Company shall cancel it.

Terms of Issue to be stated on Certificates.

17. 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 Half Share.

Forfeiture of Preferred Shares.

18. The Provisions of "The Companies Clauses Consolidation Act, 1845," with respect to the Forfeiture of Shares for Nonpayment of Calls, apply to all Preferred Half Shares created under this Act, and every "Preferred Half Share" shall for that Purpose be considered a whole Share distinct from the corresponding "Deferred Half Share:" Provided that until any forfeited Preferred Half Share be sold by the Company, all Dividends which would be payable thereon if it were not forfeited shall be applied in or towards Payment of any Expenses attending the Declaration of Forfeiture thereof, and of the Arrears of Calls from Time to Time due thereon, with Interest.

Preferred Shares not to be cancelled or surrendered.

19. No "Preferred Half Share" created under this Act shall be cancelled or be surrendered to the Company.

Half Shares to be Half Shares of Capital.

20. The several Half Shares under this Act shall be Half Shares of the Capital of the Company, and every Two Preferred or Deferred Half Shares held by the same Person shall confer such Right of voting at Meetings of the Company, and (subject to the Provisions of this Act) 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 additional Monies on Mortgage.

Restriction on borrowing.

21. The Company from Time to Time may borrow on Mortgage, and in addition to the Amount which they are already authorized to borrow, any Sums not exceeding in the whole Twenty-two thousand Pounds, but no Part of that Sum of Twenty-two thousand Pounds shall be borrowed until the whole additional Capital of Sixty-six thousand Pounds by this Act authorized is subscribed for, issued, and accepted, and One Half thereof is paid up, and the Company have proved to the Justice who is to certify, under Section 40 of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that the whole of that additional 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 has been paid on account thereof before or at the Time of the Issue or Acceptance thereof, and that the additional Capital was issued *bonâ fide*, and is held by the Subscribers or their Assigns, and that such Subscribers or their Assigns are legally liable for the same; and upon Production to such Justice of the Books of the Company, and of such other Evidence as he shall think sufficient, he shall grant a Certificate that the Proof aforesaid has been given, which Certificate shall be sufficient Evidence thereof.

Existing Mortgages to have Priority.

22. All Mortgages granted by the Company before the passing of this Act in pursuance of the Powers of any Act of Parliament, and which are subsisting at the Time of the passing of this Act, shall, during the Continuance of those Mortgages, have Priority over any Mortgages granted by virtue of this Act.

Arrears may be enforced by Appointment of a Receiver.

23. The Mortgagees of the Company under this Act 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 the Amount owing to the Mortgagees by whom the Application for a Receiver is made shall not be less in the whole than One Tenth of the Company's then Mortgage Debt under this Act.

24. The

Debenture Stock.

24. The Company may create and issue Debenture Stock.

Application of Monies.

25. All Monies raised under this Act, whether by Shares or by Debenture Stock or by borrowing, shall be applied for the Purposes of this Act only, and the Company may apply for Purposes of this Act any Monies raised by them under any other Act, and not thereby appropriated for any specified Purpose, or, if so appropriated, not required for that Purpose.

Debenture Stock and Preferential Shares not to confer Votes or Qualification.

26. No Debenture Stock or Preferential Shares or Stock of the Company issued after the passing of this Act shall confer any Right of voting or any Qualification, except so far as the Company resolve that such Stock or Preferential Shares shall confer any such Right or Qualification.

Lands for extraordinary Purposes.

27. The Company from Time to Time, by Agreement, may purchase for the extraordinary Purposes specified in "The Railways Clauses Consolidation Act, 1845," any Quantity of Land not exceeding Three Acres.

Powers for compulsory Purchases limited.

28. 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 after the passing of this Act.

Period for Completion of Works.

29. The Railways by this Act authorized shall be completed within Five Years from the passing of this Act, and on the Expiration of that Period the Powers by this Act granted to the Company for making those Railways, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as is then completed.

Penalty for Non-completion of Railways within Period limited for Completion thereof.

30. After the Expiration of the Period by this Act limited for the Completion of the Railways by this Act authorized, if the same be not completed, the Company shall be liable to a Penalty of Fifty Pounds a Day, to be recoverable as a Debt due to the Crown, for every Day after the Period so limited until those Railways are completed and opened for public Traffic; but no Penalty shall accrue in respect of any Time during which it appears, by a Certificate to be obtained from the Board of Trade, that the Company were prevented from completing or opening the Railways by unforeseen Accident, or Circumstances beyond their Control; provided that the Want of sufficient Funds shall not be held to be a Circumstance beyond their Control.

Notice to be given of taking Houses of Labouring Classes.

31. The Company shall, not less than Eight Weeks before they take in any Parish Fifteen Houses or more occupied either wholly or in part by Persons belonging to the Labouring Classes as Tenants or Lodgers,

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 the Houses, and the Company shall not take any such House until they have obtained the Certificate of a Justice that it has been proved to his Satisfaction that the Company have made known in manner required by this Section their Intention to take the same.

Inclination of Roads.

32. In altering for the Purposes of this Act the Roads following the Company may make the same of any Inclination not steeper than the Inclination following; (that is to say,)

No. on deposited Plan.	Parish.	Description of Road.	Intended Inclination.
17	Bedwas - -	Public Highway -	1 in 12
60	Llangynider -	Turnpike Road -	1 in 22

Company to abandon Part of Railway No. 2. authorized by their Northern Lines Act, 1864.

33. The Company shall abandon the making of so much of the Railway No. 2. authorized by "The *Rhymney* Railway (Northern Lines) Act, 1864," as lies between the Points of Commencement and Termination of the Railway No. 2. by this Act authorized, and which will be rendered useless by the making of that Railway.

Compensation to be made in respect of Portion of Railway abandoned.

34. Where before the passing of this Act any Contract was entered into or Notice given by the Company for purchasing any Land for the Purposes of or in relation to any Portion of any Railway or Works by this Act authorized to be abandoned, and not required for the Purposes of any of the Works by this Act or any other Act relating to the Company authorized, full Compensation shall be made by the Company to the Owners and Occupiers or other Persons interested in those Lands for all Injury or Damage sustained by them respectively by reason of the Purchase not being completed pursuant to the Contract or Notice, and the Amount and Application of the Compensation shall be determined in manner by "The Lands Clauses Consolidation Act, 1845," provided for determining the Amount and Application of Compensation for Lands taken under the Provisions thereof.

Compensation for Damage to Land by Entry, &c. for Purposes of Portion of Railway abandoned.

35. The Abandonment by the Company, under the Authority of this Act, of any Portion of any Railway or Works shall not prejudice or affect the Right of the Owner or Occupier of any Land to receive Compensation, in accordance with the Provisions in that Behalf of "The Lands Clauses Consolidation Act, 1845," for any Damage occasioned by the Entry of the Company on the Land for the Purpose of surveying and taking Levels, or probing or boring to ascertain the Nature

Nature of the Soil, or setting out the Line of Railway, and shall not prejudice or affect the Right of the Owner or Occupier of any Land which has been temporarily occupied by the Company to receive Compensation, in accordance with the Provisions in that Behalf of "The Railways Clauses Consolidation Act, 1845," for the temporary Occupation, or for any Loss, Damage, or Injury which has been sustained by the Owner or Occupier by reason thereof, or of the Exercise as regards the Land of any of the Powers contained in the last-mentioned Act, or "The *Rhymney* Railway (Northern Lines) Act, 1864."

Railways authorized to be Part of Rhymney Railway.

36. Except as is by this Act otherwise provided, the Railways by this Act authorized shall for all Purposes of Tolls, Fares, Rates, and Charges, and for all other Purposes, be Part of the Company's *Rhymney* Railway as if authorized by "The *Rhymney* Railway Act, 1857."

Tolls on Coals.

37. The maximum Toll, Rate, or Charge which the Company may demand and take in respect of Coals conveyed upon the Railways by this Act authorized shall not exceed One Penny a Ton a Mile, which shall be divided in the following Proportions; (that is to say,)

For Toll, One Halfpenny a Ton a Mile:

For the Use of Waggons or Trucks, if supplied by the Company, One Eighth of a Penny a Ton a Mile:

For locomotive Power, if provided by the Company, Three Eighths of a Penny a Ton a Mile.

Tolls on Railways worked over under Act.

38. If and whenever the Company, or any other Company named in this Act, in pursuance of this Act, or of any Agreement or Arrangement in that Behalf by this Act authorized, work over any Railway not their own, then the Company so working may demand and take in respect of the Railway so worked over for all Passengers, Animals, and Goods conveyed by them thereon, and for Carriages, Waggons, and Trucks respectively provided by them and conveying the same, and for Locomotive Engines or other Power provided by them, and for all Services performed by them thereon or in connexion therewith, and for all other Matters with respect to Traffic conveyed by them thereon, a like Amount of Tolls, Fares, Rates, and other Charges as by the several Acts relating to the respective Railways, or any of them, the Company owning the Railway so worked over are authorized to demand and take for like Traffic, Services, and Matters on or with respect to that Railway, and in like Manner, and with and subject to like Powers and Provisions in all respects, and like Limitation of maximum Charges, as if the Company so working were the Owners of that Railway.

Tolls on Traffic conveyed partly on Railway of Company and partly on Railway of any other Company.

39. During the Continuance of any Provisions of this Act under which the Company work over any Railways not their own, or any other Company work over any of the Railways of the Company, the Railways of the Company and of the other Company shall, for the Purposes of Tolls and Charges, be considered as One Railway; and in estimating the Amount of Tolls and Charges, in respect of Traffic conveyed partly on any of the Company's Railways and partly on any of the Railways of the other Company for a Distance less 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 any of the Railways of the Company, and partly on any of the Railways of the other Company.

Powers of Brecon Company for making Part of Line authorized by their Act of 1863 extinguished.

40. Provided the Sanction of the Board of Trade for the opening of the *Bargoed* Branch for Passenger Traffic be obtained at the same Time as or before the Board of Trade's Sanction for the opening for Passenger Traffic of the Railway of the *Brecon* Company between *Pontsticill* and the Junction with the *Bargoed* Branch called the *Deri* Junction is obtained, and the Company give to the *Brecon* Company Notice in Writing that the *Bargoed* Branch is completed and is open for public Traffic, then, or if the Sanction of the Board of Trade in either Case be not obtained on or before the Fifteenth Day of *October* One thousand eight hundred and sixty-six then on that Day, the Powers of the *Brecon* Company with respect to the making and maintaining by them of that Part of the Railway by the "*Rumney* and *Brecon and Merthyr* Railways Act, 1863," authorized, which if made would lie between a Point distant One Mile and Two Furlongs or thereabouts from its Commencement to its Termination, and which is rendered useless by the making of the Company's *Bargoed* Branch, and with respect to the entering upon, taking, and using of Lands for the Purpose, are by this Act extinguished.

Power for Brecon Company to work over Caerphilly Rumney Junction.

41. The *Brecon* Company, subject to the Terms and Conditions of the Agreement set forth in the Schedule to the "*Rhymney* Railway (*Cardiff* and *Caerphilly*) Act, 1864," annexed, and their Officers and Servants, from Time to Time, after the opening for public Traffic of the *Caerphilly Rumney* Junction by this Act authorized, may run over, work, and use with their Engines and Carriages, and for the Purposes of their Railway Traffic, that Railway, and the several Stations, Sidings, Watering Places, Works, and Conveniences upon that Railway,

Railway, upon such Terms, and subject to such Payments, and upon such Conditions, as are set forth in that Agreement.

Power for Company to work over Abergavenny Railway.

42. The Company and their Officers and Servants from Time to Time may, for the Purposes of Traffic to or from *Cardiff* or any Place on the *Rhymney* Railway, run over, work, and use with their Engines and Carriages the Portion of the *Abergavenny* Railway of the *North-western* Company and the Branch Railways connected therewith between the authorized Junction of the Company's Railway with the *Abergavenny* Railway and the proposed *Brynmaur* Junction of the *Brynmaur and Blaenavon* Railway with that Railway, and the Booking Offices, Sidings, Works, and Conveniences on or connected with those Railways, upon such Terms, and under such Payments, and upon such Conditions, as the Company and the *North-western* Company from Time to Time mutually agree on, or as, failing their Agreement thereon, are determined by an Arbitrator to be from Time to Time, on their or either of their Application, appointed by the Board of Trade.

Terminal Station.

43. No Station shall for the Purposes of this Act be considered a Terminal Station in regard to any Goods conveyed on any Railway to which this Act relates, unless the Goods have been received thereat direct from the Consignor, or are directed to be delivered thereat to the Consignee.

Interest not to be paid on Calls paid up.

44. The Company shall not, out of any Money by this Act authorized to be raised by Calls or by borrowing, pay Interest or Dividend to any Shareholder on the Amount of the Calls made in respect of the Shares held by him: Provided that this Act shall not prevent the Company from paying to any Shareholder such Interest on Money advanced by him beyond the Amount of the Calls actually made as is in conformity with "The Companies Clauses Consolidation Act, 1845."

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

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

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

46. Nothing in this Act contained shall exempt the Railways by this Act authorized from the Provisions of any present or future General Act relating to Railways, or the better and more impartial Audit of the Accounts of Railway Companies, from Time to Time in force, or from any future Revision or Alteration, under the Authority of

of Parliament, of the maximum Rates of Fares and Charges, or of the Rates for small Parcels, authorized by this Act.

Expenses of Act.

47. 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.

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