CHAPTER cxxxv.

An Act to confer further powers on the Taff Vale Railway Company with reference to the construction of new and authorised railways the acquisition of lands and the raising of capital and for other purposes. A.D. 1882.

[12th July 1882.]

WHEREAS it is expedient that the Taff Vale Railway Company (in this Act called "the Company") should be empowered to make the new railways and to acquire the lands in this Act respectively mentioned or referred to and to raise additional capital for those purposes and also for the general purposes of their undertaking:

And whereas it is expedient that the time limited by the Taff Vale Railway Act 1879 for the construction of the railway by that Act authorised which will expire on the 21st day of July 1882 should be extended: 42 & 43 Vict. c. cxxxix.

And whereas plans and sections showing the lines and levels of the railways authorised by this Act and plans showing the lands required or which may be taken for the purposes or under the powers of this Act and also books of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of those lands 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 objects of this Act cannot be attained without the authority of Parliament:

May it therefore please Your Majesty that it may be enacted and be it enacted by the Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows (that is to say):

1. This Act may be cited for all purposes as the Taff Vale Railway Act 1882. Short title.

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Incorporation of general Acts.

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.

8 & 9 Vict. c. 16.

2. The following Acts and parts of Acts are except where expressly varied by this Act incorporated with and form part of this Act (that is to say):—

The Lands Clauses Consolidation Acts 1845 1860 and 1869;

The Railways Clauses Consolidation Act 1845;

Part I. (relating to construction of a railway) and Part II. (relating to extension of time) of the Railways Clauses Act 1863;

The clauses and provisions of the Companies Clauses Consolidation Act 1845 with respect to the following matters (that is to say):

The distribution of the capital of the Company into shares;

The transfer and transmission of shares;

The payment of subscriptions and the means of enforcing the payment of calls;

The forfeiture of shares for nonpayment of calls;

The remedies of creditors of the Company against the shareholders;

The consolidation of the shares into stock;

The general meetings of the Company and the exercise of the right of voting by the shareholders;

The making of dividends;

The borrowing of money on mortgage or bond;

The conversion of the borrowed money into capital;

The giving of notices; and

The provision to be made for affording access to the special Act by all parties interested;

and Part I. (relating to cancellation and surrender of shares) Part II. (relating to additional capital) and Part III. (relating to debenture stock) of the Companies Clauses Act 1863.

26 & 27 Vict. c. 118.

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 railway" or "the railways" means the railways by this Act authorised:

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 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 simple contract debt and not a debt or demand created by statute.

Power to Company to make railways.

4. 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 approaches works and conveniences connected therewith and may enter upon take and use such of the lands delineated on the deposited plans and described in the deposited book of reference as may be required for that purpose:

The railways herein-before referred to and authorised by this Act are—

(1.) A railway (distinguished on the deposited plans and sections and in this Act referred to as Railway No. 2) one furlong nine chains and fifty links in length wholly in the parish of Merthyr Tydfil commencing by a junction with the Taff Vale Railway near the southern end of the old passenger station of the Company at Merthyr Tydfil and terminating on the western side of the River Taff near the yard or gasworks of the Merthyr Tydfil Gas Company:

(2.) A railway (distinguished on the deposited plans and sections and in this Act referred to as Railway No. 3) one furlong nine chains and seventy-five links in length wholly in the parish of Merthyr Tydfil commencing at the termination of Railway No. 2 and terminating near the Ynis Fach Ironworks of Messieurs Crawshay Brothers:

(3.) A railway (being part of the railway distinguished on the deposited plans and sections and in this Act referred to as Railway No. 4) three chains and twenty links in length wholly in the parish of Merthyr Tydfil commencing by a junction with the railway in the joint use of the Brecon and Merthyr Tydfil Junction Railway Company and the London and North-western Railway Company at the existing termination thereof one hundred yards or thereabouts north of the bridge carrying that railway over the public road leading from Merthyr Tydfil towards Mountain Ash and terminating by a junction with Railway No. 3 at the commencement thereof.

Tolls, &c.

5. With respect to tolls rates and charges and for all other purposes whatever the railways shall be part of the Company's undertaking and the Company may demand tolls rates and charges in respect thereof accordingly not exceeding the tolls rates and charges authorised by the Act Local and Personal 6 and 7 William the Fourth chapter 82 as altered or varied by the Taff Vale Railway Act 1857.

20 & 21 Vict. c. cliii.

For the protection of the Merthyr Tydfil Local Board of Health.

6. The following provisions shall have effect for the benefit and protection of the Merthyr Tydfil Local Board of Health (herein-after referred to as "the local board"):

(*a.*) Where any of the works to be made or executed under the authority of this Act shall or may pass over under or by the

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side of or so as to interfere with any sewage carrier sewer drain water carrier pipe culvert tank or other work of the local board the Company shall not commence such works until they have given to the local board fourteen days previous notice in writing of their intention to commence the same by leaving such notice at the principal office of the local board at Merthyr Tydfil with a plan and section showing how such work of the local board is intended to be dealt with and until the local board shall have signified their approval of the same by writing under the hand of their engineer unless the local board fail to signify their approval disapproval or give other directions within fourteen days after service of such notice and the Company shall comply with and conform to all reasonable directions and regulations of the local board or of their engineer in the execution of the said works and shall if necessary in the opinion of the engineer to the local board provide by new altered or substituted works in such manner as the local board or their engineer shall reasonably require for the proper protection of and for preventing injury or impediment to the system of sewage and water supply of the local board by or by reason of the works of the Company or any part thereof and shall save the local board harmless against all and every expense to be occasioned thereby and all such works shall be done under the direction superintendence and control of the engineer or other officer or officers of the local board at the reasonable costs and expenses in all respects of the Company and when any new altered or substituted works as aforesaid or any works or defence connected therewith shall be completed by or at the costs charges or expenses of the Company under the provisions of this section the same shall thereafter be as fully and completely the property of and under the direction jurisdiction and control of the local board as the case may be as any works of the local board now are or hereafter may be;

(*b.*) The Company shall within six months after the passing of this Act acquire the land in the parish of Merthyr Tydfil by this Act authorised to be acquired and herein-after described and shall construct and for ever after maintain thereon or at some other convenient place at their own expense a passenger railway station for the convenience of the inhabitants of Merthyr Vale and such of the Company's ordinary passenger trains as stop at their Troedyrhiw Station shall stop and take up and set down passengers at such Merthyr Vale Station:

(*c.*) If any difference shall arise between the Company and the local board with reference to any of the provisions of this sec-

tion the same shall if not otherwise agreed between them be determined by an engineer to be appointed as arbitrator by the Board of Trade on the application of either party and the decision of every such arbitrator shall be binding and conclusive and the costs of the arbitration shall be in his discretion;

(*d.*) Save as in this Act expressly provided nothing in this Act shall extend to prejudice diminish alter or take away any of the rights powers or authorities vested or to be vested in the local board or their successors but all such rights powers and authorities shall be as valid and effectual as if this Act had not been passed.

For the protection of the company of proprietors of the Glamorganshire Canal Navigation.

7. The following provisions shall have effect for the protection of the company of proprietors of the Glamorganshire Canal Navigation (herein-after referred to as "the canal company"):

(*a.*) The Railway No. 3 and works connected therewith by this Act authorised shall not when completed interfere with the waterway locks or towing-path of the canal of the canal company except by the bridge carrying the railway across the canal and towing-path and such bridge shall have a clear width of thirty feet on the square and a clear height of eight feet from the present level of the towing-path to the under side of the girder and the abutments of the bridge shall be built parallel with the centre line of the canal and proper retaining walls shall be built and maintained by the Company for supporting the towing-path beneath such bridge:

(*b.*) During the construction of the said railway and works neither the waterway nor locks of the canal nor any land within twenty feet of either side of any lock nor any part of the towing-path shall be taken nor shall the same be interfered with except so far as may be necessary for carrying the said bridge over the same and neither during the construction of the said bridge nor at any other time shall the free passage of traffic along the canal or towing-path be impeded and the canal office lock-keeper's house shed garden and land numbered 9 and 10 on the deposited plans shall not be taken or interfered with except so far as the canal company may voluntarily consent thereto:

(*c.*) All existing tramways roads and communications between the canal and any collieries mines works quarries or clay pits which shall be severed from the canal by the railways by this Act authorised or either of them shall be kept open by means of bridges to be constructed and for ever after maintained by and at the expense of the Company to the reasonable satis-

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faction of the engineer of the canal company and all such bridges shall be of not less than twelve feet span and eight feet high :

(*d.*) In case the canal company or the proprietor or proprietors of any collieries mines works or quarries or other person or persons having a right under the Canal Companies Acts to make railways or roads for bringing goods to or from the canal shall at any time hereafter desire to make any such railway or road under or over the railways by this Act authorised or either of them it shall be lawful for them or him so to do and any such railway or road to be constructed under the railways by this Act authorised or either of them may be carried under such railways or railway by means of a bridge having a span not exceeding twelve feet and whether such railway or road shall be over or under the railways by this Act authorised or either of them the bridge carrying the same over or under the last-mentioned railways or railway shall be constructed to the reasonable satisfaction of the Company's engineer :

(*e.*) No streams brooks or rivulets the water of which flows directly or indirectly into the canal and no watercourses pipes and appliances for bringing the water of such streams brooks and rivulets to the canal shall be obstructed by the Company during or after the construction of the works hereby authorised the intent being that the same may continue to supply the canal with water as effectually as they now do and all existing sluices outlets watercourses pipes and appliances for discharging water from the canal shall in like manner not be obstructed and all culverts watercourses and other works necessary for effecting the purposes of this enactment shall (so far as they are situate on land belonging to the Company) be made and for ever maintained by the Company to the reasonable satisfaction of the canal company's engineer :

(*f.*) Inasmuch as the canal company were required by section 4 of the statute by which they were incorporated (30 Geo. 3. c. 82) to make and maintain upon the lock of the said canal the low water whereof should be nearest upon a level with the top of a certain weir across the River Taff near Merthyr Bridge by means whereof certain mills and ironworks near Merthyr Tydfil then the property of the Right Honourable the Earl of Plymouth were supplied with water an aqueduct and other works in the said section described for preventing the said works being deprived of water and have accordingly made and maintained such aqueduct and other works It is hereby provided that the said aqueduct and other works shall be preserved

during and for ever after the construction of the railways and works by this Act authorised and shall not be taken or interfered with for any of the purposes of this Act:

(*g.*) Where any public or private roads or bridges at present maintained by the canal company shall be taken diverted or interfered with for any of the purposes of this Act the same shall be restored and rebuilt to the reasonable satisfaction of the engineer of the canal company and if any bridges carrying roads across the canal shall be rebuilt or altered the same shall when rebuilt or altered be of a height and span at least equal to their present height and span:

(*h.*) The Company shall be responsible in damages to the canal company for any injury to their canal or works which may happen whether by accident or otherwise by reason of the construction of the railways or works by this Act authorised:

(*i.*) Save as is herein expressly provided nothing in this Act contained shall take away abridge or interfere with any of the rights or powers of the canal company.

Imposing penalty unless railways opened.

8. If the Company fail within the period limited by this Act to complete the railways the Company shall be liable to a penalty of fifty pounds a day for every day after the expiration of the period so limited until the railways are completed and opened for public traffic or until the sum received in respect of such penalty shall amount to five per centum on the estimated cost of the railways:

The said penalty may be applied for by any landowner or other person claiming to be compensated in accordance with the provisions of the next following section of this Act or by the Solicitor of Her Majesty's Treasury and in the same manner as the penalty provided in the third section of the Railway and Canal Traffic Act 1854:

17 & 18 Vict. c. 31.

Every sum of money recovered by way of such penalty as aforesaid shall be paid under the warrant or order of such court or judge as is specified in the said third section to an account opened or to be opened in the name and with the privity of Her Majesty's Paymaster General on behalf of the Chancery Division of the High Court of Justice in the bank and to the credit named in such warrant or order and shall not be paid thereout except as hereinafter provided:

But no penalty shall accrue in respect of any time during which it shall appear by a certificate to be obtained from the Board of Trade that the Company was prevented from completing or opening the railways by unforeseen accident or circumstances beyond their

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control Provided that want of sufficient funds shall not be held to be a circumstance beyond their control.

Providing for application of penalty in compensation to parties injured by non-completion of railways.

9. Every sum of money so recovered by way of penalty as aforesaid shall be applicable and after due notice in the London Gazette shall be applied towards compensating any landowners or other persons whose property may have been interfered with or otherwise rendered less valuable by the commencement construction or abandonment of the railways in respect of which the penalty has been incurred or any portion thereof or who may 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 shall have 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 may seem fit:

If no such compensation shall be payable or if a portion of the sum or sums of money so recovered by way of penalty as aforesaid shall have been found sufficient to satisfy all just claims in respect of such compensation then the said sum or sums of money recovered by way of penalty or such portion thereof as may not be required as aforesaid shall either be forfeited to Her Majesty and accordingly be paid to or for the account of Her Majesty's Exchequer in such manner as the said 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 said Chancery Division 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.

Period for completion of railways.

10. If the railways are not completed within three 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.

Power to Company to acquire lands.

11. Subject to the provisions of this Act the Company may in addition to the other lands which they are by this Act authorised to acquire enter upon take and use for purposes connected with their undertaking the lands houses and buildings in the county of Glamorgan herein-after described and delineated on the deposited

plans and described in the deposited books of reference respectively relating thereto, that is to say: A.D. 1882.

In the Parish of Eglwysilan.

On the western side of and adjoining the Taff Vale Railway and on the south side of and adjoining the turnpike road leading from Cardiff to Merthyr Tydfil at Walnut Tree Junction.

In the Parish of Llanwonno.

On the northern side of and adjoining the Company's Rhondda Fawr Branch Railway and extending from a point sixty-six yards or thereabouts westward of the mile post on that branch denoting thirteen and a quarter miles from the terminus of the Taff Vale Railway at Cardiff to a point fifty yards or thereabouts west of the mile post on the same branch denoting thirteen and a half miles from the said terminus:

On the northern side of and adjoining the Company's Rhondda Fawr Branch Railway and extending from a point thirty yards or thereabouts westward of the mile post on that branch denoting fourteen miles from the terminus of the Taff Vale Railway at Cardiff to a point two hundred and sixty yards or thereabouts westward from the same mile post:

On the northern side of and adjoining the Company's Rhondda Fawr Branch Railway and extending from a point one hundred and eighty yards or thereabouts westward of the mile post on that branch denoting fourteen and a quarter miles from the terminus of the Taff Vale Railway at Cardiff to a point two hundred and twenty-five yards or thereabouts westward from the mile post on the said branch denoting fourteen and a half miles from the said terminus:

On the northern side of and adjoining the Company's Rhondda Fawr Branch Railway and extending from a point twenty-five yards or thereabouts westward of the mile post on that branch denoting fourteen and three quarter miles from the terminus of the Taff Vale Railway at Cardiff to a point one hundred and forty yards or thereabouts eastward of the mile post on the said branch denoting fifteen miles from the said terminus:

On the northern side of and adjoining the Company's Rhondda Fawr Branch Railway to and extending from a point fifty yards or thereabouts westward of the mile post on that branch denoting fifteen and a quarter miles from the terminus of the Taff Vale Railway at Cardiff to a point twenty-five yards or thereabouts eastward of the mile post on the said branch denoting fifteen and a half miles from the said terminus:

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On the eastern side of and adjoining the Company's Rhondda Fach Branch Railway and extending from a point fifty yards or thereabouts southward from the bridge carrying the public road over the said branch at Porth to the bridge near Maindy House carrying the public road over the said railway.

In the Parish of Ystradyfodwg.

On the eastern side of and adjoining the Company's Rhondda Fach Branch Railway and extending from a point eighty yards or thereabouts southward of the mile post on that branch denoting seventeen and three quarter miles from the terminus of the Taff Vale Railway at Cardiff to a point two hundred and thirty-five yards or thereabouts northward of the said mile post:

On the southern side of and adjoining the Company's Rhondda Fawr Branch Railway and extending from a point one hundred and forty yards or thereabouts westward of the mile post on that branch denoting twenty and a half miles from the terminus of the Taff Vale Railway at Cardiff to a point two hundred and thirty-five yards or thereabouts westward from the said mile post.

In the Parish of Merthyr Tydfil.

On the western side of and adjoining the Taff Vale Railway and extending from a point one hundred and thirty-three yards or thereabouts northward of the mile post denoting nineteen and three-quarter miles from the terminus of that railway at Cardiff to the occupation road bridge at Ynisowen Farm.

Extinguishment of rights of way.

12. All rights of way over any of the lands which shall under the compulsory provisions of this Act be purchased or acquired shall be and the same are as from the purchase or acquisition thereof respectively by this Act extinguished.

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

13. And whereas the Company in exercising the powers of this Act may find that portions only of the lands buildings or manufactories shown on the deposited plans will be sufficient for the purposes of the Company and that such portions may be severed from the remainder of the said properties without material detriment thereto:

Therefore notwithstanding section ninety-two of the Lands Clauses Consolidation Act 1845 the owners of and persons interested in the lands buildings or manufactories described in the Schedule to this Act and whereof parts only are required for the purposes of the Company may (if such portions can in the judgment of the jury arbitrator or other authority assessing or determining the compensation under that Act be severed from the remainder of the

said properties 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 compellable 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.

Power to take easements by agreement.

14. 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 lands and the provisions of the Lands Clauses Act with respect to lands and rentcharges as far as the same are applicable in this behalf shall extend and apply to such grants easements rights and privileges as aforesaid respectively.

Notice to be given of taking houses of labouring classes.

15. 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 the Company have made known their intention to take the same in manner herein-before required.

Company to procure accommodation for persons of the labouring classes to be displaced.

16. Before displacing any person belonging to the labouring classes who may for the time being be the occupier of any house or part of any house which the Company are by this Act authorised to acquire the Company shall (unless they and such person otherwise agree) procure sufficient accommodation elsewhere for such person Provided always that if any question shall arise as to the sufficiency of such accommodation the same shall be determined by a justice And the Company may for the purpose of providing such accommodation appropriate any lands for the time being belonging to them or which they have power to acquire and may purchase lands by agreement and may on any such lands erect labouring class dwellings and may let or otherwise dispose of such lands and buildings.

Period for compulsory purchase of lands.

17. The powers of the Company for the compulsory purchase of lands for the purposes of the railways by this Act authorised shall not be exercised after the expiration of two years from the passing

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of this Act and the powers of the Company for the compulsory purchase of other lands under this Act shall not be exercised after the expiration of three years from the passing of this Act.

Lands for extraordinary purposes.

18. The quantity of land to be taken by the Company for the extraordinary purposes mentioned in the Railways Clauses Consolidation Act 1845 shall not exceed ten acres.

Extension of time for construction of railway of 1879.

19. The time limited by the Taff Vale Railway Act 1879 for the construction of the railway authorised by that Act is hereby extended for the period of three years from the first day of July one thousand eight hundred and eighty-two and section eight of the last-named Act shall be read and construed as if the period by this Act limited for the completion of the said railway had been the period limited by that Act:

If the said railway be not completed within the said period of three years then on the expiration of that period the powers for making and completing the said railway or otherwise in relation thereto shall cease to be exercised except as to so much thereof as shall then be completed.

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

20. 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:

Terminal charges, if any, to be specified, on application.

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 railway 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 railway 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.

36 & 37 Vict. c. 48.

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For the protection of the Brecon and Merthyr Tydfil and London and North-western Railway Companies.

21. For the protection of the Brecon and Merthyr Tydfil and London and North-western Railway Companies (in this section referred to as "the two companies") the following provisions shall have effect that is to say:

(1.) The Company shall not except with the consent of the two companies enter upon take or use any land belonging to or occupied by the two companies except so much as shall be necessary for the construction of Railway No. 2:

(2.) The Company shall not in the exercise of the powers of this Act interfere except with the consent of the two companies with any railway or siding belonging to or used by the two companies or in any way impede or interfere with the traffic thereon:

(3.) Notwithstanding anything in this Act contained the Company shall be responsible for and make good to the two companies all costs losses damages and expenses which may be occasioned to those companies or to any of their railways works or property or to the traffic thereon or otherwise by reason of the construction execution or failure of any railways or works so to be constructed or executed by the Company or of any act or omission of the Company or of any of the persons in their employ or of their contractors or others and the Company will effectually indemnify and hold harmless the two companies from all claims and demands upon or against them or either of them by reason of such execution or failure and of such act or omission:

(4.) The two companies or either of them may with their engines and carriages of every description and with their clerks officers and servants and for the purposes of traffic of every description run over and use Railway No. 2 Railway No. 3 and Railway No. 4 or any one or more of those railways or any part or parts thereof respectively and the Merthyr Tydfil Station of the Company and all watering places booking offices sidings works and conveniences with the said railways and station respectively connected:

(5.) Subject to the provisions herein-after contained with respect to the Merthyr Tydfil Station the terms conditions and regulations to which the two companies and each of them shall in exercise of the before-mentioned running powers be subject and the tolls or other consideration to be paid by them respectively in respect thereof shall if not agreed upon be from time to time determined by an arbitrator to be appointed on the application of either party by the Board of Trade and the decisions of such arbitrator shall be binding and conclusive on

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the parties in difference and the costs and expenses of such arbitration shall be defrayed as the arbitrator shall direct and either of the companies who shall refuse or neglect to perform observe and conform to any decision given or regulation made by any such arbitrator in the premises shall forfeit and pay to the Company as the arbitrator shall determine any sum not exceeding fifty pounds for every such offence and twenty pounds for every day during which such offence shall continue but in the exercise of the before-mentioned powers the byelaws for the time being in force on the undertaking so used so far as such byelaws shall be applicable shall be observed:

(6.) The Company shall be entitled to perform and shall perform at the Merthyr Tydfil Station all such services and duties as may be necessary or reasonable for the convenient conduct of the traffic of the two companies or either of them upon payment of the clearing house terminal charges such payment to cover all services in respect of the collection and delivery of such traffic as may be collected and delivered by the Company and if any difference arise between the using company and the owning company as to the nature extent or sufficiency of the services and duties so to be performed such difference shall from time to time be settled by an arbitrator to be appointed at the request of either party by the Board of Trade and the arbitrator to whom the matter may be referred may prescribe what duties and services shall be so performed and if he shall be of opinion that it is needful for the protection of the due working or development of the traffic of the using company he may prescribe that that company may employ at the said station such clerks agents and servants as he may by his award define and he may likewise prescribe the accommodation that shall be given at such station to the said clerks agents and servants and may lay down rules for their conduct and may prescribe the payments to be made for the accommodation so afforded and the award from time to time by the arbitrator shall be binding upon the companies affected thereby and shall be obeyed by them respectively Provided that the two companies or either of them may if they think fit collect and deliver such traffic and cart the same into and out of the Merthyr Tydfil Station and in that event there shall be allowed out of the said clearing house terminals to the two companies or to that one of them which shall perform such service such sum in respect of the service so performed as shall be agreed on between the Company and the two companies or that one of them which shall perform such service or as in default of

agreement shall be settled by an arbitrator in manner aforesaid. A.D. 1882.

Changing the name of the Company's irredeemable stock.

22. And whereas under the powers conferred upon them in that behalf by the Taff Vale Railway Act 1857 (section 43) the Company converted certain moneys which had been borrowed by them prior to the passing of that Act on debentures into irredeemable stock and there is now outstanding of that stock the sum of ninety-nine thousand nine hundred and seventeen pounds and whereas it is expedient that the name of the said stock should be changed therefore from and after the passing of this Act the irredeemable stock of the Company shall be called and known as debenture stock and the Company may and shall call in and cancel the existing certificates of irredeemable stock and shall issue to each holder thereof without charge debenture stock certificates of the like nominal amount Provided always that notwithstanding such change of name the existing certificates of irredeemable stock until cancelled and the debenture stock certificates issued in exchange therefor respectively shall as regards the holders thereof respectively and the Company have the same rights privileges and priorities and remain and be subject and liable to the same trusts powers provisions declarations agreements charges liens and incumbrances as the said existing certificates would have had and been subject and liable to if this Act had not passed and so as to give effect to and not revoke any testamentary disposition of or affecting the same.

Power to Company to raise additional capital.

23. The Company may subject to the provisions of Part II. of the Companies Clauses Act 1863 from time to time raise for the purposes of this Act and for the general purposes of their undertaking any additional capital not exceeding in the whole the sum of sixty thousand pounds by the issue at their option of new ordinary shares or stock or new preference shares or stock or wholly or partly by any one or more of those modes respectively.

Shares not to be issued until one-fifth part thereof shall have been paid up.

24. The Company shall not issue any share created under the authority of this Act of a less nominal amount than ten pounds nor shall any 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 shall have been paid in respect thereof.

Calls.

25. One fifth of the amount of a share shall be the greatest amount of a call and two months at least shall be the interval between successive calls and four fifths of the amount of a share shall be the utmost aggregate amount of the calls made in any year upon any share.

Power to borrow.

26. The Company may in respect of the additional capital of sixty thousand pounds which they are by this Act authorised to

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raise from time to time borrow on mortgage any sum not exceeding in the whole twenty thousand pounds but no part of the said sum of twenty thousand pounds shall be borrowed until shares for so much of the additional capital by this Act authorised as is to be raised by means of shares are 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 shares for the whole of the said capital have 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 respective capital has been paid on account thereof before or at the time of the issue or acceptance thereof and until stock for one half of such respective capital as is to be raised by means of stock is fully paid up and the Company have proved to such justice as aforesaid before he so certifies that such shares or stock as the case may be were issued accepted and paid up bonâ fide and are held by the persons or corporations to whom the same were issued or their executors administrators successors or assigns and also if such capital is raised by shares that such persons or corporations their executors administrators successors or assigns are legally liable for the same 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.

27. 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 ten thousand pounds in the whole.

Priority of existing mortgages.

28. All mortgages granted by the Company in pursuance of the powers of any Act of Parliament before the passing of this Act and subsisting at the passing hereof shall during the continuance of such mortgages and subject to the provisions of the Acts under whichsuch mortgages were respectivel y granted have priority over any mortgages granted by virtue of this Act but nothing in this section contained shall affect any priority of the interest of any debenture stock at any time created and issued by the Company.

Debenture stock.

29. 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 at any time after the passing of this Act created and issued by the Company shall rank pari passu with the interest of all mortgages at any time after the passing of this Act granted by the Company and shall have priority over all principal moneys secured by such mortgages.

Application of moneys.

30. All moneys raised under this Act whether by shares or stock or debenture stock or borrowing shall be applied to the respective purposes for which they are by this Act authorised to be raised and to no other purpose whatever.

Power to apply corporate funds to purposes of Act.

31. The Company may apply to the purposes of this Act or to the general purposes of their undertaking any of the moneys which they now have in their hands or which they have power to raise by shares or mortgage by virtue of any Acts relating to them and which may not be required for the purposes to which they are by any such Act made specially applicable.

Interest not to be paid on calls paid up.

32. 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.

33. 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 of 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 Railway Acts.

34. Nothing in this Act contained shall exempt the Company or their railways from the provisions of any general Act relating to railways or the better or 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 to be taken by the Company.

Costs of Act.

35. 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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SCHEDULE referred to in the foregoing Act,

Describing Lands Building and Manufactories of which Portions only are required to be taken by the Company.

Parish.	Numbers on deposited Plans.
Railway No. 3.	
Merthyr Tydfil - - - - -	9, 11
Additional Lands.	
Llanwonno - - - - -	19, 31

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