CHAPTER clxxii.

An Act for empowering the Taff Vale Railway Company to construct a new Railway and other works and acquire lands for vesting in that Company the undertaking of the Cowbridge and Aberthaw Railway Company and for other purposes. [17th August 1894.]

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WHEREAS it is expedient that the Taff Vale Railway Company (in this Act called "the Company") should be empowered to make the new railway and other works and to acquire retain and hold the lands and to exercise the powers in this Act mentioned or referred to:

And whereas plans and sections showing the lines and levels of the railway and works 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 a book 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 book of reference:

And whereas it is expedient that the construction of the Railway No. 2 authorised by the Taff Vale Railway Act 1890 should be abandoned:

And whereas by the Cowbridge and Aberthaw Railway Act 1889 the Cowbridge and Aberthaw Railway Company (in this Act called "the Aberthaw Company") was incorporated with a share capital of ninety thousand pounds and power to borrow thirty thousand pounds and were thereby authorised to construct a railway from the Cowbridge Railway (now belonging to the Company) to Aberthaw:

And whereas by an agreement between the Company and the promoters of the Aberthaw Company scheduled to and confirmed by the said Act provision was made for the maintenance and

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working of the said railway in perpetuity by the Company and the same is now being worked by the Company accordingly:

And whereas the cost of constructing the said railway has exceeded the amount of the authorised share and loan capital of the Aberthaw Company and it is expedient that that Company should be empowered to raise additional capital as herein-after provided:

And whereas it is expedient that provision should be made as contained in this Act for the amalgamation of the undertaking of the Aberthaw Company with the undertaking of the Company:

And whereas it is expedient that some of the powers and provisions of existing Acts relating to the Company should be amended and extended and that such further powers should be conferred upon the Company as are herein-after mentioned:

And whereas the objects of this Act cannot be attained without the authority of Parliament:

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

Short title.

1. This Act may be cited for all purposes as the Taff Vale Railway Act 1894.

Incorporation of general Acts.

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 Acts:

The Railways Clauses Consolidation Act 1845:

Part I. (relating to construction of a railway) and Part V. (relating to amalgamation) of the Railways Clauses Act 1863:

The clauses and provisions of the Companies Clauses Consolidation Act 1845 with respect to the following matters (namely):—

The distribution of the capital of the Company into shares;

The transfer or transmission of shares;

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

The forfeiture of shares for non-payment 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 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.

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" means the railway 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 make railway.

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 railway herein-after described with all proper stations sidings bridges approaches roads and other 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 railway herein-before referred to and authorised by this Act is situate in the county of Glamorgan and is—

A railway three furlongs seven chains and thirty links in length wholly in the parish of Llanwonno commencing by a junction with the Company's main line of railway between Cardiff and Merthyr Tydfil and terminating by a junction with the Ynysybwl Branch of the Company's railway.

Rates and charges for railway.

5. The railway shall for the purposes of maximum rates and charges for merchandise traffic (including perishable merchandise by passenger train) be deemed part of the railway of the Company as if the same had been a railway owned by the Company at the date of the passing of the Railway Rates and Charges No. 18 (Taff Vale Railway &c.) Order Confirmation Act 1892 and shall for all other purposes be part of the undertaking of the Company as authorised by the Taff Vale Railway Act 1836.

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Power to divert roads as shown on deposited plans.

6. The Company may in the construction of the railway divert the public highways numbered on the deposited plans 15 and 18 in the parish of Llanwonno in the manner shown upon the deposited plans and sections and when and as in each case the new portion of any road is made to the satisfaction of two justices and is open for public use may stop up and cause to be discontinued as a road so much of the existing road as will be rendered unnecessary by the new portion of road and when and so soon as each of the said roads is so stopped up all rights of way over the same shall cease and the Company may subject to the provisions of the Railways Clauses Consolidation Act 1845 with respect to mines lying under or near to the railway appropriate and use for the purposes of their undertaking the site of the road stopped up as far as the same is bounded on both sides by lands of the Company.

For the protection of Henry Llewellyn Grover.

7. The Company shall not under the powers conferred upon them by this Act acquire any portion of the piece of land on the deposited plans numbered 21 in the parish of Llanwonno lying more than twenty-five yards from the centre line of the railway as shown on the deposited plans without the consent in writing of Henry Llewellyn Grover his heirs or assigns.

Imposing penalty unless railway opened.

8. If the Company fail within the period limited by this Act to complete the railway 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 railway is completed and opened for public traffic or until the sum received in respect of such penalty amounts to five per centum on the estimated cost of the railway 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 and in the same manner as the penalty provided in section three of the Railway and Canal Traffic Act 1854 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 that section to an account opened or to be opened in the name of the Paymaster-General for and on behalf of the Supreme Court in the bank and to the credit named in such warrant or order and shall not be paid thereout except as herein-after 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 railway 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.

Application of penalty.

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 has been interfered with or otherwise rendered less valuable by the commencement construction or abandonment of the railway 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 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 High Court may seem fit and 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 has 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 if a receiver has been appointed or the Company is insolvent or the railway has been abandoned be paid to such receiver or be applied in the discretion of the court as part of the assets of the Company for the benefit of the creditors thereof and subject to such application shall be paid to the Company.

Period for completion of railway.

10. If the railway is 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 except as to so much thereof as shall then be completed.

Power to make river diversion and other works.

11. Subject to the provisions of this Act the Company may in the lines and according to the levels shown on the deposited plans and sections relating thereto make the river diversion and may widen or as the case may be lengthen the bridges herein-after mentioned and may enter upon take and use such of the lands delineated on the said plans and described in the deposited book of reference relating thereto as may be required for those purposes all which works and lands are situate in the county of Glamorgan (that is to say):—

They may make a diversion wholly in the parish of Ystradyfodwg of the River Rhondda Fawr between a point in the said river opposite to the junction between the Company's Rhondda Fawr Branch Railway and the sidings of the Pentre Colliery and a point in the said river fifty yards or thereabouts measured in a southerly direction from the bridge carrying the said branch railway over the said river at the Company's Ystrad Station:

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They may lengthen for a distance of seven yards or thereabouts at the northern end thereof the bridge in the parish of Ystradyfodwg carrying the public road leading from Ynishir to Wattstown over the Company's Rhondda Fach Branch Railway near Wattstown goods yard:

They may widen for a distance of five yards or thereabouts on the western side thereof the bridge in the parish of Llanwonno carrying the Company's Rhondda Fach Branch Railway over the public road leading from Wattstown to Tylorstown at a point two hundred yards or thereabouts measured in a southerly direction from the Company's existing station at Tylorstown:

They may lengthen for a distance of seven yards or thereabouts at the eastern end thereof the bridge in the parish of Llanwonno carrying the public road from Pontygwaith to Penyrheol over the Company's Rhondda Fach Branch Railway at a point one hundred yards or thereabouts measured in a northerly direction from the Company's existing station at Tylorstown:

They may widen for a distance of four yards or thereabouts on the northern side thereof the bridge in the parish of Llanwonno carrying the Company's Rhondda Fawr Branch Railway over the public road leading from Hopkinstown to Tymawr near the Great Western Colliery:-

They may lengthen for a distance of seven yards or thereabouts at the western end thereof the bridge in the parish of Ystradyfodwg carrying the public road between Cwmparc and Treorky over the Company's Rhondda Fawr Branch Railway at Treorky Station.

For the protection of the trustees of the late Crawshay Bailey and tenants for life under will.

12. For the protection of the trustees of the will of the late Crawshay Bailey and their sequels in estate or other the owner or owners for the time being of the Bailey Estate (herein-after referred to as and included in the expression "the owners") the following provisions shall unless otherwise agreed between the Company and the owners be binding upon the Company (that is to say):—

(1) The Company shall construct the diversion of the River Rhondda Fawr by this Act authorised of a width throughout of not less than forty feet at the top and so that the bottom of the river when diverted shall at the point of termination of the said diversion be level with the present bed of the said river at that point and shall fall with a uniform gradient to the present level of the bed of the said river at the point of commencement of such diversion and the Company shall if found necessary after the completion of the excavation for the said diversion and before letting in the water pitch the slopes of the

said diversion on the western side in stone from the bottom of such diversion to the present surface of the land:

(2) The Company shall protect with stone pitching on the eastern side thereof as much of Ton Brook as will be interfered with from the bed thereof to the surface level of the ground:

(3) The Company shall construct a substantial brick or stone wall not less than four feet above the surface of the adjoining land upon the top of the slope on the western side of the diversion:

(4) If the River Rhondda Fawr encroaches upon or damages the lands of the owners to the north-west of the termination of the river diversion the Company shall carry out such works as are required for the protection of the owners property to the reasonable satisfaction of the surveyor of the owners:

(5) Before the Company stop up the river between the commencement and the termination of the said diversion they shall complete such diversion and all of the aforesaid works and shall also construct on the property No. 37 on the deposited plans in a line and with a gradient to be previously approved by the surveyor of the owners a trench of a width of not less than six feet at the surface level and three feet at the base and a depth of not less than three feet for the purpose of receiving the flow of existing culverts and streams and of carrying the sewage from the houses now erected or to be erected abutting on the Ystrad Road and all such other works as may be necessary for carrying the sewage and water from the said trench and discharging the same into the River Rhondda Fawr and the Company shall construct a sufficient conduit of not less internal diameter than nine inches to discharge water from the diverted river into the said trench at the foot of the Pentre tip next the present railway for the purpose of flushing and carrying away the sewage and shall maintain and keep the invert of the said conduit at all times free and open for the uninterrupted flow of water from the river to the trench and the Company shall also to the reasonable satisfaction of the said surveyor connect the said culverts and streams and the drains of such houses with the said trench by means of proper channels:

(6) The said diversion and all works herein-before referred to in connexion therewith shall be constructed at the expense of the Company and to the reasonable satisfaction of the surveyor of the owners and shall be maintained by and at the expense of the Company:

(7) Before the Company interfere with the lane at present connecting the nine feet lanes at the back of the houses in

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Augusta Street and Crawshay Street respectively with those streets the Company shall at their own expense construct and complete to the reasonable satisfaction of the owners nine feet lanes on the western side of the said diversion to connect the said nine feet lanes at the back of the houses in such streets respectively with those streets:

(8) The owners shall at all times have the right to drain any houses premises or lands belonging to them into the said diversion and may for that purpose from time to time cut into and execute all necessary works upon the banks and walls thereof making good any damage occasioned thereby:

(9) Before doing anything to impede the passage of sewage or water in any sewers or drains into which the sewage or drainage of any houses or land belonging to the owners flows the Company shall provide by means of substituted sewers and drains for the continuance of the flow of such sewage and drainage and the Company shall with all practicable dispatch make good to the reasonable satisfaction of the owners all damage which may be caused in the construction of the works by this Act authorised to any sewers or drains on or under the properties of the owners adjoining or near to such works:

(10) The Company shall not stop up the present roadway on the north-east side of the churchyard of Ystrad Church numbered 17 on the deposited plans:

(11) If the Company construct a road over any part of the properties numbered respectively 37 and 38 in the parish of Ystradyfodwg they shall grant to the owners similar rights of user of such road and of access to and over such properties as they may from time to time grant to any other adjoining owners:

(12) Before commencing the construction of any works upon the properties numbered 49 59 60 61 62 63 64 and 65 in the parish of Llanwonno the Company shall construct to the reasonable satisfaction of the owners and maintain proper culverts over all existing watercourses and sewers for the purpose of enabling the owners to obtain access thereto under the works of the Company:

(13) If the Company purchase or acquire under the powers of this Act any houses belonging to the owners occupied either wholly or partially by persons belonging to the labouring class as defined by the section of this Act of which the marginal note is "Restrictions on displacing persons of the labouring class" the Company shall subject to the approval of the Local Government Board if the owners are willing to sell land for

the purpose at a price not being greater than the price at which equally convenient land in the neighbourhood can be acquired provide on the land of the owners houses for the accommodation of the same number of persons as the houses so purchased or acquired are capable of accommodating :

(14) If any difference shall arise between the Company and the owners as to the mode of executing any such works as aforesaid the same shall be determined by an engineer to be appointed by the President for the time being of the Institution of Civil Engineers and the decision of such referee shall be final.

For the protection of the Pontypridd Local Board.

13. For the protection of the Pontypridd Local Board (in this section called "the local board") the following provisions with respect to the powers by this Act conferred upon the Company within the district of the local board shall unless otherwise agreed between the local board and the Company have effect :—

(1) The Company shall construct the bridge under the road numbered on the deposited plans 3 in the parish of Llanwonno being the main road leading from the town of Pontypridd to the towns of Mountain Ash and Aberdare and the bridge under the diversion shown on the deposited plans of the road numbered thereon 15 in the said parish of Llanwonno so as to provide a clear width in the case of the said road numbered 3 of thirty-six feet and in the case of the said diversion of thirty feet between the parapet walls at each end of the said bridges and such walls shall be built parallel with the lines of the said road and road diversion The surface formation of the said road numbered 3 shall also be restored to its present level :

(2) In carrying out the said road diversion the Company shall construct the diverted road of a clear width of not less than thirty feet :

(3) The Company shall construct a bridge under the road numbered on the deposited plans 18 in the said parish of Llanwonno and the approaches thereto so as to provide a clear width of twenty feet between the parapet walls and fences thereof respectively at each end of the said bridge and such walls shall be built parallel with the line of the said road :

(4) The Company shall face the abutment walls of the bridge carrying the Company's Rhondda Fawr Branch Railway over the public road leading from Hopkinstown to Tymawr near the Great Western Colliery when widened as authorised by this Act throughout its entire length with white glazed bricks and shall construct the widening of such bridge with a clear headway throughout such widening of not less than thirteen

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feet above the level of the road and shall at all times maintain the said bridge in a sound and so far as may be reasonably practicable in a water-tight and drop-dry condition:

(5) From and after the passing of this Act the Company shall not use or permit to be used the parapets abutments or screens of such last-mentioned bridge for advertising or bill-posting purposes excepting for advertisements or bills of the Company:

(6) All works authorised by this Act affecting any of the streets roads or footways within the district of the local board shall be constructed at the entire cost of the Company to the reasonable satisfaction of the local board and according to plans to be previously submitted to and reasonably approved by them:

(7) Where the surface of any street road or footway has been interfered with or disturbed by the Company in constructing the works or exercising the powers by this Act authorised the Company shall well and sufficiently and to the reasonable satisfaction of the surveyor of the local board restore the surface of the street road or footway so interfered with or disturbed and shall keep the same in efficient repair for one year from such restoration:

(8) Whenever in execution of the powers of this Act it may be necessary either temporarily or permanently to intercept or interfere with any sewer drain gas main or pipe the Company shall before intercepting or interfering with such sewer drain gas main or pipe construct according to a plan to be reasonably approved by the local board another sewer drain gas main or pipe in lieu of and of equal capacity with the sewer drain gas main or pipe so proposed to be intercepted or interfered with and such substituted sewer drain gas main or pipe shall be connected by and at the expense of the Company with any existing sewer drain gas main or pipe which may be intercepted or interfered with and in such manner as shall be reasonably approved by the local board:

(9) If by reason of the execution of any of the powers of this Act any increased length of sewers drains gas mains or pipes or any additional apparatus shall become necessary the same shall be forthwith constructed and laid by the Company according to such plans and sections and in such reasonable manner as shall be approved by the local board:

(10) The Company shall on demand pay to the local board all expenses incurred by them in altering relaying and making good any sewers drains gas mains or pipes interfered with or affected by the works by this Act authorised:

(11) The Company shall at their own expense during the construction of any works or road diversions authorised by this Act within the district of the local board cause such works and road diversions to be properly and sufficiently fenced lighted and watched both by day and night for the protection of the public until the completion thereof and in carrying out such works or road diversions the Company shall not interfere with or in any way obstruct the streets roads or footways in the district of the local board except so far as may be reasonably necessary for executing such works and road diversions:

(12) The Company shall be responsible for and make good to the local board all costs losses damages and expenses to be sustained by them by reason of any of the matters herein-before provided for or by reason of any damage to be occasioned to persons or property or otherwise by reason of the execution or any defect or defects in execution (whether by the Company or their contractors agents or servants) of the powers of this Act and shall indemnify the local board from all claims and demands upon or against them by reason of any such execution or defect or default therein or arising therefrom:

(13) If any difference shall arise between the Company and the local board as to the true intent and meaning of this section or as to anything to be done or not to be done thereunder or as to any plans or the mode of executing any works under this section such difference shall (unless otherwise agreed) be determined by an engineer to be appointed on the application of the Company or the local board by the Board of Trade whose decision shall be final and binding on both parties and the cost of the reference shall be borne as he shall direct.

For protection of the Ystradyfodwg Local Board.

14. In exercising the powers by this Act conferred upon the Company within the district of the local board for the district of Ystradyfodwg (in this section referred to as "the board") the following provisions shall unless otherwise agreed between the board and the Company be binding upon the Company and full effect shall be given thereto:—

(1) The bridge for carrying the public road leading to Ton over the diversion of the River Rhondda Fawr by this Act authorised shall have a clear width of twenty-five feet between the parapets measured on the square and the existing bridges over the river and railway with the approaches thereto shall be widened to a clear width of twenty-five feet to the reasonable satisfaction of the board:

(2) The board shall free of charge have the right to lay and maintain a twelve-inch pipe above or under ground along the

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line on the deposited plans indicating the limit of land to be acquired on the eastern side of the present river between the points one-and-a-half chains and seven-and-a-half chains respectively from the northern side of the bridge over the said river near Ystrad Station:

(3) In lengthening the bridge carrying the public road leading from Ynyshir to Wattstown over the Rhondda Fach Branch Railway near Wattstown Goods Yard the Company shall also widen the bridge to thirty feet between the parapets and also widen the approaches to the bridge to thirty feet and straighten the line of roadway over the bridge so that the smaller angle at the point of crossing shall not be greater than forty degrees to the line of railway:

(4) The bridge carrying the Rhondda Fach Branch Railway over the public road leading from Wattstown to Tylorstown shall be altered so as to have a clear width of roadway of twenty-five feet between the abutments and the smaller angle of the line of the abutment walls shall not be greater than forty-five degrees to the line of railway and the abutment walls shall be faced throughout with white glazed bricks and the Company shall construct and maintain an efficient drain to carry off the surface and storm water from under the said bridge:

So soon as the widening of the said bridge shall have been completed as herein-before provided the board shall pay to the Company the sum of five hundred pounds as a contribution towards the cost thereof and for the purpose of providing money for such contribution the same shall be deemed to be expenses for the purposes of the Public Health Act 1875:

(5) The bridge carrying the public road from Pontygwaith to Penyrheol over the said Rhondda Fach Branch Railway shall be widened to a clear width of twenty feet between the parapets measured on the square and the abutment on which the girders shall rest on the eastern side of the widened bridge shall be twelve inches higher than the abutment on which the said girders shall rest on the western side:

(6) The bridge carrying the public road between Cwmparc and Treorky over the Company's Rhondda Fawr Branch Railway at Treorky Station shall be widened to twenty-five feet between the parapets and the approaches to such bridge shall also be widened to twenty-five feet:

(7) The Company shall form and maintain a raised gravel footway six feet in width on one side of the roadway on all bridges over the railway referred to in this section and the gradients of the present approaches shall not be in any case increased:

(8) All works prescribed by this section shall be executed by and at the expense of the Company to the reasonable satisfaction of the board or their surveyor and according to plans and specifications previously submitted for their approval and the Company shall maintain the same so far as situated within the boundaries of their property :

(9) Any difference between the board and the Company touching anything to be done under this section shall be settled by an arbitrator to be appointed by the President of the Institution of Civil Engineers on the application of either of the parties in difference and his decision shall be binding on both parties and the costs of the arbitration shall be borne as he shall direct.

For the protection of the Merthyr Tydfil Local Board.

15. For the protection of the Merthyr Tydfil Local Board (in this section called "the local board") the following provisions shall unless otherwise agreed between the Company and the local board be observed and have effect (that is to say) :—

(1) Before laying down any additional lines of rails across the occupation road leading from the public road between Pontypridd and Mountain Ash to the Berwdy Farm House the Company shall divert the said road and carry the same over the railway by a bridge in the manner shown on the plan and section signed by Samuel Hoare the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred :

(2) From and after the completion of such diversion the local board and their tenants shall have the same rights of using the diverted road and bridge as they now have of using the existing road and all rights of way over the portion of the existing road rendered unnecessary by the diversion shall thereupon cease :

(3) The Company shall not interfere with or disturb the present conduit or sewage carrier of the local board at Stormstown in the parish of Llanwonno until they have completed the diverted or substituted conduit or sewage carrier herein-after referred to and such diverted or substituted conduit or sewage carrier shall not be commenced until the Company have given to the local board twenty-one days previous notice in writing of their intention to commence the same by leaving such notice at the principal office of the local board accompanied by a plan and section showing the proposed works and also showing how any of the existing works of the local board are intended to be dealt with and until the Merthyr Tydfil and Aberdare Farms Management Committee or the engineer of the local board have signified approval of the same in writing but if the said committee or engineer shall fail to signify approval or disapproval and in

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case of disapproval to give particulars of their objections and requirements within twenty-one days after the delivery of such notice they shall be deemed to have approved of such plan and section and any difference under this sub-section shall be settled by arbitration as herein-after mentioned:

(4) The Company shall comply with and conform to all reasonable alterations and requirements in the mode of dealing with and execution of the said works and all such works shall be done to the reasonable satisfaction of the said engineer:

(5) The diverted or substituted conduit or sewage carrier shall be made as nearly as possible parallel to the position shown on the deposited plans and be placed not less than ten feet to the westward of the position so shown and the Company shall purchase the land between the railway and such diverted or substituted conduit or sewage carrier:

(6) Such conduit or sewage carrier shall be substantially constructed of similar materials and be of equal capacity and with a similar fall or gradient to the existing conduit or sewage carrier so proposed to be diverted and shall be connected by the Company with any existing sewers or drains which may be interrupted or interfered with and completed to the reasonable satisfaction in all respects of the said committee or engineer:

(7) If by reason of the execution of any works by the Company on the property of the local board any alteration of any sewer or drain or any increased length of any sewer or drain shall become necessary the reasonable expense of making the alteration and of constructing and laying such additional length shall be repaid to the local board or the said committee by the Company:

(8) If any difference arise between the Company and the local board or the said committee as to the intent and meaning of any of the provisions of this section or as to anything to be done or not to be done in pursuance thereof every such difference shall be referred to and determined by an engineer to be appointed by the President of the Institution of Civil Engineers on the application of the Company or the local board or the said committee and the decision of the engineer so appointed shall be final and binding on both parties and the costs of the reference shall be in the discretion of the arbitrator:

(9) Nothing in this section contained shall prejudice lessen or defeat the right of the local board or their tenants to compensation for land acquired from or injury occasioned to their property by or in consequence of any of the aforesaid works or other works of the Company or to the construction of all such accommodation works as are provided for by the Railways Clauses

Consolidation Act 1845 but in ascertaining the amount of any such compensation the works provided for by this section shall be taken into consideration.

For the protection of the Ystrad Gas and Water Company.

16. For the protection of the Ystrad Gas and Water Company (in this section called "the gas and water company") the following provisions shall unless otherwise agreed between the Company and the gas and water company be observed and have effect (that is to say):—

(1) For the purposes of sections 18 to 23 of the Railways Clauses Consolidation Act 1845 the lengthening of the bridges and the altering of the roads in the parishes of Ystradyfodwg and Llanwonno by this Act authorised shall be deemed to be the construction of a railway:

(2) Any bridge for carrying any public road over the railway shall be so constructed as to permit of any existing or future gas and water mains not exceeding ten inches in diameter being laid and maintained under the surface of the road across and over the same with a cover of road metalling to such depth not exceeding eighteen inches as shall be agreed between the engineer of the Company and the engineer of the gas and water company or in case of difference as shall be settled by arbitration in manner herein-after provided:

(3) If any difference arises between the Company and the gas and water company or between their respective engineers under this section the same shall be determined by a single arbitrator to be appointed on the application of either party by the President for the time being of the Institution of Civil Engineers and the costs of the arbitration shall be borne as such arbitrator shall direct.

Power to deviate in construction of certain works.

17. The Company may in constructing the river diversion by this Act authorised deviate from the lines thereof to the extent of the limits of deviation marked on the deposited plans and may deviate from the levels of the said works as shown on the deposited sections to any extent not exceeding three feet.

Power to acquire lands for general purposes.

18. Subject to the provisions of this Act the Company in addition to the other lands which they are by this Act authorised to acquire may from time to time enter upon take use and appropriate to the purposes of extending their stations sidings warehouses engine sheds workshops coal wharves depôts and other works and conveniences for the accommodation of their traffic and for other purposes connected with their undertaking all or any of the lands herein-after described delineated on the deposited plans thereof and described in the deposited book of reference relating thereto and may in

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connexion with such use and appropriation execute the works and exercise the powers herein-after mentioned and so far as such works are shown upon the deposited plans and sections in accordance with those plans and sections all which lands are situate in the county of Glamorgan (that is to say):—

In the parish of Llantwit Fardre—

Certain lands on both sides of and adjoining the Company's main line of railway from Cardiff to Merthyr Tydfil and between the bridges carrying that railway over the old Cilhaul Road and over the public road near to and south of Treforest Station:

In the parish of Llanwonno—

Certain lands on the north side of and adjoining the Company's Rhondda Fawr Branch Railway and between the signal cabins at the junctions with that railway of the Gyfeillon Upper Colliery Sidings and the Barry Railway respectively:

Certain lands on the western side of and adjoining the Company's main line of railway from Cardiff to Merthyr Tydfil between a point one hundred and ninety yards or thereabouts measured along the said railway in a southerly direction from the level crossing at the Berwdy Farm House and a point two hundred and ninety yards or thereabouts measured along the said railway in a northerly direction from the said level crossing:

Certain lands on both sides of and adjoining the Company's main line of railway from Cardiff to Merthyr Tydfil and between Stormstown Junction signal cabin and the bridge near Carn Parc signal cabin carrying the pubiic road from Mountain Ash to Pontypridd over the said raiiway:

In the parishes of Llanwonno and Llantrissant—

Certain lands on the north side of and adjoining the Company's Rhondda Fawr Branch Railway at and near the bridge carrying that railway over the River Rhondda and over the public road on the east side of and adjoining the said river near the Company's Hafod Station and the Company may widen the said bridge for a distance of seven yards or thereabouts on the north side thereof and for a distance of two yards or thereabouts on the south side thereof:

In the parish of Ystradyfodwg—

Certain lands on the north side of the Company's Rhondda Fawr Branch Railway and between and adjoining that railway and the left bank of the River Rhondda between the Pentre Colliery sidings junction and the Company's Ystrad Station:

In the parishes of Ystradyfodwg and Llanwonno—

Certain lands on both sides of and adjoining the Company's Rhondda Fach Branch Railway and extending from a point seventy yards or thereabouts measured along the said branch railway in a south-easterly direction from the bridge carrying the public road between Porth and Ferndale over the said branch railway near Pont-Rhyd-y-Cwch to the point of junction of the southern end of the sidings of the Ferndale Colliery with the said branch railway.

For the protection of G. B. Hammond & Co.

19. For the protection of George Brown Hammond and Arthur Warren Hammond or other the lessees for the time being of the Treforest Tin Plate Works now carried on by them under the style or firm of G. B. Hammond and Co. (all of whom are in this section included in the expression "the lessees") the following provisions shall have effect unless otherwise agreed between the lessees and the Company (that is to say):—

(1) Nothing contained in this Act or shown on the deposited plans shall authorise the Company to acquire any more of the lands in the parish of Llantwit Fardre now occupied or used by the lessees than are shown and coloured blue on the plan signed by the Right Honourable Lord Balfour of Burleigh the Chairman of the Committee of the House of Lords to whom the Bill for this Act was referred and deposited in the Parliament Office of that House:

(2) The Company shall not interfere with the siding of the lessees except to the extent and in the manner shown on the said plan:

(3) In carrying out the alteration of the said siding the Company shall not interfere with the traffic thereon and all the works in relation thereto shall be executed by the Company at their own expense.

Vesting in Company lands at Penarth Station.

20. The lands on the west side of and adjoining the Company's Penarth Station and forming the eastern end of the approach road to the up platform at that station which are shown on the deposited plans and described in the deposited book of reference shall be deemed to be vested in the Company freed from the jurisdiction or control of any local or road authority and the Company may hold and use the same accordingly Provided always that the Company shall maintain the same and the pavement curbing and channelling now existing on the northern side thereof and shall not on the said lands or any part thereof erect or permit to be erected any fence building or other structure and the said lands shall at all times hereafter be kept free and open as a way for persons horses carts and carriages to and from the said station and to and from the lands or houses abutting upon the said lands without any let hindrance or interference by

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the said Company and all persons owning or occupying any premises adjoining or abutting upon such lands shall have full right and liberty to open or cause to be opened the same for the purpose of laying or repairing any gas main water main or pipes or laying an electric cable such persons making good and restoring the said road to the satisfaction of the Company's engineer Provided that in laying or repairing such mains pipes or cable there shall be no unnecessary interference with the free passage of vehicles and persons to and from the said station.

Restrictions on displacing persons of the labouring class.

21.—(1) The Company shall not under the powers of this Act purchase or acquire in any city borough or urban sanitary district or in any parish or part of a parish not being within an urban sanitary district ten or more houses which after the passing of this Act have been or on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers unless and until the Company—

(A) Shall have obtained the approval of the Local Government Board to a scheme for providing new dwellings for such number of persons as were residing in such houses on the said fifteenth day of December or for such number of persons as the Local Government Board shall after inquiry deem necessary having regard to the number of persons on or after that date residing in such houses and working within one mile therefrom and to the amount of vacant suitable acommodation in the immediate neighbourhood of such houses or to the place of employment of such persons and to all the circumstances of the case; and

(B) Shall have given security to the satisfaction of the Local Government Board for the carrying out of the scheme.

(2) The approval of the Local Government Board to any scheme under this section may be given either absolutely or conditionally and after the Local Government Board have approved of any such scheme they may from time to time approve either absolutely or conditionally of any modifications in the scheme.

(3) Every scheme under this section shall contain provisions prescribing the time within which it shall be carried out and shall require the new dwellings proposed to be provided under the scheme to be completed fit for occupation before the persons residing in the houses in respect of which the scheme is made are displaced:

Provided that the Local Government Board may dispense with the last-mentioned requirement subject to such conditions (if any) as they may see fit.

(4) Any provisions of any scheme under this section or any conditions subject to which the Local Government Board may have approved of any scheme or of any modifications of any scheme or subject to which they may have dispensed with the above-mentioned

requirement shall be enforceable by a writ of mandamus to be obtained by the Local Government Board out of the High Court.

(5) If the Company acquire or appropriate any house or houses for the purposes of this Act in contravention of the foregoing provisions or displace or cause to be displaced the persons residing in any house or houses in contravention of the requirements of the scheme they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the Local Government Board by action in the High Court and shall be carried to and form part of the Consolidated Fund of the United Kingdom:

Provided that the Court may if it think fit reduce such penalty.

(6) For the purpose of carrying out any scheme under this section the Company may appropriate any lands for the time being belonging to them or which they have power to acquire and may purchase such further lands as they may require and for the purpose of any such purchase sections one hundred and seventy-six and two hundred and ninety-seven of the Public Health Act 1875 shall be incorporated with this Act and shall apply to the purchase of lands by the Company for the purposes of any scheme under this section in the same manner in all respects as if the Company were a local authority within the meaning of the Public Health Act 1875 and the scheme were one of the purposes of that Act.

(7) The Company may on any lands belonging to them or purchased or acquired under this section or any Provisional Order issued in pursuance of this section erect such dwellings for persons of the labouring class as may be necessary for the purpose of any scheme under this section and may sell demise or let or otherwise dispose of such dwellings and any lands purchased or acquired as aforesaid and may apply for the purposes of this section to which capital is properly applicable or any of such purposes any moneys which they may be authorised to raise or apply for the general purposes of their undertaking:

Provided that all lands on which any buildings have been erected or provided by the Company in pursuance of any scheme under this section shall for a period of twenty-five years from the date of such scheme be appropriated for the purpose of such dwellings and every conveyance demise or lease of such lands and buildings shall be endorsed with notice of this enactment:

Provided also that the Local Government Board may at any time dispense with all or any of the requirements of this sub-section subject to such conditions (if any) as they may see fit.

(8) So much of section one hundred and fifty-seven of the Public Health Act 1875 as provides that the provisions of that section and

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of sections one hundred and fifty-five and one hundred and fifty-six of the same Act shall not apply to buildings belonging to any railway company and used for the purposes of such railway under any Act of Parliament shall not apply to buildings erected or provided by the Company for the purpose of any scheme under this section.

(9) The Local Government Board may direct any inquiries to be held by their inspectors which they may deem necessary in relation to any scheme under this section and for giving effect to any of the provisions of this section and the inspectors of the Local Government Board shall for the purposes of any such inquiry have all such powers as they have for the purposes of inquiries directed by that Board under the Public Health Act 1875.

(10) The Company shall pay to the Local Government Board a sum to be fixed by that Board in respect of the preparation and issue of any Provisional Order in pursuance of this section and any expenses incurred by that Board in relation to any inquiries under this section including the expenses of any witnesses summoned by the inspector and a sum to be fixed by that board not exceeding three guineas a day for the services of such inspector.

(11) Any houses on any of the lands shown on the deposited plans occupied or which may have been occupied by persons of the labouring class within five years before the passing of this Act which have been acquired by or on behalf of the Company and for which houses no substitutes have been or are directed to be provided by any scheme approved by the Local Government Board under the powers of any previous Act relating to the Company shall for the purposes of this section be deemed to have been acquired under the powers of this Act and to have been occupied on the fifteenth day of December last by the same number of persons belonging to the labouring class as were occupying the said houses at the date of their acquisition Provided that if the Local Government Board is unable to ascertain the number of such persons who were then occupying the said houses the said houses shall be deemed to have been occupied by such number of such persons as in the opinion of the Local Government Board they might have been sufficient to accommodate.

(12) For the purposes of this section the expression "labouring class" includes mechanics artizans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any of such persons who may be residing with them.

Power to owners to grant easements.

22. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the Company any easement right or privilege (not being an easement right or privilege of water in which other than parties to the agreement have an interest) 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.

23. And whereas in the construction of the railway and works by this Act authorised or otherwise in the exercise by the Company of the powers of this Act it may happen that portions only of certain 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 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 opinion of the jury arbitrators or other authority to whom the question of disputed compensation shall be submitted 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 properties 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 and other persons interested therein by severance or otherwise:

If for twenty-one days after the service of notice to sell and convey any portion or portions of the said property any owner or other person shall fail to notify to the Company that he alleges that such portion or portions cannot be severed from the remainder of the property without causing the material detriment mentioned then the Company may proceed to take such portion or portions only but if within such twenty-one days he shall by notice to the Company allege that such portion or portions cannot be severed from the remainder without causing such material detriment as aforesaid then the tribunal to whom the question of disputed compensation shall be submitted shall determine the matter of the said allegation in addition to the other questions required to be determined by them Provided always that if in the opinion of the said tribunal any such portions cannot be severed from the remainder of such property without such material detriment the Company

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may withdraw their notices to treat for the portion or portions of the property required by them and thereupon they shall pay to the owners of and other persons interested in the property in respect of which they have given notice to treat all costs charges and expenses reasonably and properly incurred by them in consequence of such notice Provided also that if in the opinion of such tribunal any such portions can notwithstanding the allegation of such owner or other person be severed from the remainder without such material detriment then such tribunal may in its absolute discretion determine and order that the costs charges and expenses incurred by such owner or person incident to the arbitration or inquiry shall be borne and paid by such owner or person The provisions of this section shall be in force notwithstanding anything in the Lands Clauses Consolidation Act 1845 contained The provisions of this section shall be stated in every notice given thereunder by the Company to sell and convey any premises.

Period for compulsory purchase of lands.

24. The powers of the Company for the compulsory purchase of lands for the purposes of this Act shall cease after the expiration of three years from the passing of this Act.

Company to abandon authorised railway.

25. The Company shall abandon the construction of Railway No. 2 authorised by the Taff Vale Railway Act 1890.

Compensation for damage to land by entry &c. for purposes of railway abandoned.

26. The abandonment by the Company under the authority of this Act of the said railway shall not prejudice or affect the right of the owner or occupier of any land to receive compensation for any damage occasioned by the entry of the Company on such land for the purpose of surveying and taking levels or probing or boring to ascertain the nature of the soil or setting out of the line of railway and shall not prejudice or affect the right of the owner or occupier of any land which may have been temporarily occupied by the Company to receive compensation for such temporary occupation or for any loss damage or injury which may have been sustained by such owner or occupier by reason thereof or of the exercise as regards such land of any of the powers contained in the Railways Clauses Consolidation Act 1845 or the Taff Vale Railway Act 1890.

Compensation for non-completion of contracts in respect of railway abandoned.

27. Where before the passing of this Act any contract has been entered into or notice given by the Company for the purchasing of any land for the purposes of or in relation to the railway by this Act authorised to be abandoned the Company shall be released from all liability to purchase or to complete the purchase of any such land but notwithstanding full compensation shall be made by the Company to the owners and occupiers or other persons interested in such land for all injury or damage sustained by them respectively

by reason of the purchase not being completed pursuant to such contract or notice and the amount and application of the compensation shall be determined in manner provided by the Lands Clauses Consolidation Act 1845 as amended by any subsequent Act for determining the amount and application of compensation paid for lands taken under the provisions thereof.

Voting in respect of preference stock.

28. Notwithstanding anything contained in section twenty-eight of the Taff Vale Railway Act 1890 or in section seventeen of the Taff Vale Railway Act 1892 the holders of any preference stock issued or to be issued by the Company under the powers of either of the said Acts shall be entitled to the same rights of voting in respect thereof as holders of like amounts of ordinary stock in the capital of the Company are entitled to as if the resolution or resolutions creating such preference stock had expressly provided that they should have such rights.

Amending Section 35 of Company's Act of 1890 as to investment of trust funds.

29. And whereas by the Taff Vale Railway (Amalgamations and Capital) Act 1889 the then existing ordinary stock of the Company to the amount of one million six hundred and seventy-eight thousand pounds was converted into new ordinary stock to the amount of four million one hundred and ninety-five thousand pounds and by section thirty-five of the Taff Vale Railway Act 1890 (in this section referred to as "the Act of 1890") provision was made with regard to the mode in which the rate of dividend on the ordinary stock of the Company should be ascertained for the purposes of sub-section (G) of section three of the Trust Investment Act 1889 And whereas the said sub-section (G) of section three of the last-mentioned Act was (with other provisions of that Act) repealed by the Trustee Act 1893 but the provisions of the said sub-section were by the same Act re-enacted and are contained in sub-section (G) of section one of that Act And whereas doubts have arisen as to the effect of such repeal and re-enactment upon the provisions of section thirty-five of the Act of 1890 and it is expedient that such doubts should be removed Therefore for the purposes of sub-section (G) of section one of the Trustee Act 1893 or any re-enactment or statutory modification thereof the rate of dividend on the ordinary stock of the Company shall be ascertained in manner provided by section thirty-five of the Act of 1890.

Power to Aberthaw Company to raise additional capital.

30. The Aberthaw Company may subject to the provisions of this Act and of Part II. of the Companies Clauses Act 1863 raise any additional capital not exceeding in the whole fifteen thousand pounds by the issue of new ordinary shares but the Aberthaw Company shall not issue any share of less nominal value than ten pounds nor shall any share vest in the person or corporation

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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.

Except as otherwise provided new shares of Aberthaw Company to be subject to the same incidents as other shares.

31. The capital in new shares created by the Aberthaw Company under this Act and the new shares therein and the holders thereof respectively shall be subject and entitled to the same powers provisions liabilities rights privileges and incidents whatsoever in all respects as if that capital were part of the now existing capital of the Aberthaw Company and the new shares were shares in that capital Provided always that notwithstanding section 8 of the Cowbridge and Aberthaw Railway Act 1889 the full amount of each new share may be called up on or at any time after the issue thereof.

New shares to form part of capital of Aberthaw Company.

32. The capital in new shares so created shall form part of the capital of the Aberthaw Company.

Dividends on new shares of Aberthaw Company.

33. Every person who becomes entitled to new shares shall in respect of the same be a holder of shares in the Aberthaw Company and shall be entitled to a dividend with the other holders of shares proportioned to the whole amount from time to time called up and paid on such new shares.

Debenture stock of Aberthaw Company.

34. The Aberthaw Company may subject to the provisions of section nineteen of the Cowbridge and Aberthaw Railway Act 1889 raise by the creation and issue of debenture stock bearing interest at the rate of three pounds ten shillings per centum per annum any sum or sums not exceeding in the whole five thousand pounds Notice of the effect of that enactment shall be endorsed on all mortgages and certificates of debenture stock.

Application of moneys by Aberthaw Company.

35. All moneys raised by the Aberthaw Company under this Act whether by shares or debenture stock shall be applied by the directors of that Company in discharging their debts and liabilities on capital account and to no other purpose.

Aberthaw Company amalgamated with Company.

36. The undertaking of the Aberthaw Company shall subject to the contracts obligations debts and liabilities of that Company be amalgamated with and form part of the undertaking of the Company subject nevertheless to the provisions of this Act and such amalgamation shall take effect as on and from the first day of January one thousand eight hundred and ninety-five and as on and from that date the Aberthaw Company is hereby dissolved except for the purpose of winding up their affairs:

A Queen's printer's copy of this Act shall be chargeable with the same stamp duty as would be chargeable if the transaction effected by the Act with reference to the Aberthaw Company were

a transaction effected by an executed instrument in writing and the copy were the instrument and that copy shall within three months from the time of amalgamation or from the passing of this Act whichever shall last happen be produced as such instrument to the Commissioners of Inland Revenue for their opinion as to the stamp duty chargeable thereon under the provisions of the Stamp Act 1891 and all the provisions of that Act shall apply thereto accordingly except that the Company if dissatisfied with the assessment of the Commissioners shall not be required to pay duty in conformity with such assessment as a condition of appeal to the High Court Provided that in case of delay of payment under the above exception the amount of duty assessed or determined by the Court to be chargeable shall be a debt due to Her Majesty and shall be paid with interest thereon at the rate of five pounds per centum per annum from the expiration of the said three months until the day of payment.

Rates and charges for Aberthaw Railway.

37. From and after the vesting of the undertaking of the Aberthaw Company in the Company under this Act the railway of the Aberthaw Company shall for the purposes of maximum rates and charges for merchandise traffic (including perishable merchandise exceeding fifty-six pounds in weight by passenger train) be deemed part of the railway of the Company as if the same had been a railway owned by the Company at the date of the passing of the Railway Rates and Charges No. 18 (Taff Vale Railway &c.) Order Confirmation Act 1892.

As to mortgages of the Aberthaw Company.

38. All mortgages or bonds of the Aberthaw Company existing at the time of amalgamation shall during the continuance of such mortgages or bonds respectively be charges upon the undertaking of the Aberthaw Company but the Company shall be liable for all interest which shall accrue thereon after the time of amalgamation and as such mortgages or bonds fall due they shall be paid off or may be renewed by the Company and all such renewed mortgages or bonds shall be charges upon the undertaking of the Company and the Company may raise by mortgage of their undertaking or by the creation of debenture stock all such sums as they may require for paying off mortgages or bonds falling due as aforesaid and all sums which the Aberthaw Company had power to borrow on mortgage but have not borrowed Provided that the aggregate borrowing powers of the Company and the Aberthaw Company be in no case exceeded.

Existing debenture stock of Aberthaw

39. On and from the time of amalgamation the several holders of the debenture stock of the Aberthaw Company bearing interest at the rate of three pounds ten shillings per centum per annum shall

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Company to be exchanged for debenture stock of Company.

in lieu of and in exchange for such debenture stock held by them respectively become and be the holders of such an amount of three per centum debenture stock of the Company as will produce an annual income equal to the annual income derived by such holders respectively from the debenture stock of the Aberthaw Company for which such debenture stock of the Company is exchanged:

Provided always that in ascertaining for the purposes of this section the amount of debenture stock of the Company to which any holder of debenture stock of the Aberthaw Company created under the authority of this Act shall be entitled there shall be deducted from the nominal amount of such debenture stock of the Aberthaw Company held by such holder the amount by which the market value exceeds such nominal amount thereof at the date of amalgamation up to five pounds per centum.

Existing shares of Aberthaw Company to be exchanged for debenture stock of Company.

40. On and from the time of amalgamation the several holders of the shares in the capital of the Aberthaw Company shall in lieu of and in exchange for the shares held by them respectively become and be the holders of such an amount of three per centum debenture stock of the Company as will produce an annual income equal to three pounds ten shillings per centum on the nominal amount of the shares of the Aberthaw Company for which such debenture stock of the Company is exchanged:

Provided always that in ascertaining for the purposes of this section the amount of debenture stock of the Company to which any holder of the new shares of the Aberthaw Company created under the authority of this Act shall be entitled there shall be deducted from the nominal amount of such new shares held by such holder the amount by which the market value exceeds such nominal amount thereof at the date of amalgamation up to five pounds per centum.

Fractional parts of a pound of stock.

41. Notwithstanding anything in this Act contained no person shall become entitled under this Act to any fractional part of a pound of debenture stock of the Company but in every case in which any such person would but for this enactment have become entitled to a fractional part of a pound of any such stock the Company may at their option receive from such person such a further sum in cash as will make up an even pound or pay to such person in cash the amount of such fractional part.

Certificates of debenture stock or shares of Aberthaw Company to be exchanged.

42. On and after the time of amalgamation every holder of debenture stock or shares in the capital of the Aberthaw Company shall upon the delivery of the certificates for the same to the Company be entitled to receive and shall receive in the stead thereof certificates of the debenture stock to which such holder is entitled

under the provisions of this Act and the certificates with respect to the debenture stock or shares in the capital of the Aberthaw Company shall upon such exchange be cancelled.

Provision as to lost certificates.

43. If the certificates for any debenture stock or shares in the capital of the Aberthaw Company be lost or destroyed then upon proof thereof and upon an indemnity being given against any claim in respect of such lost or destroyed certificate to the satisfaction of the directors of the Company they shall deliver to the person entitled to such certificate a certificate for the Taff Vale Railway Debenture Stock to which he would be entitled under this Act as if such first-mentioned certificate had been delivered by him to the Company.

Substituted stock to be held on same trusts as the debenture stock or shares for which it is substituted.

44. All stock issued to holders of debenture stock or shares in the capital of the Aberthaw Company under the powers of this Act shall be held subject to the same trusts and obligations as those upon or to which the debenture stock or shares in the capital of the Aberthaw Company in respect of which such stock is substituted were immediately before the date of amalgamation held or subject and so as to give effect to and not revoke any will or other instrument disposing of or affecting any such debenture stock or shares in the capital of the Aberthaw Company and every testamentary disposition and every deed or other instrument affecting such debenture stock or shares shall take effect with reference to the whole or a proportionate part of the stock so substituted therefor as the case may be.

Saving rights of Postmaster-General.

45. Nothing in this Act relating to the vesting of the undertaking of the Aberthaw Company in the Company shall be deemed to impose upon the Postmaster-General the obligation of transmitting under the provisions of the Telegraph Act 1868 or any agreement between the Postmaster-General and the Company made in pursuance thereof any larger number of telegraphic messages of the Company free of charge than he would have been bound to transmit had such vesting not been authorised.

Power to Company to create debenture stock.

46. The Company may create and issue such an amount of Taff Vale Railway Debenture Stock as may be necessary for giving effect to the foregoing provisions of this Act.

Power to apply corporate funds to purposes of Act.

47. The Company may apply to the purposes of this Act or to the general purposes of their undertaking to which capital is properly applicable any of the moneys which they now have in their hands or which they have power to raise by shares or stock or debenture stock or borrowing 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.

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Interest not to be paid on calls paid up.

48. No interest or dividend shall be paid out of any share or loan capital which the Company or the Aberthaw Company are by this or any other Act authorised to raise 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 or the Aberthaw 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.

49. The Company or the Aberthaw 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 or the Aberthaw Company to construct any other railway or to execute any other work or undertaking.

Provision as to general Railway Acts.

50. Nothing in this Act contained shall exempt the Company or the Aberthaw Company or their 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 to be taken by the said Companies or either of them.

Costs of Act.

51. 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.

The SCHEDULE referred to in the foregoing Act.

Describing lands buildings or manufactories whereof parts only are required to be taken.

Number on Deposited Plans.	Parish.	Description of Property.
43	Llanwonno - -	Garden ground footpath and outbuildings.
44	Llanwonno - -	Garden and footpath.
45	Llanwonno - -	Garden and outbuilding.
46	Llanwonno - -	Garden and outbuilding.
48	Llanwonno - -	Garden and outbuilding.
49	Llanwonno - -	Garden pigsty and outbuilding.
50	Llanwonno - -	Garden ground and footpath.
5	Ystradyfodwg -	Warehouse stable yard and outbuilding.
6	Ystradyfodwg -	Outhouse.
7	Ystradyfodwg -	Stable yard and outbuilding.
44	Ystradyfodwg -	Timber yard workshop outbuilding and pigsty.
50	Ystradyfodwg -	Garden and outbuilding.

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