CHAP. xci.

An Act for making a Railway from the Great Western (South Wales) Railway near Whitland to Crymmych Arms in the county of Pembroke. [12th July 1869.] A.D. 1869.

WHEREAS the making of the railway herein-after described would be attended with local and public advantage:

And whereas the persons in this Act named, with others, are willing at their own expense to construct the railway, it is expedient that powers should be conferred on them for that purpose:

And whereas plans and sections showing the lines and levels of the railway, and a book of reference to such plans containing the names of the owners and lessees, or reputed owners and lessees, and of the occupiers of the lands in or through which the railway is to be made and maintained, have been deposited with the clerks of the peace for the counties of Carmarthen and Pembroke respectively, and those plans, sections, and book of reference are in this Act referred to as the deposited plans, sections, and book of reference:

And whereas it is intended that the railway should be constructed and worked as a light railway, subject to the provisions respecting light railways contained in "The Regulation of Railways Act, 1868:"

And whereas it is expedient to authorize the traffic agreements herein-after expressed:

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:

1. This Act may be cited for all purposes as "The Whitland and Taf Vale Railway Act, 1869." Short title.

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

2. "The Companies Clauses Consolidation Act, 1845," Part I. (relating to cancellation and surrender of shares) of "The Companies Clauses Act, 1863," "The Lands Clauses Consolidation Act, 1845," "The Lands Consolidation Acts Amendment Act, 1860," "The Railways Clauses Consolidation Act, 1845," and Part I. (relating to construction of a railway), and Part III. (relating to working agreements) of "The Railways Clauses Act, 1863," are (except where expressly varied by this Act) incorporated with and form part of this Act.

Interpretation of terms.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings, unless there be something in the subject or context repugnant to such construction; the expression "the company" means the company incorporated by this Act; the expressions "the railway" and "the undertaking" mean respectively the railway and undertaking by this Act authorized; and the expression "superior courts" or "court of competent jurisdiction," or any other like expression in this Act, or any Act wholly or partially incorporated herewith, shall be read and have effect as if the debt or demand with respect to which the expression is used were a common simple contract debt, and not a debt or demand created by statute.

Company incorporated.

4. Stephen William Lewis, David Davies, Benjamin Evans, John Owen junior, Septimus S. Williamson, and all other persons and corporations who have already subscribed or shall hereafter subscribe to the undertaking, and their executors, administrators, successors, and assigns respectively, shall be united into a company for the purpose of making and maintaining the railway, and for other the purposes of this Act, and for those purposes shall be incorporated by the name of "The Whitland and Taf Vale Railway Company," and by that name shall be a body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of lands and other property for the purposes of this Act.

Power to make railway according to deposited plans.

5. Subject to the provisions of this Act, the Company may make and maintain in the lines and according to the levels shown on the deposited plans and sections the railway herein-after described, with all proper stations, approaches, works, and conveniences connected therewith, and may enter upon, take, and use such of the lands delineated on the said plans and described in the deposited book of reference as may be required for that purpose. The railway herein-before referred to and authorized by this Act is,—

A railway about fourteen miles in length, commencing by a junction with the Great Western (South Wales) Railway about two miles westward of the Whitland station on that railway, and terminating in the parish of Llanfyrnach, in the county of Pembroke, in a field on the eastern side of the public road leading from Narbeth Road railway station to Cardigan, about sixty yards southward from the Crymmych Arms Inn. A.D. 1869.

Great Western Railway Company to consent to a junction with their railway.

6. The Great Western Railway Company shall consent to a junction being formed and thereafter maintained between the railway and their South Wales Railway (notwithstanding such junction is not shown on the deposited plans), at or near the point described in this Act as the commencement of the railway, and all the provisions of "The Railways Clauses Act, 1863," with respect to junctions shall be applicable and applied to such junction, and to the acquisition of land for and to the works and conveniences connected therewith or incidental thereto, and to the working, maintenance, and management thereof; and the company shall construct at or near the commencement of the railway such siding and other accommodation as may be necessary for the convenient interchange, forwarding, and delivery of traffic between the railway and the said South Wales Railway; and in the event of any difference arising between the company and the Great Western Railway Company as to the sufficiency or insufficiency of such siding or other accommodation the same shall be determined by arbitration in the manner provided by "The Railway Companies Arbitration Act, 1859."

Company not to construct a certain portion of the railway delineated on the deposited plans.

7. Notwithstanding anything in this Act or in the incorporated Acts or any or either of them contained, the Company shall not construct that portion of the railway delineated on the deposited plans which lies between the Whitland station and a point at or near to the point marked on the said plans "two miles," and described in this Act as the commencement of the railway.

Not to take or interfere with railway of Great Western Railway Company.

8. Notwithstanding anything herein or in the incorporated Acts contained, or either of them, it shall not be lawful for the Company, nor any person acting under or in execution of this Act, to enter upon, occupy, or use, either permanently or temporarily, any of the lands, works, or property of the Great Western Railway Company, or in any manner to alter, vary, or interfere with their railway or works, without the consent of that Company under their common seal, save only for the purpose of effecting the junction and communication by this Act authorized, and for exercising the running powers conferred upon the Company by this Act.

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Great Western Railway Company to provide a narrow gauge communication between Whitland and the commencement of the railway.

9. The Great Western Railway Company shall, within six months after receiving notice in writing to that effect from the company, such notice to be served on the secretary of the Great Western Railway Company at his office at the Paddington station, and to be so served at least six months before the opening of the railway for public traffic, convert or alter into a narrow gauge railway, or into a mixed gauge railway, at least one line of rails on their South Wales Railway between their Whitland station and the commencement of the railway, and shall thereafter maintain the same in good working order and condition, and afford facilities for the passage thereon of engines, carriages, and waggons, constructed or adapted for passing over railways on the narrow gauge, and for the exercise of the running powers by this Act authorized; and if the Great Western Railway Company shall not have completed the said conversion or alteration within the time specified in the said notice, it shall be referred to an arbitrator to be appointed by the Board of Trade, on the application of either Company, to determine what sum (if any) in shape of damages the Great Western Railway Company shall pay to the Company in respect thereof: Provided always, that the Company shall not give such notice before the construction of their railway has been commenced.

Running powers over portion of South Wales Railway.

10. The Company may pass over and use with their engines and carriages, and for the purposes of traffic of all kinds arising on or destined for the railway, and any place southward of Whitland on the Pembroke and Tenby Railway, or to be interchanged with the Great Western Railway Company, or for local traffic to or from Whitland, so much of the South Wales Railway as the Great Western Railway Company are to convert or alter into a narrow or mixed gauge railway as herein-before provided, and as lies between the junction by this Act authorized and the said Whitland station; and the Company may fix the fares, rates, and charges (not exceeding those authorized by this Act) for traffic passing or to pass over the said portion of railway to and from their railway and the Pembroke and Tenby Railway to places southward of Whitland, and for local traffic to and from their railway and Whitland, and the fares, rates, and charges (not exceeding those now chargeable on the South Wales Railway) for all other traffic passing or to pass over the said portion of railway may be fixed by the Great Western Railway Company; and the Company shall pay to the Great Western Railway Company for or in respect of the user of the said portion of railway, and for the laying of the narrow gauge thereon, such fares, rates, and charges as for a distance of two miles and a quarter as the Company and the Great Western

Railway Company agree on, or as, failing agreement, shall be settled by arbitration in the manner provided by "The Railway Companies Arbitration Act, 1859," but except as herein-after provided, such fares, rates, and charges shall not be less than the total amount of the fares, rates, and charges received by the company in respect of the said portion of railway; and if such fares, rates, and charges do not amount in any year to the sum of four hundred and fifty pounds, the company shall make up annually and pay to the Great Western Railway Company at the end of each such year such an amount as will produce to that Company a sum of at least four hundred and fifty pounds, as a minimum annual rent for the user or right of user of the said portion of railway and the alteration of the gauge thereon, and such sum shall commence to be payable from the time when the said portion of railway is converted or altered into a narrow gauge line of railway as aforesaid, and shall be payable whether the Company use or do not use the said portion of railway, and may be recovered by the Great Western Railway Company in any court of competent jurisdiction: Provided always, that if the fares, rates, and charges taken or received by the Company in respect of the said portion of railway exceed the said sum of four hundred and fifty pounds in any one year, the Company shall be allowed to retain thereout twenty per centum for working expenses, but so that the annual sum payable to the Great Western Railway Company shall never be less than four hundred and fifty pounds.

Traffic to be interchanged between the Company and the Great Western Railway Company at Whitland and at the junction.

11. Unless otherwise agreed between the Company and the Great Western Railway Company, all traffic from the railway of the Company to places beyond Whitland (except places southward of Whitland on the Pembroke and Tenby Railway) shall be interchanged between the Company and the Great Western Railway Company at Whitland, and such traffic shall be considered as traffic of the Great Western Railway Company, and all traffic from the railway of the Company to places westward of the junction, including the northern side of Milford Haven, shall be interchanged at the junction, and the Company shall not carry any local traffic arising on the South Wales Railway, between Whitland and the said junction, inclusive, except with the consent of the Great Western Railway Company.

Facilities to be afforded for the traffic of the Company at the Whitland station.

12. The Great Western Railway Company shall from time to time and all times hereafter afford at their Whitland station all reasonable and proper facilities and accommodation for the traffic of the Company at that station, including the booking and invoicing such traffic over the railway by this Act authorized, and shall book and invoice such traffic, and employ such clerks, officers, and servants as may be necessary therefor, and for the general conduct

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of the traffic in the said station, and such traffic shall be worked in that station, and the company shall pay to the Great Western Railway Company for the facilities and accommodation to be afforded, and for the services performed by them, such sum as may from time to time be agreed upon between the Company and the Great Western Railway Company, or as, failing agreement, shall be settled by arbitration in the manner provided by "The Railway Companies Arbitration Act, 1859."

Capital.

13. The capital of the Company shall be thirty-seven thousand pounds, in three thousand seven hundred shares of ten pounds each.

Shares not to issue until one fifth paid up.

14. The Company shall not issue any share created under the authority of this Act, 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.

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

Power to borrow on mortgage.

16. The Company may from time to time borrow on mortgage any sum not exceeding in the whole twelve thousand three hundred pounds, but no part thereof shall be borrowed until the whole capital of thirty-seven thousand pounds is subscribed for, issued, and accepted, and one half thereof is paid up, and the Company have proved to the justice who is to certify under the fortieth section of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that the whole of such capital has been subscribed for, 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 capital has been paid on account thereof before or at the time of the issue or acceptance thereof, and that such capital was issued bonâ fide, and is held by the subscribers or their assigns, and that such subscribers or their assigns are legally liable for the same; and upon production to such justice of the books of the Company, and of such other evidence as he shall think sufficient, he shall grant a certificate that the proof aforesaid has been given, which shall be sufficient evidence thereof.

Arrears may be enforced by appointment of a receiver.

17. 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, and in order to authorize the appointment of a receiver in respect of principal, or principal and interest, the amount owing to the mortgagees by

whom the application for a receiver is made shall not be less than two thousand pounds in the whole.

Application of monies.

18. All monies raised under this Act, whether by shares or borrowing, shall be applied for the purposes of this Act only.

First ordinary meeting.

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

Number of directors.

20. The number of the directors shall be not more than six nor less than three.

Qualification of directors.

21. The qualification of a director shall be the possession in his own right of not less than twenty shares.

Quorum.

22. The quorum of a meeting of directors shall be three, but when the number of directors is not more than four the quorum shall be two.

First directors.

23. Stephen William Lewis, David Davies, Benjamin Evans, John Owen junior, Septimus S. Williamson, and one other person duly qualified to be nominated in that behalf by them, or the majority of them, shall be the first directors of the Company, and shall continue in office until the first ordinary meeting held after the passing of this Act; at that meeting the shareholders present in person or by proxy may either continue in office the directors appointed by this Act, or any of them, or may elect a new body of directors, or directors to supply the place of those not continued in office, the directors appointed by this Act being, if qualified, eligible for re-election; and at the first ordinary meeting to be held in every year after the first ordinary meeting the shareholders present in person or by proxy shall (subject to the power herein-before contained for varying the number of directors) elect persons to supply the places of the directors then retiring from office, agreeably to the provisions in "The Companies Clauses Consolidation Act, 1845," contained, and the several persons elected at any such meeting, being neither removed nor disqualified nor having resigned, shall continue to be directors until others are elected in their stead, in manner provided by the same Act.

Election of directors.

Lands for extraordinary purposes.

24. The quantity of land to be taken by the Company by agreement for the extraordinary purposes mentioned in "The Railways Clauses Consolidation Act, 1845," shall not exceed two acres.

Powers for compulsory purchase of lands.

25. The powers of the Company for the compulsory purchase of lands for the purposes of this Act shall not be exercised after the expiration of three years from the passing of this Act.

Level crossings.

26. Subject to the provisions in "The Railways Clauses Consolidation Act, 1845," and in Part I. (relating to construction of a

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railway) of "The Railways Clauses Act, 1863," contained, in reference to the crossing of roads on the level, the Company may, in the construction of the railway, carry the same with a single line of railway only whilst the railway shall consist of a single line, and afterwards with a double line of railway only, across and on the level of the roads next herein-after mentioned; (that is to say,)

No. on deposited Plan.	Parish.	Description of Road.
	Railway No. 1.	
36	Llanfallteg - -	Public.
81	Do. - - -	
28 & 39	Llanboidy - - -	
74	Do. - - -	
147	Do. - - -	
45	Henllan-Amgoed - -	
70	Llanfyrnach - -	
106	Do. - - -	

Restricting weight of engines and speed of trains on railway.

27. Provided always, that the traffic shall not be worked by engines exceeding sixteen tons in weight, nor at a higher maximum speed than sixteen miles an hour, unless the Board of Trade by licence, in accordance with the provisions of "The Regulation of Railways Act, 1868," authorize engines of greater weight and trains of a higher rate of speed on the railway, and then only by engines and trains not exceeding the weight and speed specified in any such licence; and if the Company or any Company working or using the railway, or any person, fails to comply with or acts in contravention of this provision, or of any such licence, or directs anyone so to fail or act, every such Company or person shall be liable to a penalty for each offence not exceeding twenty pounds, and to a like penalty for every day during which the offence continues; and every such person on conviction on indictment for any offence relating to the weight of engines or the speed of trains on the railway shall also be liable to imprisonment, with or without hard labour, for any term not exceeding two years.

Inclination of roads.

28. In altering for the purposes of this Act the roads next herein-after mentioned, the Company may make the same of any inclinations not steeper than the inclinations herein-after mentioned in connexion therewith respectively; (that is to say),

No. on deposited Plan.	Parish.	Description of Road.	Intended Inclination.
106 28	Llanfyrnach and Clydey -	Public - -	1 in 10.

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Deposit money not to be repaid until line opened, or half the capital paid up and expended.

29. Whereas, pursuant to the standing orders of both Houses of Parliament, and to an Act of the ninth and tenth years of Her present Majesty, chapter twenty, a sum of one thousand five hundred and sixty-seven pounds, being five per centum upon the amount of the estimate in respect of the railway authorized by this Act, has been deposited with the Court of Chancery in England in respect of the application to Parliament for this Act: Therefore, notwithstanding anything contained in the said recited Act, the said sum of one thousand five hundred and sixty-seven pounds so deposited as aforesaid in respect of the application for this Act shall not be paid or transferred to or on the application of the person or persons, or the majority of the persons, named in the warrant or order issued in pursuance of the said Act, or the survivors or survivor of them, unless the Company shall, previously to the expiration of the period limited by this Act for completion of the railway hereby authorized to be made, either open the railway for the public conveyance of passengers, or prove to the satisfaction of the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations that the Company have paid up one half of the amount of the capital by this Act authorized to be raised by means of shares, and have expended for the purposes of this Act a sum equal in amount to such one half of the said capital; and if the said period shall expire before the Company shall either have opened the railway for the public conveyance of passengers, or have given such proof as aforesaid to the satisfaction of the lords of the said committee, the said sum of money deposited as aforesaid shall be applied in the manner herein-after specified; and the certificate of the lords of the said committee that such proof has been given to their satisfaction as aforesaid shall be sufficient evidence of the fact so certified, and it shall not be necessary to produce any certificate of this Act having passed, anything in the said recited Act to the contrary notwithstanding.

Application of deposit.

30. The said sum of money deposited 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 railway 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 Court of Chancery in England may seem fit; and if no

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such compensation shall be payable, or if a portion of the said sum of money shall have been found sufficient to satisfy all just claims in respect of such compensation, then the said sum of money, or such portion thereof as may not be required as aforesaid, shall be paid to or on the application of the person or persons, or the majority of the persons, named in such warrant or order as aforesaid, or the survivor or survivors of them: Provided that until the said sum of money shall have been repaid to the depositors, or shall have become otherwise applicable as herein-before mentioned, any interest or dividends accruing thereon shall from time to time, and as often as the same shall become payable, be paid to or on the application of the person or persons, or the majority of the persons, named in such warrant or order as aforesaid, or the survivors or survivor of them.

Period for completion of works.

31. The railway shall be completed within five years from the passing of this Act, and if the railway shall not be completed within that period, then on the expiration thereof the powers by this Act granted to the Company for making and completing the railway, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall then be completed.

Tolls.

32. The Company may demand and take in respect of the use of the railway, and of the aforesaid portion of the South Wales railway over which they are to exercise running powers, any tolls not exceeding the following; (that is to say,)

For passengers and animals.

In respect of passengers and animals conveyed on the railway:

For any person, twopence per mile;

And if conveyed in or upon a carriage belonging to the Company, an additional sum of one penny per mile:

Class 1. For any horse, mule, or other beast of draught or burden, threepence per mile;

And if conveyed in or upon a carriage belonging to the Company, an additional sum of one penny per mile:

Class 2. For any ox, cow, bull, or head of neat cattle, twopence per mile;

And if conveyed in or upon a carriage belonging to the Company, an additional sum of one penny per mile:

Class 3. For any calf, sheep, pig, lamb, or other small animal, one penny per mile;

And if conveyed in or upon a carriage belonging to the Company, an additional sum of one halfpenny per mile.

For goods.

In respect of goods conveyed on the railway:

Class 4. For all coals, cinders, dung, compost, and all sorts of

manure, and all undressed materials for the repair of public roads or highways, culm, cannel, ironstone, iron ore, limestone, slates, slate-slabs, slate-flags, chalk, sand, slag, and clay (except fire-clay), per ton per mile one penny;

And if conveyed in a carriage belonging to the Company, an additional sum per ton per mile of one farthing:

Class 5. For all coke, charcoal, pig iron, bar iron, rod iron, sheet iron, hoop iron, plates of iron, wrought iron, heavy iron castings, railway chairs, slabs, billets, and rolled iron, lime, bricks, tiles, salt, fire-clay, and stone, per ton per mile one penny halfpenny;

And if conveyed in a carriage belonging to the Company, an additional sum per ton per mile of one halfpenny:

Class 6. For all sugar, grain, corn, flour, hides, dyewoods, earthenware, timber, staves, deals, and metal (except iron), nails, anvils, vices, and chains, and for light iron castings, per ton per mile twopence halfpenny;

And if conveyed in a carriage belonging to the Company, an additional sum per ton per mile of one penny:

Class 7. For cotton and other wools, drugs, and manufactured goods, and for fish and all other wares, merchandise, articles, matters, or things, per ton per mile threepence;

And if conveyed in a carriage belonging to the company, an additional sum per ton per mile of one penny:

For every carriage of whatever description, not being a carriage adapted and used for travelling on a railway, and not weighing more than one ton, conveyed on a truck or platform belonging to the Company, sixpence per mile;

And a sum of one penny halfpenny per mile for every additional quarter of a ton or fractional part of a quarter of a ton which any such carriage may weigh.

Regulations as to tolls.

33. The toll which the Company may demand for the use of engines for propelling carriages on the railway shall not exceed one penny per mile for each passenger or animal or for each ton of goods, in addition to the several other tolls or sums by this Act authorized to be taken.

Tolls for propelling power.

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

For all passengers, animals, or goods conveyed on the railway for a less distance than three miles the Company may demand tolls and charges as for three miles:

For a fraction of a mile beyond three miles, or beyond any greater number of miles, the Company may demand tolls and charges

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on animals and goods for such fraction in proportion to the number of quarters of a mile contained therein, and if there be a fraction of a quarter of a mile such fraction shall be deemed a quarter of a mile. And in respect of passengers, every fraction of a mile beyond an integral number of miles shall be deemed a mile:

For a fraction of a ton the Company may demand tolls according to the number of quarters of a ton in such fraction, and if there be a fraction of a quarter of a ton such fraction shall be deemed a quarter of a ton:

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

With respect to stone and timber, fourteen cubic feet of stone, forty cubic feet of oak, mahogany, teak, beech, or ash, and fifty cubic feet of any other timber, shall be deemed one ton weight, and so in proportion for any smaller quantity.

Tolls for small parcels and single articles of great weight.

With respect to small parcels not exceeding five hundred pounds in weight, and single articles of great weight, notwithstanding anything in this Act, the Company may demand and take any tolls not exceeding the following; (that is to say,)

For the carriage of small parcels on the railway:

For any parcel not exceeding seven pounds in weight, threepence;

For any parcel exceeding seven pounds but not exceeding fourteen pounds in weight, fivepence;

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

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

And for any parcel exceeding fifty-six pounds but not exceeding five hundred pounds in weight, the Company may demand any sum which they think fit:

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

For the carriage of single articles of great weight on the railway:

For the carriage of any one boiler, cylinder, or single piece of machinery, or single piece of timber or stone, or other single article the weight of which (including the carriage) shall exceed four tons but shall not exceed eight tons, the Company may demand such sum as they think fit, not exceeding sixpence per ton per mile:

For the carriage of any one boiler, cylinder, or single piece of machinery, or single piece of timber or stone, or other single article, the weight of which with the carriage shall exceed eight tons, the Company may demand such sum as they think fit.

Maximum rates for passengers.

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

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

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

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

Maximum rates for animals and goods.

36. The maximum rate of charge to be made by the Company for the conveyance of animals and goods on the railway (except such small parcels and single articles of great weight as aforesaid), including the tolls for the use of the railway, and for waggons or trucks and locomotive power, and for every other expense incidental to the conveyance (except a reasonable charge for loading and unloading goods at any terminal station in respect of such goods, and for delivery and collection, and any other service incidental to the business or duty of a carrier, where any such service is performed by the Company), shall not exceed the following sums; (that is to say,)

For every animal in Class 1, fourpence per mile;

For every animal in Class 2, threepence per mile;

For every animal in Class 3, one penny halfpenny per mile;

For everything in Class 4, one penny halfpenny per ton per mile;

For everything in Class 5, twopence per ton per mile;

For everything in Class 6, threepence per ton per mile;

For everything in Class 7, fourpence per ton per mile;

And for every carriage of whatever description, not being a carriage adapted and used for travelling on a railway, and not weighing more than one ton, carried or conveyed on a truck or platform, per mile sixpence; and if weighing more than one ton, one penny halfpenny for every additional quarter of a ton or fraction of a quarter of a ton which such carriage may weigh.

Passengers luggage.

37. Every passenger travelling upon the railway may take with him his ordinary luggage, not exceeding one hundred and twenty

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pounds in weight for first-class passengers, one hundred pounds in weight for second-class passengers, and sixty pounds in weight for third-class passengers, without any charge being made for the carriage thereof.

Terminal station.

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

Restrictions as to charges not to apply to special trains.

39. The restrictions as to the charges to be made for passengers shall not extend to any special train run upon the railway, in respect of which the Company may make such charges as they think fit, but shall apply only to the ordinary and express trains appointed from time to time by the Company for the conveyance of passengers and goods upon the railway.

Company may take increased charges by agreement.

40. Nothing in this Act shall prevent the Company from taking any increased charges, over and above the charges by this Act limited, for the conveyance of animals or goods of any description, by agreement with the owners or persons in charge thereof, either by reason of any special service performed by the Company in relation thereto, or in respect to the conveyance of animals or goods (other than small parcels) by passenger trains.

Power to company and Great Western Railway Company to make contracts and arrangements.

41. The Company on the one hand, and the Great Western Railway Company on the other hand, from time to time may enter into and carry into effect contracts and arrangements for or with respect to all or any of the following purposes; (that is to say,)

The maintenance, use, working, and management of the railway or of any part or parts thereof:

The supply of rolling stock and plant:

The construction and maintenance of junctions and communications between their respective works:

The making, laying down, maintenance, and use of tramways, sidings, buildings, and other conveniences:

The accommodation and transmission of the traffic of or destined for or coming from their respective undertakings:

The fixing, levying, and division of their respective tolls, rates, dues, and charges, and the allowances, drawbacks, and reductions to be paid and allowed between the contracting parties, and all incidental matters.

Tolls on traffic conveyed partly on the railway and partly on the South Wales Railway.

42. During the continuance of any agreement to be entered into under the provisions of this Act for the use of the railway by the Great Western Railway Company, the railways of the Company and of the Great Western Railway Company shall, for the purposes of tolls and charges, be considered as one railway; and in

estimating the amount of tolls and charges in respect of traffic conveyed partly on the railway and partly on the railway of the Great Western Railway Company for a less distance than three miles, tolls and charges may only be charged as for three miles; and in respect of passengers, for every mile or fraction of a mile beyond three miles, tolls and charges as for one mile only; and in respect of animals and goods, for every quarter of a mile or fraction of a quarter of a mile beyond three miles, tolls and charges as for a quarter of a mile only; and no other short-distance charge shall be made for the conveyance of passengers, animals, or goods partly on the railway and partly on the railway of the Great Western Railway Company.

Interest not to be paid on calls paid up.

43. The Company shall not, out of any money by this Act authorized to be raised by calls or by borrowing, pay interest or dividend to any shareholder on the amount of the calls made in respect of the shares held by him: Provided always, that this Act shall not prevent the Company from paying to any shareholder such interest on money advanced by him beyond the amount of the calls actually made as is in conformity with "The Companies Clauses Consolidation Act, 1845."

Deposits for future bills not to be paid out of capital.

44. The Company shall not, out of any money by this Act authorized to be raised, pay or deposit any sum which by any standing order of either House of Parliament now or hereafter in force, may be required to be deposited in respect of any application to Parliament for the purpose of obtaining an Act authorizing the Company to construct any other railway, or to execute any other work or undertaking.

Railway not exempt from provisions of present and future general Acts.

45. Nothing herein contained shall be deemed or construed to exempt the railway by this Act authorized to be made 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, authorized by this Act.

Expenses of Act.

46. 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.

LONDON: Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1869.