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VICTORIÆ REGINÆ.

Cap. ccix.

An Act for making a Railway from the *Merthyr, Tredegar, and Abergavenny* Railway near the *Brynmawr* Station thereof to *Blaenavon*; and for other Purposes. [16th July 1866.]

WHEREAS the Construction of the Railway herein-after described would be of local and public Advantage: And whereas it is expedient that the several Persons herein named, with others, should be incorporated into a Company for constructing such Railway, and for other the Purposes of this Act: And whereas it is expedient that the *London and North-western* Railway Company should be empowered to subscribe to the Undertaking, and to raise further Monies for that Purpose: And whereas it is expedient that the Company so to be incorporated and the *London and North-western* Railway Company should be empowered to enter into such Traffic and other Agreements as herein-after expressed: And whereas Plans and Sections showing the Situation, Lines, and Levels of the proposed Railway and Works, and the Lands proposed to be taken or which may be required to be taken for the Purposes thereof, and Books of Reference to those Plans containing the Names of the

[*Local.*]

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Owners

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Owners and Lessees, or reputed Owners and Lessees, and of the Occupiers of those Lands respectively, have been deposited with the respective Clerks of the Peace for the Counties of *Monmouth* and *Brecon*, and those Plans, Sections, and Books of Reference are in this Act referred to as the deposited Plans, Sections, and Books of Reference: And whereas the Objects aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited for all Purposes as "The *Brynmawr and Blaenavon Railway Act, 1866.*"

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) and Part III. (relating to Debenture Stock) of "The Companies Clauses Act, 1863," "The Lands Clauses Consolidation Act, 1845," "The Lands Clauses 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.

Interpreta-
tion of
Terms.

3. In this Act the several Words and Expressions to which Meanings are assigned by the Acts wholly or partially incorporated herewith shall have the same respective Meanings, unless there be something in the Subject or Context repugnant to such Construction; the Expression "the Company" shall mean the Company incorporated by this Act; "the Railway" or "the Undertaking" shall mean the Railway or Undertaking by this Act authorized, or any Part thereof; the Term "Traffic" shall have the Meaning assigned to that Term in and by "The Railway and Canal Traffic Act, 1854;" 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. *George Skirrow Beecroft, William Tipping, Henry Martyn Kennard, Frederick George Finch, and John Jayne* (being Subscribers to the Undertaking), 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

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and for those Purposes shall be incorporated by the Name of "the *Brynmawr and Blaenavon 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.

5. Subject to the Provisions of this Act, the Company may make and maintain in the Line 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 Books of Reference as may be required for that Purpose. The Railway herein-before referred to and authorized by this Act is,—

Power to make Railway according to deposited Plans.

A Railway Four Miles and Six Furlongs in Length, commencing in the Parish of *Aberystroth* in the county of *Monmouth* by a Junction with the *Merthyr, Tredegar, and Abergavenny* Railway near the *Brynmawr* Station on that Railway, and terminating in the Parish of *Trevethin* in the same County on the North Side of the public Carriage Road leading from *Blaenavon* to *Pontypool*.

6. The Capital of the Company shall be Sixty thousand Pounds, in Six thousand Shares of Ten Pounds each.

Capital.

7. 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.

Shares not to issue until One Fifth paid up.

8. 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.

Calls.

9. Subject to the Provisions of this Act, the Company, with the Authority of Three Fourths of the Votes of the Shareholders present (personally or by proxy) at a General Meeting of the Company specially convened for the Purpose, may from Time to Time divide any Share in their Capital into Half Shares, of which One shall be called "Preferred Half Share," and the other shall be called "Deferred Half Share:" Provided always, that it shall not be lawful for the Company to divide any Share under the Authority of this Act unless and until not less than Sixty *per Centum* upon such Share has been paid up, and upon every such Division Fifty *per Centum* upon the entire

Power to divide Shares.

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entire Share shall be carried to the Credit of the Deferred Half Share (being the whole Amount payable thereon), and the Residue to the Credit of the Preferred Half Share.

Dividends on
Half Shares.

10. The Dividend which would from Time to Time be payable on any divided Share if the same had continued an entire Share shall be applied in Payment of Dividends on the Two Half Shares in manner following; (that is to say,) first, in Payment of Dividend after such Rate not exceeding *Six per Centum per Annum* as shall be determined at a General Meeting of the Company specially convened for the Purpose on the Amount for the Time being paid up on the Preferred Half Share, and the Remainder (if any) in Payment of Dividend on the Deferred Half Share, and the Company shall not pay any greater Amount of Dividend on the Two Half Shares than would have from Time to Time been payable on the entire Share if the same had not been divided.

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

11. Each Preferred Half Share shall be entitled, out of the Profits of each Year, to the Dividend which may have been attached to it by the Company as aforesaid in priority to the Deferred Half Share bearing the same Number, but if in any Year ending the Thirty-first Day of *December* there shall not be Profits available for the Payment of the full Amount of Dividend on any Preferred Half Share for that Year, no Part of the Deficiency shall be made good out of the Profits of any subsequent Year, or out of any other Funds of the Company.

Half Shares
to be regis-
tered and
Certificates
issued.

12. Forthwith after the Creation of any Half Shares the same shall be registered by the Directors, and each Half Share shall bear the same Number as the Number of the entire Share Certificate in respect of which it was issued, and the Directors shall issue Certificates of the Half Shares accordingly, and shall cause an Entry to be made in the Register of the entire Shares of the Conversion thereof: Provided always, that the Directors shall not be bound to issue a Certificate of any Half Share until the Certificate of the existing Share be delivered to them to be cancelled, unless it be shown to their Satisfaction that the Certificate is destroyed or lost, and on any such Certificate being so delivered up the Directors shall cancel it.

Terms of
Issue to be
stated in
Certificates.

13. The Terms and Conditions on which any Preferred Half Share or Deferred Half Share created under this Act is issued shall be stated on the Certificate of each such Half Share.

Forfeiture of
Preferred
Shares.

14. The Provisions of "The Companies Clauses Consolidation Act, 1845," with respect to the Forfeiture of Shares for Nonpayment of Calls, shall apply to all Preferred Half Shares to be created under
the

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the Authority of this Act, and every such Preferred Half Share shall for that Purpose be considered a whole Share, distinct from the corresponding Deferred Half Share: Provided always, that until any forfeited Preferred Half Share shall be sold by the Directors of the Company all Dividends which would be payable thereon if the same had not been forfeited shall be applied in or towards the Payment of any Expenses attending the Declaration of Forfeiture thereof, and of the Arrears of Calls for the Time being due thereon, with Interest.

15. No Preferred Half Share created under the Authority of this Act shall be cancelled or be surrendered to the Company.

Preferred Shares not to be cancelled or surrendered. Half Shares to be Half Shares in Capital.

16. The several Half Shares under this Act shall be Half Shares in the Capital of the Company, and every Two Preferred or Deferred Half Shares held by the same Person shall confer such Right of voting at Meetings of the Company, and (subject to the Provisions hereinbefore contained) shall confer and have all such other Rights, Qualifications, Privileges, Liabilities, and Incidents, as attach and are incident to an entire Share.

17. It shall be lawful for the *London and North-western* Railway Company, with the Authority of Three Fourths of the Votes of their Shareholders present (in person or by proxy) at a General Meeting of the said Company specially convened for the Purpose, from Time to Time to subscribe any Sum which they think fit towards the Undertaking hereby authorized, not exceeding in the whole Twenty-five thousand Pounds, and the said Company may, with the like Authority, contribute and apply in Payment of their said Subscription any Monies, which they are already authorized to raise, and which may not be required by them for the Purposes of their Undertaking, and also any Monies which they are by this Act authorized to raise; and the said Company shall in respect of the Sums to be subscribed, and the corresponding Shares in the Company to be held, by them, have all the Powers, Rights, and Privileges (except in regard to voting at General Meetings which shall be as herein-after provided), and be subject to all the Obligations and Liabilities, of Proprietors of Shares in the Company: Provided always, that it shall not be lawful for the *London and North-western* Railway Company to sell, dispose of, or transfer any of the Shares in the Company for which they may subscribe.

Power to *London and North-western* Railway Company to subscribe and to apply Funds for that Purpose.

18. The Company may from Time to Time borrow on Mortgage any Sum not exceeding in the whole Twenty thousand Pounds, but no Part thereof shall be borrowed until the whole Capital of Sixty 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 the

Power to borrow on Mortgage.

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Capital has been issued and accepted, and that One Half thereof has been paid up, and that not less than One Fifth Part of the Amount of each separate Share has been paid on account thereof before or at the Time of the Issue or Acceptance thereof, and that 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 Certificate shall be sufficient Evidence thereof.

Arrears may be enforced by Appointment of a Receiver.

19. The Mortgagees of the Company may enforce Payment of Arrears of Principal and Interest due on their Mortgages by the Appointment of a Receiver, and in order to authorize the Appointment of a Receiver the Amount owing to the Mortgagees by whom the Application for a Receiver shall be made shall not be less than One thousand seven hundred Pounds in the whole.

Debenture Stock.

20. The Company may create and issue Debenture Stock.

Monies borrowed on Mortgage to have Priority.

21. All Monies to be borrowed on Mortgage under this Act from the Time when the same shall be advanced, and the Interest for the Time being due thereon, shall have Priority against the Company, and the Property from Time to Time of the Company, over all other Claims on account of any Debts incurred or to be incurred, or Engagements entered into or to be entered into, by them: Provided always, that such Priority shall not prejudice or affect any Claim, Right, or Remedy against the Company or their Property in respect of any Rentcharge to be granted by them in pursuance of the Provisions of "The Lands Clauses Consolidation Act, 1845," or "The Lands Clauses Consolidation Acts Amendment Act, 1860," nor shall anything herein-before contained prejudice or affect the Lien of any Vendor for the unpaid Purchase Money of any Land taken by the Company for the Purposes of the Railway.

Application of Monies.

22. All Monies raised under this Act, whether by Shares, Debenture Stock, or borrowing, shall be applied for the Purposes of this Act only.

First Ordinary Meeting.

23. The First Ordinary Meeting of the Company shall be held within Six Months after the passing of this Act.

Number of Directors.

24. The Number of Directors shall be Five.

Qualification of Directors.

25. The Qualification of a Director shall be the Possession in his own Right of not less than Fifty Shares.

Quorum.

26. The Quorum of a Meeting of Directors shall be Three.

27. George

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- 27.** *George Skirrow Beecroft, William Tipping, Henry Martyn Kennard, Frederick George Finch, and John Jayne* 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 qualified, if 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 reducing 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. First Directors.
Election of Directors.
- 28.** The Quantity of Land to be taken by the Company for the extraordinary Purposes mentioned in "The Railways Clauses Consolidation Act, 1845," shall not exceed Two Acres. Lands for extraordinary Purposes.
- 29.** 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. Powers for compulsory Purchases limited.
- 30.** The Railway shall be completed within Four Years from the passing of this Act, and on the Expiration of that Period the Powers by this Act granted to the Company for executing the Railway, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall then be completed. Period for Completion of Works.
- 31.** The Company shall, not less than Eight Weeks before they take in any Parish Fifteen Houses or more occupied either wholly or partially by Persons belonging to the Labouring Classes as Tenants or Lodgers, make known their Intention to take the same by Placards, Handbills, or other general Notice placed in public View upon or within a reasonable Distance from such Houses, and the Company shall not take any such Houses until they have obtained the Certificate of a Justice that it has been proved to his Satisfaction that the Company have made known their Intention to take the same in manner herein-before required. Notice to be given of taking Houses of Labouring Classes.
- 32.** Whereas the Most Noble *Henry Charles Fitzroy* Duke of *Beaufort* is the Owner of Limestone Quarries on *Gilwern Hill*, near For Accommodation of Quarries of
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the Duke of
Beaufort.

to the Line of the proposed Railway : Therefore if the said Duke or his Lessee or Lessees shall at any Time hereafter make a Branch Railway from the said Limestone Quarries to a Junction with the proposed Railway, the Company shall and they are hereby required to afford reasonable Accommodation to the Traffic therefrom by making a Junction at their own Expense between the said proposed Railway and such Branch Railway, and affording all reasonable Facilities for the forwarding of the Traffic to and from the said Branch Railway ; and if any Difference shall arise between the Parties in respect to any Matter or Thing to be done under this Enactment, the same shall be settled by Arbitration in manner provided by " The Lands Clauses Consolidation Act, 1845," with reference to Questions of disputed Compensation, and the Costs of such Arbitration shall be in the Discretion of the Arbitrator or Umpire, as the Case may be.

Deposit
Money not
to be repaid
until Line
opened or
Half the
Capital paid
up and ex-
pended,
except on
Execution of
Bond, &c.

33. Whereas, pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the Ninth Year of Her present Majesty, Chapter Twenty, a Sum of Five thousand two hundred and eighty-seven Pounds Seven Shillings and Twopence Three Pounds *per Centum* Consolidated Bank Annuities, purchased with the Sum of Four thousand six hundred Pounds, which is equal to Eight *per Centum* on Fifty-seven thousand three hundred and ninety-three Pounds Six Shillings and Fourpence, the Amount of the Estimate of the Expense of the Railway by this Act authorized, has been transferred from the Names of *George Skirrow Beecroft* and *William Tipping* (being the Persons named in the Warrant or Order issued in pursuance of the said Act) into the Name of the Accountant General of 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 Stock so transferred as aforesaid, or the Interest or Dividends thereof, shall not, except upon the Execution and Deposit of such Bond as herein-after mentioned, 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 the Completion of the Railway, 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

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said Committee, the said Sum of Stock so transferred as aforesaid, and the Interest and Dividends thereof, shall immediately from and after the Expiration of the said Period be forfeited to Her Majesty, and be paid and transferred by the Officer or Person in whose Name they shall then be deposited or invested to the Account of Her Majesty's Exchequer, and when so paid and transferred shall be carried to and form Part of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*: Provided that at any Time after the passing of this Act if a Bond in twice the Amount of the Sum of Four thousand six hundred Pounds shall have been executed by the Company, with One or more Surety or Sureties, (such Bond to be prepared to the Satisfaction of, and such Surety or Sureties to be approved by, the Solicitor to the Lords Commissioners of Her Majesty's Treasury,) conditioned for the Payment to Her Majesty, Her Heirs or Successors, of the said Sum of Four thousand six hundred Pounds if the Company shall not, within the Time limited for the Completion of the Railway, either open the Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the said Committee 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 such Bond shall have been deposited with the Solicitor to the said Lords Commissioners, then such Sum of Stock so transferred as aforesaid, and the Interest or Dividends thereof, 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 Survivors or Survivor of them, 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; and the Monies to be recovered upon such Bond shall be dealt with in like Manner as the said Stock so transferred as aforesaid, and the Interest or Dividends thereof, would have been dealt with under this Act if such Bond had not been executed and deposited as aforesaid; and the Certificate of the said Solicitor to the said Lords Commissioners that such Bond has been executed and deposited as aforesaid, and the Certificate of the Lords of the said Committee that such Proof has been given to their Satisfaction as aforesaid, shall respectively be sufficient Evidence of the Facts so certified.

34. The Company may demand and take in respect of the Use of Tolls. the Railway any Tolls not exceeding the following; (that is to say,)

In respect of Passengers and Animals conveyed on the Railways:

For every Person conveyed in or upon any Carriage, *per* Mile not exceeding Twopence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Penny Halfpenny:

For Passengers, Animals, &c.

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Class

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Class 1. For every Horse, Mule, Ass, or other Beast of Draught or Burden (except Oxen) conveyed in or upon any such Carriage, *per Mile* not exceeding Threepence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per Mile* not exceeding One Penny:

Class 2. For every Ox, Cow, Bull, or Head of Neat Cattle conveyed in or upon any such Carriage, the Sum of Twopence *per Mile*; and if conveyed in any Carriage belonging to the Company, an additional Sum *per Mile* not exceeding One Penny:

Class 3. For every Calf or Pig, Sheep, Lamb, or other small Animal conveyed in or upon any such Carriage, *per Mile* not exceeding Three Farthings; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per Mile* not exceeding One Farthing.

For Goods,
&c.

In respect of the Tonnage of Goods conveyed on the Railway:

Class 4. For all Dung, Compost, and all Sorts of Manure, Lime and Limestone, and all undressed Materials for the Repair of public Roads or Highways, Coals, Coke, Culm, Charcoal, and Cinders, all Stones for building, pitching, and paving, all Bricks, Tiles, Slates, Clay, Sand, Ironstone and Iron Ore, Copper, Tin, Lead, and other Ores, *per Ton per Mile* not exceeding One Penny; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding One Halfpenny:

Class 5. For all Pig Iron, Bar Iron, Rod Iron, Hoop Iron, and all other similar Descriptions of Wrought Iron and Iron Castings not manufactured into Utensils or other Articles of Merchandise, *per Ton per Mile* not exceeding One Penny Halfpenny; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding One Halfpenny:

Class 6. For all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber, Staves, and Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, *per Ton per Mile* not exceeding Twopence; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding Three Farthings:

Class 7. For all Cotton and other Wools, Drugs (except Vitriol), manufactured Goods, and all other Wares, Merchandise, Fish, Articles, Matters, or Things, *per Ton per Mile* not exceeding Threepence; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding One Penny:

Class 8. And for every Carriage of whatever Description, not being a Carriage adapted and used for travelling on a Railway, and

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and not weighing more than One Ton, carried or conveyed on a Truck or Platform, *per Mile* not exceeding Sixpence, and a like Sum of One Penny Halfpenny *per Ton per Mile* for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton which any such Carriage so conveyed may weigh.

35. 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.

36. The following Provisions and Regulations shall apply to the fixing of all Tolls and Charges payable under this Act; (that is to say,)

Regulations as to Tolls.

For all Passengers, Animals, or Goods conveyed on the Railway for a less Distance than Four Miles the Company may demand Tolls and Charges as for Four Miles:

For a Fraction of a Mile beyond Four Miles, or beyond any greater Number of Miles, the Company may demand Tolls and Charges on Animals and Goods for such Fraction in proportion to the Number of Quarters of a Mile contained therein, and if there be a Fraction of a Quarter of a Mile such Fraction shall be deemed a Quarter of a Mile; and in respect of Passengers, every Fraction of a Mile beyond an integral Number of Miles shall be deemed a Mile:

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.

37. With respect to small Parcels not exceeding Five hundred Pounds in Weight, and single Articles of great Weight, notwithstanding the Rates prescribed by this Act, the Company may demand and take any Tolls not exceeding the following; (that is to say,)

Tolls for small Parcels and single Articles of great Weight.

For the Carriage of small Parcels on the Railway, as follows:

For any Parcel not exceeding Seven Pounds in Weight, Three-pence;

For any Parcel exceeding Seven Pounds in Weight but not exceeding Fourteen Pounds in Weight, Fivepence;

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For any Parcel exceeding Fourteen Pounds in Weight but not exceeding Twenty-eight Pounds in Weight, Sevenpence;

For any Parcel exceeding Twenty-eight Pounds in Weight but not exceeding Fifty-six Pounds in Weight, Ninepence;

For any Parcel exceeding Fifty-six Pounds in Weight 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:

For the Carriage of any One Boiler, Cylinder, or any One 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 any Sum not exceeding Sixpence *per Ton per Mile*; and if conveyed in or upon a Carriage belonging to the Company, an additional Sum *per Ton per Mile* not exceeding One Penny:

For the Carriage of any One Boiler, Cylinder, or any single Piece of Machinery, or single Piece of Timber, 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.

38. 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 *per Mile*.

Maximum
Rates for
Animals and
Goods.

39. The maximum Rate of Charge to be made by the Company for the Conveyance of Goods and Animals on the Railway, 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

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by the Company), shall not exceed the following Sums; (that is to say,)

For every Animal mentioned in Class 1, not exceeding Fourpence *per Mile*:

For every Animal mentioned in Class 2, not exceeding Twopence *per Mile*:

For every Animal mentioned in Class 3, not exceeding One Penny *per Mile*:

For the Matters mentioned in Class 4, not exceeding One Penny Halfpenny *per Ton per Mile*:

For the Matters mentioned in Class 5, not exceeding Twopence *per Ton per Mile*:

For the Matters mentioned in Class 6, not exceeding Threepence *per Ton per Mile*:

For the Matters mentioned in Class 7, not exceeding Fourpence *per Ton per Mile*:

For any Carriage mentioned under Class 8, not weighing more than One Ton, not exceeding Sevenpence *per Mile*, and if weighing more than One Ton, not exceeding One Penny Three Farthings *per Mile* for every Quarter of a Ton or fractional Part of a Quarter of a Ton.

40. Every Passenger travelling upon the Railway may take with him his ordinary Luggage, not exceeding One hundred and twenty Pounds in Weight for First-class Passengers, One hundred Pounds in Weight for Second-class Passengers, and Sixty Pounds in Weight for Third-class Passengers, without any Charge being made for the Carriage thereof.

Passengers-
Luggage.

41. 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.

Terminal
Station.

42. 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.

Restrictions
as to Charges
not to apply
to Special
Trains.

43. 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,

Company
may take
increased
Charges by
Agreement.

The Brynmawr and Blaenau Railway Act 1866.

or in respect to the Conveyance of Animals or Goods (other than small Parcels) by Passenger Trains.

Tolls may be taken by other Companies subject to Working Agreements.

44. If under the Provisions of this Act, or of "The Railways Clauses Consolidation Act, 1845," or any Contract or Agreement authorized by this Act, the Company agree with any other Company for the Use by any such other Company of the Railway, then and in such Case during such Contract or Agreement Tolls and Charges not exceeding such as are authorized by this Act may be demanded and taken by such other Company upon or in respect of the Railway in accordance with the Terms and Stipulations of such Contract or Agreement, and such Tolls and Charges or any agreed proportionate Part thereof shall be paid over to the Company, or be retained by such other Company for their own Use or Benefit, subject to such Deductions, Payments, or Liabilities as may be provided for in such Contract or Agreement.

Power to enter into Traffic arrangements with other Railway Companies.

45. The Company and the *London and North-western Railway Company* may from Time to Time enter into Contracts or Arrangements with respect to the following Purposes or any of them; (that is to say,)

- The Management, Use, Working, and Maintenance of the Railways of the Company, or of any Part or Parts thereof:
- The Supply of any Rolling or Working Stock and of Officers and Servants for the Conduct of the Traffic on the Railway:
- The Payments to be made and the Conditions to be performed with respect to the Matters aforesaid:
- The Interchange, Accommodation, Conveyance, and Delivery of Traffic coming from or destined for the Railway, and the fixing and Division between the Companies of the Receipts arising from such Traffic.

Tolls on Traffic conveyed partly on the Railway and partly on the Railway of the London and North-western Railway Company.

46. During the Continuance of any Agreement to be entered into under the Provisions of this Act for the Use of the Railway by the *London and North-western Railway Company*, the Railway of the Company and of the *London and North-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 *London and North-western Railway Company* for a less Distance than Four Miles, Tolls and Charges may only be charged as for Four Miles; and in respect of Passengers, for every Mile or Fraction of a Mile beyond Four Miles Tolls and Charges as for One Mile only; and in respect of Animals and Goods, for every Quarter of a Mile or Fraction of a Quarter of a Mile beyond Four Miles Tolls and Charges as for a Quarter of a Mile only; and no other

Short-

The Brynmawr and Blaenavon Railway Act, 1866.

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 *London and North-western Railway Company*.

47. It shall be lawful for the *London and North-western Railway Company* from Time to Time to raise for the Purposes of their Subscription to the Undertaking hereby authorized any Sums of Money, not exceeding in the whole the Amount which the said Company may as aforesaid agree to subscribe, by the Creation and Issue of new Ordinary Shares or Stock and new Preference Shares or Stock in their Capital, or, at the Option of the said Company, by any of those Modes, and Part II. (relating to additional Capital) of "The Companies Clauses Act, 1863," shall extend and apply to the additional Capital so authorized to be raised by the said Company.

Power to *London and North-western Railway Company* to raise Money by the Creation of Shares or Stock.

48. The *London and North-western Railway Company* shall not issue any Share 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 Part of the Amount of such Share shall have been paid in respect thereof.

Shares of that Company not to be issued until One Fifth Part thereof shall have been paid up.

49. All Monies which the *London and North-western Railway Company* may raise under the Powers of this Act shall be applied for the Purposes of the before-mentioned Contribution only.

Application of Monies raised by that Company.

50. The *London and North-western Railway Company*, whilst Shareholders of the Company, may by Writing under their Common Seal from Time to Time appoint some Person to attend any Meeting of the Company, and such Person shall have all the Privileges and Powers attaching to other Shareholders at such Meetings, and may vote thereat in respect of the Capital held by the *London and North-western Railway Company*.

Votes of that Company at General Meeting.

51. 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."

Interest not to be paid on Calls paid up.

52. 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

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

The Brynmawr and Blaenavon Railway Act, 1866.

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.

53. 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.

54. All Costs, Charges, and Expenses of and incident to the preparing for, obtaining, and passing of this Act, or otherwise in relation thereto, shall be paid by the Company.

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