



ANNO VICESIMO NONO & TRICESIMO

VICTORIÆ REGINÆ.

Cap. ccxlviii.

An Act to enable the *Llantrissant and Taff Vale Junction* Railway Company to make Railways to join the Railway of the *Penarth* Harbour, Dock, and Railway Company, and the *Ely Valley* Railway, and to form an additional Junction with their *Llantrissant Common* Branch ; and for other Purposes. [23d July 1866.]

WHEREAS by "The *Llantrissant and Taff Vale Junction* Railway Act, 1861," the *Llantrissant and Taff Vale Junction* Railway Company (herein called "the Company") were incorporated, and authorized to make a Railway commencing by a Junction with the *Taff Vale* Railway in the Parish of *Llantwit Vardre*, and terminating in the Parish of *Llantrissant*, with Two Branches therefrom, called respectively in the said Act "the *Ely Junction* Branch" and "the *Llantrissant Common* Branch:" And whereas it is expedient that the Company should be authorized to make and maintain Railways for the Purpose of connecting their Railway with the Railway of the *Penarth* Harbour, Dock, and Railway Company, and with the *Ely Valley* Railway, and also a Railway to

24 & 25 Vict.
c. li.

[Local.] 39 I afford

The Llantrissant and Taff Vale Junction Railway Act, 1866.

afford an additional Junction with the said *Llantrissant Common Branch*: And whereas a Plan and Section of the Railways showing the Line and Levels thereof, and also a Book of Reference containing the Names of the Owners and Lessees or reputed Owners and Lessees, and of the Occupiers of the Lands which may be required to be taken for the Purposes of the said Railways, have been deposited for public Inspection with the Clerk of the Peace for the County of *Glamorgan*, 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 expedient that the Company should be authorized to enter into Working and Traffic Agreements as herein-after mentioned: And whereas by the recited Act the Company were authorized to raise Forty thousand Pounds by Shares and Thirteen thousand Pounds by borrowing: And whereas the Company require a further Sum of Money for carrying into complete Execution the Purposes of the recited Act; and it is expedient that the Company should be authorized to raise further Sums for that Purpose and for the Purposes of this Act: And whereas the Objects of this Act cannot be attained without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited for all Purposes as "*The Llantrissant and Taff Vale Junction Railway Act, 1866.*"

8 & 9 Vict.
c. 16. 18.
& 20.,
23 & 24 Vict.
c. 106., and
26 & 27 Vict.
c. 92. incor-
porated.

2. "The Lands Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Acts Amendment Act, 1860," "The Railways Clauses Consolidation Act, 1845," Parts I. and III. of "The Railways Clauses Act, 1863," the Provisions of "The Companies Clauses Consolidation Act, 1845," with respect to the following Matters, (that is to say)

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

With respect to the Transfer and Transmission of Shares;

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

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

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

With respect to the Consolidation of Shares into Stock;

With respect to the making of Dividends;

With respect to the borrowing of Money on Mortgage or Bond;

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

With

The Llantrissant and Taff Vale Junction Railway Act, 1866.

With respect to the General Meetings of the Company and the Exercise of the Right of Voting by the Shareholders ;
 And with respect to the Provisions to be made for affording Access to the Special Act ;
 and Part II. of "The Companies Clauses Act, 1863," shall be incorporated with and form Part of this Act.

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 *Llantrissant and Taff Vale Junction* Railway Company ; the Expression "the Railway," or "the Undertaking," shall mean the Railway or Undertaking by this Act authorized, or any Part thereof ; the Expression "the *Penarth* Railway" shall mean the Railway of the *Penarth* Harbour, Dock, and Railway Company ; the Expression "the Act of 1861" shall mean the *Llantrissant and Taff Vale Junction* Railway Act, 1861 ; the Expression "the Four Companies" shall mean the *Taff Vale* Railway Company, the *Great Western* Railway Company, the *Ely Valley* Railway Company, and the *Llynvi and Ogmore* Railway Company ; and the Expression "Superior Court," 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.

Interpre-
 tation of
 Terms.

4. Subject to the Provisions of this Act and of the Acts wholly or partially incorporated herewith, the Company may make and maintain, in the Line and according to the Levels shown on the deposited Plans and Sections, the Railways herein-after described, with all proper Stations, Approaches, Works, and Conveniences connected therewith respectively, and may enter upon, take, and use such of the Lands delineated on the deposited Plans and described in the deposited Books of Reference as may be required for that Purpose. The Railways herein-before referred to, and authorized by this Act, are—

Power to
 make Rail-
 ways accord-
 ing to depo-
 sited Plans.

A Railway (herein called Railway No. 1.) Six Miles Seven Furlongs and Three Chains in Length, commencing by a Junction with the *Penarth* Railway at a Point One hundred and ninety Yards or thereabouts to the South of a Post on that Railway denoting the Distance of Four Miles and a Half on that Railway from its Commencement at *Penarth* Harbour, and terminating by a Junction with the *Llantrissant and Taff Vale Junction* Railway at a Point thereon Two hundred and fifty Yards or thereabouts to the South-west of a Post on the said *Llantrissant*
and

The Llantrissant and Taff Vale Junction Railway Act, 1866.

and *Taff Vale Junction* Railway denoting the Distance of Four Miles and a Quarter from the Commencement of that Railway at the Junction thereof with the *Taff Vale* Railway:

A Railway (herein called Railway No. 2.) Four Furlongs Nine Chains in Length, commencing by a Junction with the said Railway No. 1. at a Point Three hundred Yards or thereabouts to the North-east of a Farmhouse called *Waterhall*, and terminating by a Junction with the *Penarth* Railway at a Point thereon Two hundred and sixty-four Yards or thereabouts to the South of a Post on the said *Penarth* Railway denoting the Distance of Five Miles and a Quarter on that Railway from its Commencement at *Penarth* Harbour:

A Railway (herein called Railway No. 3.) Two Furlongs Two Chains in Length, commencing by a Junction with the *Llantrissant and Taff Vale Junction* Railway at a Point thereon One hundred and forty Yards or thereabouts to the South-west of a Post on that Railway denoting the Distance of Four Miles and a Quarter from the Commencement of that Railway at the Junction thereof with the *Taff Vale* Railway, and terminating by a Junction with the *Llantrissant Common* Branch of the *Llantrissant and Taff Vale Junction* Railway at a Point on the said Branch Railway Sixty Yards or thereabouts to the South-east of the Bridge which carries the Turnpike Road leading from *Llantrissant* to *Pontypridd* over the said *Llantrissant Common* Branch Railway:

A Railway (herein called Railway No. 4.) Two Miles Three Chains in Length, commencing by a Junction with the *Llantrissant Common* Branch of the *Llantrissant and Taff Vale Junction* Railway at a Point Two hundred and sixty-four Yards or thereabouts South-east of the Termination of the said *Llantrissant Common* Branch near the South-eastern Corner of *Llantrissant Common*, and terminating by a Junction with the *Ely Valley* Railway at or near a Point thereon Three hundred and thirty Yards or thereabouts North-west of the Bridge which carries the *Ely Valley* Railway over the River *Ely* opposite a Farmhouse called *Duffryn Ishaf*.

Power to raise additional Capital by new Shares.

5. The Company from Time to Time, with the Consent of an Extraordinary General Meeting, may raise additional Capital by the Creation and Issue of new Ordinary or Preference Shares or Stock, not exceeding in the whole the Sum of One hundred and twenty thousand Pounds, for the Purposes authorized by this Act, and Twenty-one thousand Pounds for the Purposes authorized by the Act of 1861.

Shares not to issue until One Fifth paid up.

6. 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.

7. One

The Llantrissant and Taff Vale Junction Railway Act, 1866.

7. One Fifth of the Amount of a Share shall be the greatest Amount of a Call, and Two Months at least shall be the Interval between successive Calls, and Four Fifths of the Amount of a Share shall be the utmost aggregate Amount of the Calls made in any Year upon any Share. Calls.

8. The Company may from Time to Time borrow on Mortgage, in addition to the Sums which the Company have been already authorized to borrow, any Sum not exceeding in the whole the Sum of Forty-seven thousand Pounds, but no Part thereof shall be borrowed until the whole Capital Sum of One hundred and forty-one thousand Pounds by this Act authorized to be raised 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 said Capital Sum of One hundred and forty-one thousand Pounds 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. Power to borrow on Mortgage.

9. All Mortgages granted by the Company in pursuance of the Powers of any Act of Parliament before the passing of this Act, and which shall be subsisting at the Time of the passing of this Act, shall, during the Continuance of such Mortgages, have Priority over any Mortgages to be granted by virtue of this Act. Priority of existing Mortgages.

10. The Mortgagees of the Company under this Act may enforce Payment 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 Five thousand Pounds. Arrears may be enforced by Appointment of a Receiver.

11. All Monies raised under this Act, whether by Shares or borrowing, shall be applied for the Purposes of the recited Act or of this Act only. Application of Monies.

12. 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 Five Acres. Lands for extraordinary Purposes.

[Local.]

39 K

13. The

The Llantrissant and Taff Vale Junction Railway Act, 1866.

Powers for compulsory Purchases limited.

13. 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.

Period for Completion of Works.

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

Penalty if Railways not completed within Time limited.

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

Tolls.

16. For the Purpose of Tolls and Charges, and for all other Purposes, the Railway shall form Part of the Undertaking of the Company: Provided always, that from and after the Time when the Railway shall be opened for public Traffic, or in any event within the Time limited for the Completion of the Railway, the maximum Tolls, Rates, and Charges which the Company may demand and take in respect of Coals, Coke, Iron, and Iron Ore, whether conveyed upon the Railway or upon the Railways of the Company authorized by the Act of 1861, shall not exceed the Tolls, Rates, and Charges which the *Taff Vale* Railway Company shall for the Time being demand and take in respect of those Articles respectively, which Tolls, Rates, and Charges shall be divided in the same Proportions as the same are for the Time being divided by the *Taff Vale* Railway Company for Toll for the Use of Waggons or Trucks, if supplied by the Company, and for locomotive Power, if supplied by the Company: Provided also, that in respect of all Traffic passing over Railways No. 1. and 2. by this Act authorized from or to *Cardiff* by way of the existing *Penarth* Junction and the *Taff Vale* Railway, the Company shall deduct Tolls and Charges as for One Mile and a Half for the Use of the Railway and of locomotive Power, and of Waggons and Trucks, if provided or supplied by the Company, from the total Amount of Tolls and Charges which would otherwise be payable to them in respect of the Passage of such Traffic over the said Railways by this Act authorized, or any Part thereof.

17. Contracts

The Llantrissant and Taff Vale Junction Railway Act, 1866.

17. Contracts or Arrangements for the following Purposes or any of them may from Time to Time lawfully be made by and between the Companies herein-after mentioned, as follows; (that is to say,)

Power to enter into Working Arrangements with the Taff Vale Railway Company, and into Traffic Arrangements with the Five Companies.

Contracts or Arrangements by and between the Company on the one hand, and the *Taff Vale* Railway Company on the other hand, with respect to the Management, Use, Working, and Maintenance of the Railways 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 Railways, and the Payments to be made and the Conditions to be performed with respect to the Matters aforesaid;

And Contracts or Arrangements by and between the Company on the one hand, and the Four Companies, or any or either of them, on the other hand, for

The Interchange, Accommodation, Conveyance, and Delivery of Traffic coming from or destined for the Undertakings of the contracting Companies, and the fixing and Division between the said Companies of the Receipts arising from such Traffic.

18. During the Continuance of any Agreement to be entered into under the Provisions of this Act for the Use of the Railway by the *Taff Vale* Railway Company, the Railways of the Company and of the *Taff Vale* 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 *Taff Vale* 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-distance Charge shall be made for the Conveyance of Passengers, Animals, or Goods partly on the Railway and partly on the Railway of the *Taff Vale* Railway Company.

Tolls on Traffic conveyed partly on the Railway and partly on the Railway of the *Taff Vale* Railway Company.

19. Whenever the *Llynvi and Ogmores* Railway Company shall obtain Running Powers over the *Ely Valley* Railway to the Junction of Railway No. 4. by this Act authorized with that Railway, or shall have constructed a Railway of their own to a Junction with the *Llantrissant Common* Branch of the Railway of the Company at such Point as shall be agreed upon between the said Two Companies, or shall be settled by Arbitration or authorized by Act of Parliament, then it shall be lawful for the *Llynvi and Ogmores* Railway Company to run over the Railway from such Point of Junction to the Junction of Railway No. 2. by this Act authorized with the *Penarth* Railway

In certain events the *Llynvi and Ogmores* Railway Company to have Powers of User.

The Llantrissant and Taff Vale Junction Railway Act, 1866.

Railway with their Engines and Carriages of all Kinds on such Terms as shall be agreed upon between the Two Companies, or as shall be settled by Arbitration under "The Railway Companies Arbitration Act, 1859."

Interest not to be paid on Calls paid up.

20. 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.

21. 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.

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

22. 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.

23. 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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