



ANNO VICESIMO NONO & TRICESIMO

VICTORIÆ REGINÆ.

Cap. ccli.

An Act for authorizing the *Ogmore Valley* Railways Company to make Extension Railways; to raise additional Monies; and for other Purposes.

[23d July 1866.]

WHEREAS the *Ogmore Valley* Railways Company (hereinafter called "the Company") were incorporated by "The *Ogmore Valley* Railways Act, 1863," and their original Undertaking comprises a Railway forming a Junction with the *Llynvi Valley* Railway near *Tondu*, and thence passing into and up the Valley of *Ogmore*: And whereas the Company were authorized by "The *Llynvi and Ogmore* Railways Act, 1864," to improve the Harbour of *Porth Cawl*, and to construct short Railways there in conjunction with the *Llynvi Valley* Railway Company, and to raise additional Capital by Shares and by borrowing: And whereas by "The *Ogmore and Ely* Railways (Amalgamation) Act, 1865," the Company and the *Ely Valley Extension* Railway Company were amalgamated, and the *Ely Valley Extension* Railway Company were dissolved, and their Undertaking was transferred to the Company: And whereas it would be of public Advantage if the Company were authorized to make the Railways herein-after described: And whereas Plans of the intended Railways and of the Lands which may be taken for the same, and Sections of such Railways, and a Book of Reference to such Plans,

[Local.] 40 C containing

26 & 27 Vict.
c. cxxxix.

27 & 28 Vict.
c. xlviii.

28 & 29 Vict.
c. ccv.

The Ogmores Valley Railways Act, 1866.

containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of such Lands, were deposited with the Clerk of the Peace for the County of *Glamorgan* on or before the Thirtieth Day of *November* One thousand eight hundred and sixty-five: And whereas it is expedient that for the Purposes of this Act the Company be authorized to raise additional Capital, and to borrow further Sums on Mortgage: 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 *Ogmores Valley Railways Act, 1866.*"

8 & 9 Vict.
cc. 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," and Part I. (relating to the Construction of a Railway) of "The Railways Clauses Act, 1863," are (except where expressly varied by this Act) incorporated with and form Part of this Act.

Parts of
8 & 9 Vict.
c. 16. and
26 & 27 Vict.
c. 118. in-
corporated.

3. The following Clauses, Provisions, and Parts of "The Companies Clauses Consolidation Act, 1845," and "The Companies Clauses Act, 1863," respectively, shall (except where expressly varied by this Act) be incorporated with and form Part of this Act; (to wit,)

Of "The Companies Clauses Consolidation Act, 1845," the several Clauses and Provisions—

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

With respect to the Transfer or 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 borrowing of Money by the Company on Mortgage or Bond:

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

With respect to the Consolidation of the Shares into Stock:

With respect to the giving of Notices:

With respect to the Provision to be made for affording Access to the Special Act by all Parties interested:

With

The Ogmores Valley Railways Act, 1866.

With respect to the General Meetings of the Company and the Exercise of the Right of voting by the Shareholders:

With respect to the making of Dividends:

And of "The Companies Clauses Act, 1863," Part I. (relating to the Cancellation and Surrender of Shares), and Part I. (relating to additional Capital), and Part III. (relating to Debenture Stock).

4. 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 *Ogmores Valley Railways Company*; the Expression "the Railway" shall mean the Railways by this Act authorized, or any Parts thereof; 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.

Interpreta-
tion of
Terms.

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 Railways 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 Railways herein-before referred to and authorized by this Act are,—

Power to
make Rail-
ways accord-
ing to
deposited
Plans.

(1.) A Railway (No. 1.) of Three Miles and Six Furlongs or thereabouts in Length, commencing by a Junction with the Railway No. 1. of the *Ogmores Valley Railways Company*, authorized by "The *Ogmores Valley Railways Act, 1863*," in the Parish of *Llangeinor* in or near a Field numbered 62 in that Parish on the Plans deposited with the Clerk of the Peace for the County of *Glamorgan* in the Month of *November* One thousand eight hundred and sixty-two, for the Purposes of "The *Ogmores Valley Railways Act, 1863*," and referred to in such Act, and terminating by a Junction with the *Ely Valley Extension Railway* in the Parish of *Llantrissant* in a Field numbered 66 in that Parish on the Plans deposited as aforesaid in *November 1865*:

(2.) A Railway (No. 2.) of Two Furlongs and a Half or thereabouts in Length, commencing in the Parish of *Llangeinor* by a Junction with the Railway No. 2. authorized by "The *Ogmores Valley Railways Act, 1863*," in or near a Field numbered 73 in that Parish on the Plans so deposited as last aforesaid,

The Ogmores Valley Railways Act, 1866.

aforesaid, and terminating in the Parish of *Llandyfodwg* by a Junction with the intended Railway No. 1. in or near a Field or rough Pasture numbered 21. in the last-mentioned Parish on the Plans deposited as last aforesaid:

- (3.) A Railway (No. 3.) of One Mile and Five Furlongs or thereabouts in Length, commencing in the Parish of *Llandyfodwg* by a Junction with the intended Railway No. 1. in a Field lying between the Road leading from *Melin-evan-ddu* to *Llandyfodwg* and the River *Ogmores Fach*, and at a Point in that Field Eleven Chains and a Half measured in an Easterly Direction from the Schoolhouse in the Village of *Melin-evan-ddu*, and about Ten Chains and a Half measured in a Westerly Direction from a House called *Ynys-bwt*, and terminating on the West Bank of the River *Ichyd* near a Point where a Stream runs into that River, and about Eight Chains measured in a North-easterly Direction from a Farmhouse called *Penllwyn-gwent* in the Parish of *Llandyfodwg*:
- (4.) A Railway (No. 4.) distinguished in the said Plans deposited in November 1865 as Railway No. 6. of Five Miles and Six Furlongs or thereabouts in Length, commencing in the Hamlet of *Ynysawdre* in the Parish of *Saint Bride's Minor* by a Junction with Railway No. 1. authorized by "The *Ogmores Valley Railways Act, 1863*," at a Point Eleven Chains or thereabouts measured in a South-westerly Direction from the Bridge which carries the said authorized Railway over the River *Garw*, near the Village of *Brynmenyn*, and terminating in the Parish of *Llangeinor* at or near the Confluence of the River or Stream called *Nant Quin* with the River *Garw*, and at about Thirteen Chains measured in a Westerly Direction from a Farmhouse called *Blaen Garw*:
- (5.) A Railway (No. 5.) distinguished on the said Plans deposited in November 1865 as Railway No. 7. of Three Furlongs and One Third or thereabouts in Length, situate wholly in the Parish of *Llangeinor*, commencing by a Junction with Railway No. 1. authorized by "The *Ogmores Valley Railways Act, 1863*," at about Seventeen Chains measured along the said authorized Railway in an Easterly Direction from the Bridge which carries the Road from *Bryncethin* to *Brynmenyn* over the same authorized Railway, and terminating by a Junction with the intended Railway No. 4. at or near a Point on the same, about Thirty-five Chains from the above-described Point of Commencement of the intended Railway No. 4, and about Seven Chains measured in a North-westerly Direction from *Abergarw* Farmhouse:

All which Railways and other Works will be situate in the County of *Glamorgan*.

The Ogmore Valley Railways Act, 1866.

6. The Company from Time to Time may apply for any of the Purposes of this Act any Monies raised or authorized to be raised by the Company by Shares or by borrowing under or by virtue of the recited Acts or any of them, and not required for the Purposes of those Acts or any of them.

Power to apply Monies raised under and not required for Purposes of recited Acts.

7. The Company from Time to Time may raise an additional Share Capital not exceeding in the whole One hundred and twenty-three thousand Pounds for the Purposes of this Act, and Thirty thousand Pounds for the general Purposes of the Company, and may raise the same by the Creation and Issue of new Ordinary Shares or of new Preference Shares, or partly by new Ordinary Shares and partly by new Preference Shares.

Power to raise additional Capital by new Shares.

8. 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.

9. Every new Share shall be of such Amount, but not less than Ten Pounds, as the Company shall by the Resolution creating the same determine, and, subject to the Provision next herein-after contained, the Directors from Time to Time may fix, as they think fit, the Amount and Times of Payment of the Calls on the new Shares.

Amount of Shares.

10. 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.

11. Except as is by this Act otherwise provided, the new Share Capital authorized by this Act, and the Shares therein, and the Holders of such Shares respectively, shall be subject and entitled to the same Powers, Provisions, Rights, Privileges, and Incidents in all respects as if such new Capital were Part of the now existing Ordinary Share Capital of the Company, and the Shares were Shares in the Ordinary Share Capital.

New Shares to be entitled to same Privileges, &c., as ordinary Share Capital.

12. The Company may from Time to Time borrow on Mortgage any further Sum or Sums of Money, not exceeding in the whole the Sum of Forty-one thousand Pounds, for the Purposes of this Act, and Ten thousand Pounds for the general Purposes of the Company, but no Part of such respective Sums of Forty-one thousand Pounds and Ten thousand Pounds respectively shall be borrowed until the whole of the respective additional Capital of One hundred and twenty-three thousand Pounds and Thirty thousand Pounds respectively by this

Power to borrow on Mortgage.

The Ogmore Valley Railways Act, 1866.

Act authorized to be raised is respectively subscribed for, issued, and accepted, and One Half thereof is respectively paid up, and the Company shall 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 respective additional Capital of One hundred and twenty-three thousand Pounds and Thirty thousand Pounds has been issued and accepted, and that One Half thereof has respectively been paid up, and that not less than One Fifth Part of the Amount of each separate Share has been paid on account thereof respectively before or at the Time of the Issue or Acceptance thereof, and that such respective 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 in each Case, 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.

13. The Mortgagees of the Company under this Act may enforce the 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 Six thousand Pounds in the whole.

Debenture Stock.

14. The Company may create and issue Debenture Stock.

Existing Mortgages to have Priority.

15. All Mortgages and Bonds 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 thereof, shall during the Continuance of such Mortgages and Bonds have Priority over any Mortgages to be granted by virtue of this Act.

Application of Monies.

16. All Monies raised under this Act, whether by Shares, Debenture Stock, or borrowing, shall be applied for the Purposes of this Act only, except that Thirty thousand Pounds of the Amount authorized to be raised by Shares, and Ten thousand Pounds of the Amount authorized to be raised by borrowing, may be applied for the general Purposes of the Company.

Lands for extraordinary Purposes.

17. The Quantity of Land to be taken by the Company under this Act for the extraordinary Purposes mentioned in "The Railway Clauses Consolidation Act, 1845," shall not exceed Ten Acres.

Powers for compulsory Purchases limited.

18. 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.

19. The

The Ogmore Valley Railways Act, 1866.

19. The Railway 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 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.

20. 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, the Sum of Seventeen thousand seven hundred Pounds Bank Three Pounds *per Centum* Annuities, being equal to a Sum of Fifteen thousand one hundred and seventy-six Pounds, and being Eight *per Centum* on the Amount of the Estimate of Expense of the Railways originally proposed to be authorized by this Act, has been transferred by *Alexander Brogden* (One of the Directors of the Company) into the Name and with the Privity of the Accountant General of the Court of Chancery in *England*, pursuant to the said Act, in respect of the Application to Parliament for this Act; but inasmuch as Part of the Undertaking originally proposed was not sanctioned by the Committee, the Estimate of Expense of the Railways authorized by this Act is reduced to the Sum of One hundred and twenty-three thousand Pounds: Be it enacted, That notwithstanding anything contained in the said recited Act, Eleven thousand four hundred and seventy-seven Pounds Bank Annuities, being so much of the said Sum of Seventeen thousand seven hundred Pounds Bank Three *per Centum* Annuities as was at the Time of the Transfer thereof equal to the Sum of Nine thousand eight hundred and forty Pounds (being Eight *per Centum* on the said reduced Estimate) so transferred as aforesaid in respect of the Application for this Act, or the Interest or Dividends of such Eleven thousand four hundred and seventy-seven Pounds Bank Annuities, 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 named in the Warrant or Order issued in pursuance of the said Act, unless the Company shall, previously to the Expiration of the Period limited by this Act for the Completion of the Railways, either open the Railways 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 for the Purposes of this Act, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of such Capital; and if the said Period shall expire before the Company shall either have opened the Railways 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 Eleven thousand four hundred and seventy-seven Pounds Bank Annuities, and the

Money depo-
sited in the
Court of
Chancery to
be forfeited
to the Crown
in a certain
Event.

Interest

The Ogmores Valley Railways Act, 1866.

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 said Sum of Nine thousand eight hundred and forty Pounds shall have been executed by the Company, with One or more 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 Payment to Her Majesty, Her Heirs or Successors, of the said Sum of Nine thousand eight hundred and forty Pounds if the Company shall not, within the Time limited for the Completion of the Railways, either open the Railways 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 for the Purposes of this Act by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of such Capital, and if such Bond shall have been deposited with the said Solicitor to the said Lords Commissioners, then such Eleven thousand four hundred and seventy-seven Pounds Bank Annuities, and the Interest or Dividends thereof, shall be paid to or on the Application of the Person named in such Warrant or Order aforesaid, 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 Eleven thousand four hundred and seventy-seven Pounds Bank Annuities, and the Interest and 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.

Court of
Chancery
may order
Payment of
surplus De-
posit.

21. The Court of Chancery may order that Seven thousand eight hundred and sixty Pounds Bank Three Pounds *per Centum* Annuities, the Residue of the said Seventeen thousand seven hundred Pounds like Annuities, and any Dividends on the said Seven thousand eight hundred and sixty Pounds Bank Annuities, may be transferred and paid to or on the Application of the Person named in such Warrant or Order as aforesaid, or to such Persons or Person as he may appoint,

The Ogmores Valley Railways Act, 1866.

appoint, and upon such Order being made such Seven thousand eight hundred and sixty Pounds Bank Three Pounds *per Centum* Annuities, and the Dividends thereon, shall be transferred and paid accordingly.

22. Subject to the Provisions in "The Railways Clauses Consolidation Act, 1845," and in Part I. (relating to the Construction of a 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,)

Power to cross certain Roads on the Level.

No. of Railway.	No. on deposited Plan.	Parish.	Description of Road.
Railway No. 3	64	Llandyfodwg - -	Public Carriageroad.
Railway No. 6	58	Llangeinor - -	Public Carriageroad.
Railway No. 6	91	Llangeinor - -	Public Carriageroad.

23. 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,)

Inclination of certain Roads.

No. of Railway.	No. on deposited Plan.	Parish.	Description of Road.	Intended Inclination.
Railway No. 1	71	Llandyfodwg	Public Carriageroad	1 in 10 on the South Side of the Railway, the Road being made level on the North Side to the existing Slope.
Railway No. 3	3	Ditto -	Ditto -	1 in 8 on One Side.
Railway No. 3	85	Ditto -	Ditto -	1 in 8 on One Side.
Railway No. 3	64	Ditto -	Ditto -	1 in 15 on One Side.
Railway No. 6	39	Bettws -	Ditto -	1 in 7 on the West Side of the Railway, the Road being made level on the East Side to the existing Slope.
Railway No. 6	162	Ditto -	Ditto -	1 in 4½ on One Side.

24. The Company may demand and receive in respect of the Railway the like Rates, Tolls, and Charges, with the like Powers as the Company are by "The Ogmores Valley Railways Act, 1863," authorized to demand and receive in respect of the Railway thereby authorized or constituted, and as if the Railway by this Act authorized had originally formed Part of the Railway authorized or constituted by "The Ogmores Valley Railways Act, 1863."

Tolls.

[Local.]

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25. And

The Ogmore Valley Railways Act, 1866.

Authorizing
Sale of
Lands be-
longing to
the Duchy of
Lancaster,
and provid-
ing for
Application
of Purchase
Money.

48 G. 3. c. 73.

57 G. 3. c. 97.

25. And whereas Part of the Lands which may be required for the Purposes of this Act belong to the Queen's most Excellent Majesty in right of Her Duchy of *Lancaster*: Be it enacted, That it shall be lawful for the Chancellor in Council of Her Majesty's Duchy of *Lancaster* for the Time being to agree with the said Company for the absolute Sale in Fee Simple of the Lands, or any Part thereof, of or belonging to Her said Majesty in right of Her said Duchy, which shall be required for the Purposes of this Act, at or for such Price or Compensation in Money and upon such Terms and Conditions as shall be settled and agreed upon between the said Chancellor and Council and the said Company, and upon Payment of such Price or Compensation, by any Deed or Writing under the Seal of the Duchy in the Name of Her said Majesty, Her Heirs and Successors, to convey the same Lands and the Fee Simple and Inheritance thereof to the said Company, their Successors and Assigns, for the Purposes of this Act; and the Purchase Money or Consideration for the same Lands shall be paid into the Hands of the Receiver General of the Revenues of the said Duchy, and Receipts and Acquittances shall be given by him for the same, and the same either shall and may be invested in the Purchase of Bank Annuities, according to the Powers and Provisions contained or referred to in an Act passed in the Forty-eighth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to improve the Land Revenue of the Crown in England, and also of His Majesty's Duchy of Lancaster*, with respect to the Purchase Money to be paid for Property belonging to the Crown within the Survey and Receipt of the said Duchy under the therein recited Acts; or the same or any Part thereof may, either without any previous Investment or after such, and either alone or together with any other Monies which shall for the Time being have arisen, or shall hereafter arise, from the Sale of Lands and Hereditaments, Part of the Possessions of the said Duchy, be laid out according to the Provisions of an Act passed in the Fifty-seventh Year of His said Majesty King *George* the Third, intituled *An Act for ratifying Articles of Agreement entered into by the Right Honourable Henry Hale Viscount Gage and the Commissioners of His Majesty's Woods and Forests and Land Revenues, and for the better Management and Improvement of the Land Revenues of the Crown*, or the said Monies, and also any such other Monies, whether previously invested or not, or any Part thereof respectively, may be laid out in the Purchase of Lands which in the Judgment of the said Chancellor and Council shall be deemed convenient to be held with any Possession of the said Duchy, as the Chancellor and Council for the Time being of the said Duchy shall direct by any Order or Orders in that Behalf; and the said Chancellor and Council shall for the Purposes of this Act have and be entitled to all such Powers and Provisions in reference to the Monies (if any) so invested in Bank Annuities, and so to be laid out and invested as aforesaid,

The Ogmere Valley Railways Act, 1866.

aforesaid, as under or by virtue of the said recited Act of the Fifty-seventh Year of King *George* the Third they are entitled to concerning any Sums or Funds of or belonging to the Duchy of *Lancaster* in the same Act particularly mentioned or referred to; and the Lands and Hereditaments (if any) so purchased on behalf of the said Duchy as aforesaid shall be conveyed and assured to the Use of Her Majesty, Her Heirs and Successors, in right of Her said Duchy of *Lancaster*, and shall vest in Her said Majesty, Her Heirs and Successors, in the same Right and as fully and effectually as the Lands to be conveyed to the said Company were vested in Her immediately before such Conveyance, and be held with the like Incidents, and be subject to the same Application to all Intents and Purposes as the said Lands so to be conveyed to the said Company were held by Her immediately before such Conveyance; and every such Conveyance to the Use of Her Majesty, Her Heirs and Successors, may be in the Form marked X. in the Schedule to this Act annexed, or as near thereto as may be.

26. And whereas Part of the Lands which may be required for the Purposes of this Act are held by Copy of Court Roll, or other customary Tenure of Honours, Manors, or Lordships belonging to the Queen's most Excellent Majesty in right of Her Duchy of *Lancaster*: Be it enacted, That it shall be lawful for the Chancellor and Council for the Time being of Her Majesty's Duchy of *Lancaster* to agree with the said Company for the Enfranchisement, subject, nevertheless, and without Prejudice to any Lease which may be for the Time being subsisting of any such Manor, Honour, or Lordship of any such Copyhold or Customary Lands, and for the Release and Discharge of the same Lands of and from all or any of the Rents, Suits, and Services which, by the Custom of such Manors, Honours, or Lordships, the same Lands may be charged with or liable to, at or for such a Price or Compensation in Money, and upon such Terms and Conditions, and with such Reservations as shall be settled and agreed upon between the said Chancellor and Council and the said Company; and in case the same Lands shall be subject and liable, jointly with any other Lands, to any such Rents, Suits, or Services, it shall be lawful for the said Chancellor and Council to agree as well with the Company as also with the Tenant or Proprietor of such other Lands, for the Release or Apportionment of such Rents, Suits, and Services, either with or without any Consideration being paid for the same; and upon any such Agreement for Enfranchisement, Release, or Apportionment it shall be lawful for the said Chancellor and Council, by any Deed or Writing under the Seal of the said Duchy in the Name of Her said Majesty, Her Heirs and Successors, to release the Lands so to be enfranchised or released, as the Case may be, from all customary Fines, Rents, Suits, and Services, or such of

Authorizing the Enfranchisement of Copyhold Lands belonging to the Duchy of Lancaster.

The Ogmore Valley Railways Act, 1866.

of them or such Part or Parts thereof as shall be agreed to be released to the said Company and their Successors for ever, to be holden by the said Company and their Successors as of the Honour or Manor whereof they are or were Parcel in Free and Common Socage; and the Purchase Money or Compensation for every such Enfranchisement, and also (if any) for every such Release, shall be paid into the Hands of the Receiver General of the Revenues of the said Duchy, and Receipts and Acquittances shall be given by him for the same, and the same shall be applied and disposed of in the Manner and for the Purposes herein directed of and concerning any other Monies which shall come to his Hands by virtue of this Act, and every such Release of Lands as aforesaid, if the same shall be made previously to the Purchase or Acquisition by the Company of the Estate and Interest of the Copyhold or Customary Tenant of such Lands, shall, after such Purchase or Acquisition, operate and take Effect as if the Company had been in possession of the Lands at the Time of the Execution of such Release: Provided always, that the Enfranchisement of any such Copyhold or Customary Lands shall not in other respects affect any Custom by or under which any other Copyhold or Customary Lands not required for the Purposes of this Act shall be holden. And wherever any such Release shall be made as aforesaid, the other Lands subject to such Rent, and not required for the Purposes of this Act, shall thenceforth be subject to the whole of such Rents, Suits, and Services, or to a proportionate Part thereof (as the Case may be), in the same Manner in all respects as the Entirety of the said Lands so previously subject to such Rent would have continued subject to the whole thereof, if such Release had not been made; and all the Powers, Remedies, and Conditions subsisting previously to such Release for Recovery of the said Rents, Suits, and Services shall, except as against the Lands so released, at all Times thereafter remain, continue, and be good, valid, and effectual in the Law to all Intents and Purposes for the whole or the proportionate Part of such Rents, Suits, and Services (as the Case may be), as if the Lands not so released as aforesaid had been originally alone subject to the same Rent or proportionate Part respectively.

For the Conveyance of Waste Lands belonging to the Duchy of Lancaster.

27. And whereas Part of the Lands which may be required for the Purposes of this Act are Waste or Common Lands, the Right to the Soil whereof belongs to the Queen's most Excellent Majesty in right of Her Duchy of *Lancaster* (subject to Rights of Common or other Rights or Easement): Be it enacted, That it shall be lawful for the Chancellor and Council for the Time being of Her Majesty's Duchy of *Lancaster* to agree with the Company for the absolute Sale in Fee Simple of the Estate, Right, and Interest of Her said Majesty in the Soil of the said Waste or Common Lands which may be so required for the Purposes of this Act at or for such Price or Compensation, and

The Ogmore Valley Railways Act, 1866.

and upon such Terms and Conditions, as shall be agreed upon between the said Chancellor and Council and the said Company; and upon Payment of such Price or Compensation by any Deed or Writing under the Seal of the Duchy in the Name of Her said Majesty, Her Heirs and Successors, to convey such Estate, Right, and Interest to the said Company, their Successors and Assigns, for the Purposes of this Act; and the Purchase or Compensation Money for the same shall be paid into the Hands of the Receiver General of the Revenues of the said Duchy, and Receipts and Acquittances shall be given by him for the same, and the same shall be by him applied and disposed of in the like Manner and for the like Intents and Purposes as are in and by this Act directed and provided of and concerning any other Monies which shall come to his Hands by virtue of this Act.

28. And whereas the Queen's most Excellent Majesty in right of Her Duchy of *Lancaster* is entitled, either in possession or subject to Leases granted by the said Duchy, to the Mines, Minerals, and Quarries lying and being in or under Part of the Lands required for the Purposes of this Act, or in the Neighbourhood thereof: Be it therefore enacted, That it shall be lawful for the Chancellor and Council of Her Majesty's Duchy of *Lancaster*, either before or after the making of the Railway or any Part thereof, to agree with the said Company for the absolute Sale of the said Mines, Minerals, and Quarries, or any Part or Parts thereof, subject nevertheless and without Prejudice to the Lease or Leases (if any) for the Time being subsisting thereof, at or for such Price or Consideration in Money, and upon such Terms and Conditions, and with such Reservations, Exceptions, and Restrictions in all respects as may be agreed upon between the said Chancellor and Council and the said Company; and it shall be lawful for the said Chancellor and Council also to enter into any Arrangement or Agreement with the said Company concerning the working by Her said Majesty, Her Successors and Assigns, of the said Mines, Minerals, or Quarries, or any of them, or any Part or Parts thereof, whether the same may be in, under, or upon the Line of the Railway, or in the Neighbourhood thereof; and the Purchase or Consideration Money for the same Mines, Minerals, or Quarries, or Part or Parts thereof, shall be paid into the Hands of the Receiver General of the Revenues of the said Duchy, and Receipts and Acquittances shall be given by him for the same, and the same shall be paid and applied by him in the Manner and for the Purposes in and by this Act directed and provided concerning any Monies which shall come to his Hands by virtue of this Act: Provided always, that nothing in this Act contained shall extend to prevent or hinder Her said Majesty or Her Lessees from working, but on the contrary it shall be lawful for Her said Majesty and Her Lessees to work, as well before as after the making of the Railway, any such Mines,

Concerning
the Sale and
working of
Mines
belonging to
the Duchy of
Lancaster.

The Ogmores Valley Railways Act, 1866.

Minerals, or Quarries, or any Part or Parts thereof, whether the same shall be situate in, under, or upon the Line of the said Railway, or in the Neighbourhood thereof, nor to make Her said Majesty, Her Heirs or Successors, in any way liable for any Damage which may be done to or on the Railway by the working of any such Mines, Minerals, or Quarries, unless the said Chancellor and Council shall have expressly agreed in Writing with the said Company that the said Duchy shall become so liable, and then to the Extent (if any) only and in the Manner in such Agreement specified and provided: Provided also, that it shall not be lawful for the Company by reason of any such Conveyance to work, get, or use any such Mines, Minerals, or Quarries (except so far as may be necessary in making the Railway), unless they shall in the Conveyance or Assurance thereof be expressly authorized by the said Chancellor and Council so to do, and then to the Extent only which shall be so authorized.

For Enrolment of all Deeds of Conveyance of Land belonging to the Duchy of Lancaster.

29. And every Deed or Writing whereby any Lands, Hereditaments, Estate, Right, or Interest shall be conveyed or assured by the said Chancellor and Council of Her said Majesty's Duchy of *Lancaster*, by virtue of the Powers of this Act, shall be enrolled in the Court of the Duchy Chamber of *Lancaster* within Six Calendar Months from the Date thereof.

Saving Rights of the Crown and the Duchy of Lancaster.

30. Provided always, and be it enacted, That nothing in this Act contained shall extend to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in or enjoyed by the Queen's most Excellent Majesty, Her Heirs and Successors, as well in right of Her Crown as in right of Her Duchy of *Lancaster*.

Interest not to be paid on Calls paid up.

31. The Company shall not, out of any Money by this Act or any other Act relating to the Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of 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.

32. The Company shall not, out of any Money by any Act relating to the Company authorized to be raised for the Purposes of such Act, 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

The Ogmore Valley Railways Act, 1866.

construct any other Railway, or to execute any other Work or Undertaking.

33. Nothing herein contained shall be deemed or construed to exempt the Railway from the Provisions of any General Act relating to Railways, or to the better or more impartial Audit of the Accounts of Railway Companies, now in force or which may hereafter pass during this or any future Session of Parliament, or from any future Revision or Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges or of the Rates for small Parcels authorized by this Act or the recited Acts, or either of them.

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

34. 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.

Expenses of Act.

The Ogmores Valley Railways Act, 1866.

The SCHEDULE to which the foregoing Act relates.

Conveyance
to Her
Majesty in
right of Her
Duchy of
Lancaster.

THESE are to witness, that in consideration of the Sum of £
paid to *A.B.* of _____ by *C.D.*, the Receiver General
of the Revenues of the Duchy of Lancaster, on behalf of Her
Majesty, he, the said *A.B.* doth by these Presents
grant, convey, and assure unto the said *C.D.*,
his Heirs and Assigns, all that _____ to have and to
hold the same unto the said *C.D.*, _____ his Heirs and
Assigns, to the Use of Her said Majesty, Her Heirs and Successors,
in right of Her said Duchy.

In witness, &c.

LONDON:

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1866.