



The History of Ewyas Lacy: Golden Valley Railway

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The History of Ewyas Lacy: Golden Valley Railway

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THE GOLDEN VALLEY

RAILWAY

1876

MR. C. E. TRAFFORD

The History of Ewyas Lacy: Golden Valley Railway

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THE GOLDEN VALLEY RAILWAY ACT,
1876.

AN

ACT

To Incorporate a Company for making a Rail-
way in the County of Hereford from the
Great Western Railway at Pontrilas to
Dorstone, and for other purposes.

[ROYAL ASSENT 13TH JULY, 1876.]

39 & 40 VICT.—SESSION 1876.

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39 & 40 VICT.—SESS. 1876.

THE GOLDEN VALLEY RAILWAY ACT, 1876.

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To Incorporate a Company for making a Railway
in the County of Hereford from the Great
Western Railway at Pontrilas to Dorstone,
and for other purposes.

[ROYAL ASSENT, 13TH JULY, 1876.]

WHEREAS the making and maintaining of a railway from the Preamble.
Pontrilas Station of the Great Western Railway Company to
Dorstone, in the county of Hereford, would be of public and local
advantage :

5 And whereas the several persons hereinafter in this Act named,
are willing with others to carry the undertaking into execution, on
being incorporated into a Company for the purpose :

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

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And whereas it is expedient that the Company, the Great Western, and London and North Western Railway Companies should be empowered to enter into and carry into effect working and other arrangements as hereinafter provided :

And whereas it is expedient that the Company should be empowered to work into and use the Pontrilas Station of the Great Western Railway Company, and also to run over and use the portion of the railway of the Company hereinafter specified :

And whereas plans and sections, showing the lines and levels of the railway authorised by this Act, and books of reference containing the names of the owners and lessees, or reputed owners and lessees, and of the occupiers of the lands required, or which may be taken for the purposes, or under the powers of this Act, were duly deposited with the Clerk of the Peace for the county of Hereford, and are hereinafter respectively referred to as the deposited plans, sections, and books of reference :

And whereas the purposes of this Act 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 as "The Golden Valley Railway Act, 1876."

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Incorporation of general Acts.

2. "The Railways Clauses Consolidation Act, 1845," "The Companies Clauses Consolidation Act, 1845," and 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 Acts, 1845, 1860, and 1869," 30

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Part I (relating to the 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.

5 3. In this Act the several words and expressions to which Interpretation.
meanings are assigned by the Acts wholly or partially incorporated
herewith have the same respective meanings, unless there be
something in the subject or context repugnant to such construction,
the expressions "the railway" and "the undertaking" mean
10 respectively the railway and the undertaking by this Act authorised,
and for the purposes of this Act 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
15 which the expression is used were a simple contract debt and not a
debt or demand created by statute.

4. The Reverend Sir George Cornwall, Baronet, the Reverend Company
Thomas Powell, the Reverend Thomas Prosser Powell, Richard incorporated.
Dansey Green Price, Edward Lewis Gavin Robinson, Henry
20 Haywood, Charles Edwin Lane, and all other persons and corporations who have already subscribed or shall hereafter become
proprietors in the undertaking, and their executors, administrators, successors, and assigns respectively shall be and are hereby
united into a Company for the purpose of making and main-
25 taining the railway, and for other the purposes of this Act, and
for those purposes shall be and are hereby incorporated by the
name of "The Golden Valley 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
30 and other property for the purposes of this Act.

5. Subject to the provisions of this Act, the Company may Power to
make and maintain in the line and according to the levels shown on make rail-
way.
the deposited plans and sections, the railway hereinafter described,
with all proper stations, sidings, approaches, works, and conveniences
35 connected therewith, and may enter upon, take, and use such of
the lands delineated on the said plans, and described in the deposited
book of reference as may be required for that purpose. The railway
hereinbefore referred to and authorised by this Act is :—

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A railway 10 miles, 5 furlongs and 6·20 chains in length wholly in the county of Hereford, commencing by a junction with the Great Western Railway in the parish of Kentchurch, one hundred and eighty-six yards or thereabouts, measured in a north-easterly direction along the said railway from the north-eastern end of the platforms of the Pontrilas Station, and terminating in the parish of Dorstone, at a point in an enclosure or field adjoining and on the north side of the cottages known as the Bridge Cottages, and which said field is bounded on the north by the River Dore and on the west by the public road leading from Dorstone to Crossway :

Capital. 6. The capital of the Company shall be sixty thousand pounds in six thousand shares of ten pounds each.

Shares not to be issued until one-fifth paid. 7. The Company shall not issue any share created under the authority of this Act, nor shall any such share vest in the person or Corporation accepting the same, unless and until a sum not being less than one-fifth of the amount of such share is paid in respect thereof.

Calls. 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.

Receipts in case of persons not sui juris. 9. If any money be payable to a shareholder being a minor, idiot, or lunatic, the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Company.

Power to divide shares. 10. Subject to the provisions of this Act, the Company, with the authority of three-fourths of the votes of the shareholders present in person 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," but the Company shall not so divide any share under the authority of

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5 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 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.

11. 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 once for all, 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.

Dividends on half shares.

12. 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.

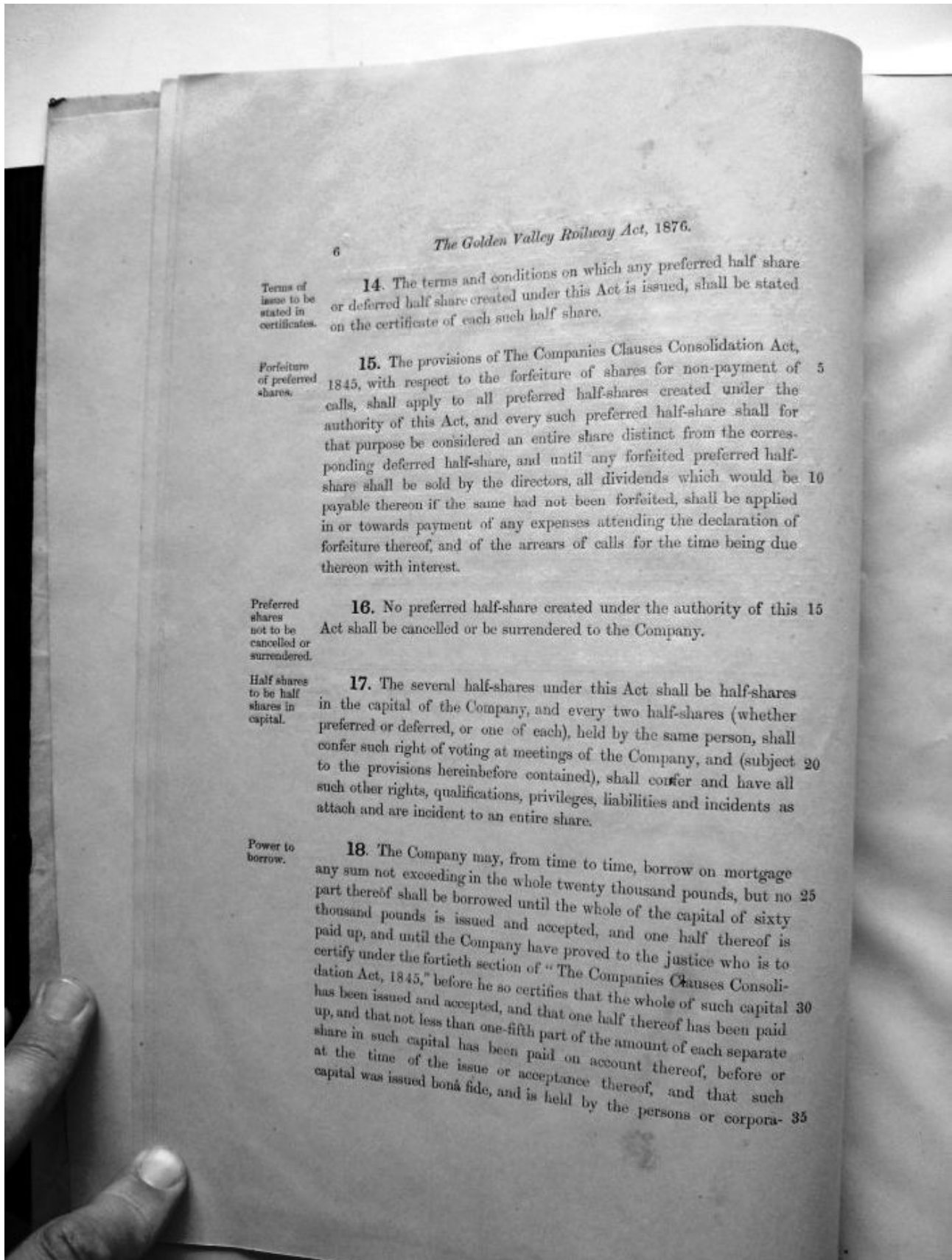
Dividends on preferred shares to be paid out of the profits of the year only.

13. 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; but the directors shall not be bound to issue a certificate of any half share until the certificate of the existing entire share be delivered to them to be cancelled unless it be shown to their satisfaction that such certificate is destroyed or lost; and on any certificate being so delivered up the directors shall cancel it.

Half shares to be registered and certificates issued.

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Terms of issue to be stated in certificates. 14. 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. 15. The provisions of The Companies Clauses Consolidation Act, 1845, with respect to the forfeiture of shares for non-payment of calls, shall apply to all preferred half-shares created under the authority of this Act, and every such preferred half-share shall for that purpose be considered an entire share distinct from the corresponding deferred half-share, and until any forfeited preferred half-share shall be sold by the directors, all dividends which would be payable thereon if the same had not been forfeited, shall be applied in or towards payment of any expenses attending the declaration of forfeiture thereof, and of the arrears of calls for the time being due thereon with interest.

Preferred shares not to be cancelled or surrendered. 16. No preferred half-share created under the authority of this Act shall be cancelled or be surrendered to the Company.

Half shares to be half shares in capital. 17. The several half-shares under this Act shall be half-shares in the capital of the Company, and every two half-shares (whether preferred or deferred, or one of each), 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.

Power to borrow. 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 of the capital of sixty thousand pounds is issued and accepted, and one half thereof is paid up, and until the Company have proved to the justice who is to certify under the fortieth section of "The Companies Clauses Consolidation Act, 1845," before he so certifies that the whole of such capital has been issued and accepted, and that one half thereof has been paid up, and that not less than one-fifth part of the amount of each separate share in such capital has been paid on account thereof, before or at the time of the issue or acceptance thereof, and that such capital was issued bonâ fide, and is held by the persons or corpora-

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tions to whom the same was issued, or their executors, administrators, successors, or assigns, and that such persons or corporations, their executors, administrators, successors, or assigns, are legally liable for the same; and upon production to such justice of the books of the Company, and of such other evidence as he shall think sufficient, he shall grant a certificate that the proof aforesaid has been given, which shall be sufficient evidence thereof.

19. The mortgagees of the Company may enforce payment of arrears of interest or principal, or principal and interest, due on their mortgages by the appointment of a receiver. In order to authorise the appointment of a receiver in respect of arrears of principal, the amount owing to the mortgagees, by whom the application for a receiver is made, shall not be less than two thousand pounds in the whole.

For appointment of a receiver.

20. The Company may create and issue debenture stock, subject to the provisions of Part III of "The Companies Clauses Act, 1863," but notwithstanding anything therein contained, the interest of all debenture stock at any time created and issued by the Company shall rank *pari passu* with the interest of all mortgages at any time granted by the Company, and shall have priority over all principal moneys secured by such mortgages.

Debenture stock.

21. All moneys raised under this Act, whether by shares, debenture stock, or borrowing, shall be applied for the purposes of this Act only.

Application of moneys.

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

First ordinary meeting.

23. The number of directors shall be five, but the Company may from time to time reduce the number, provided that the number be not less than three.

Number of directors.

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

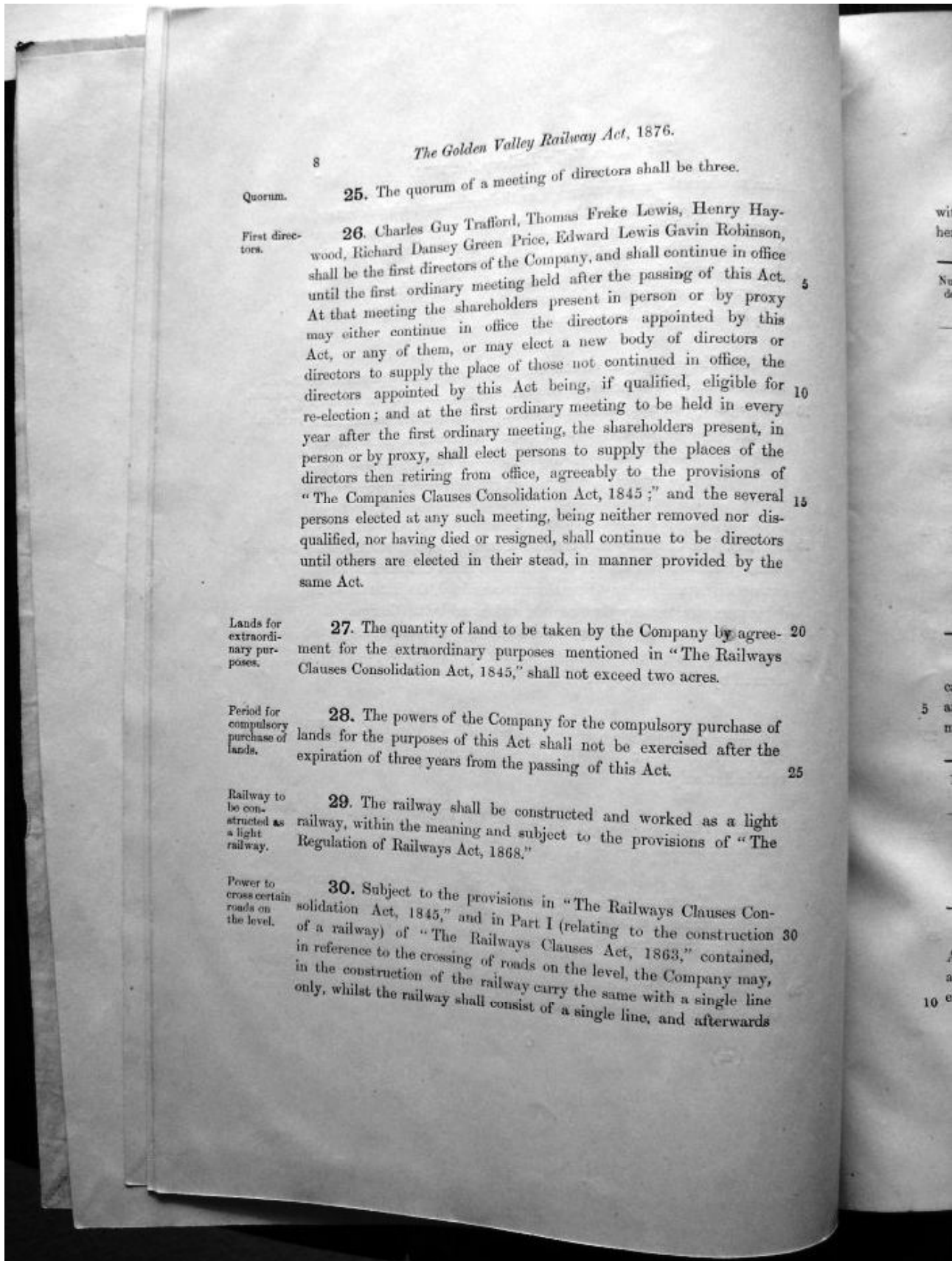
Qualification of directors.

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Quorum. 25. The quorum of a meeting of directors shall be three.

First direc- 26. Charles Guy Trafford, Thomas Freke Lewis, Henry Hay-
tors. wood, Richard Dansey Green Price, Edward Lewis Gavin Robinson,
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. 5
At that meeting the shareholders present in person or by proxy
may either continue in office the directors appointed by this
Act, or any of them, or may elect a new body of directors or
directors to supply the place of those not continued in office, the
directors appointed by this Act being, if qualified, eligible for 10
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 elect persons to supply the places of the
directors then retiring from office, agreeably to the provisions of
"The Companies Clauses Consolidation Act, 1845;" and the several 15
persons elected at any such meeting, being neither removed nor dis-
qualified, nor having died or resigned, shall continue to be directors
until others are elected in their stead, in manner provided by the
same Act.

Lands for 27. The quantity of land to be taken by the Company by agree- 20
extraordi- ment for the extraordinary purposes mentioned in "The Railways
nary pur- Clauses Consolidation Act, 1845," shall not exceed two acres.
poses.

Period for 28. The powers of the Company for the compulsory purchase of
compulsory lands for the purposes of this Act shall not be exercised after the
purchase of expiration of three years from the passing of this Act. 25
lands.

Railway to 29. The railway shall be constructed and worked as a light
be con- railway, within the meaning and subject to the provisions of "The
structed as Regulation of Railways Act, 1868."
a light
railway.

Power to 30. Subject to the provisions in "The Railways Clauses Con- 30
cross certain solidation Act, 1845," and in Part I (relating to the construction
roads on of a railway) of "The Railways Clauses Act, 1863," contained,
the level. 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
only, whilst the railway shall consist of a single line, and afterwards

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with a double line only, across and on the level of the roads next hereinafter mentioned (that is to say) :—

Number on deposited Plan.	Parish.	Description of Road.
5	Ewias Harold	Highway
30	Abbey Dore	Highway
3	Bacton	} Highway
53	Abbey Dore	
3	Turnstone	} Highway
30	Vowchurch	
10	Peterchurch	Highway
44	Peterchurch	Highway

31. The Company may make the arch of the bridge for carrying the railway over the road next hereinafter mentioned, of any height and span not less than the height and span hereinafter mentioned in connection therewith (that is to say) :—

Height and span of bridges.

No. on deposited Plan.	Parish.	Description of Road.	Height.	Span.
3	Kentchurch	Public Road	15 feet.	20 feet.

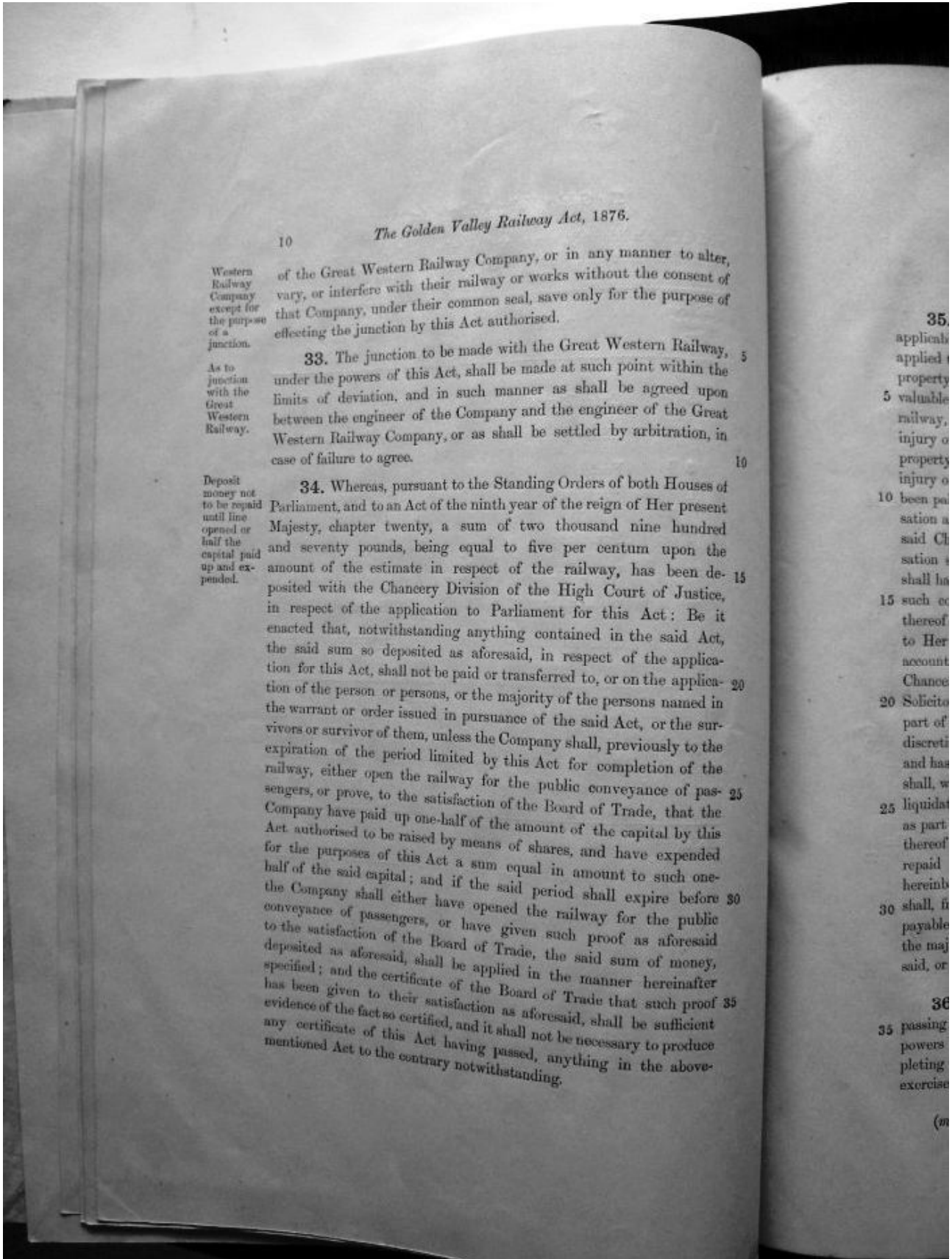
32. Notwithstanding anything herein or in the incorporated Acts contained, it shall not be lawful for the Company, nor any person acting under or in execution of this Act to enter upon, occupy, or use either permanently or temporarily any of the lands, works, or property

Not to take lands or interfere with railway of Great



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Western Railway Company except for the purpose of a junction.

As to junction with the Great Western Railway.

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

of the Great Western Railway Company, or in any manner to alter, vary, or interfere with their railway or works without the consent of that Company, under their common seal, save only for the purpose of effecting the junction by this Act authorised.

33. The junction to be made with the Great Western Railway, under the powers of this Act, shall be made at such point within the limits of deviation, and in such manner as shall be agreed upon between the engineer of the Company and the engineer of the Great Western Railway Company, or as shall be settled by arbitration, in case of failure to agree.

34. Whereas, pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the ninth year of the reign of Her present Majesty, chapter twenty, a sum of two thousand nine hundred and seventy pounds, being equal to five per centum upon the amount of the estimate in respect of the railway, has been deposited with the Chancery Division of the High Court of Justice, in respect of the application to Parliament for this Act: Be it enacted that, notwithstanding anything contained in the said Act, the said sum so deposited as aforesaid, in respect of the application for this Act, shall not be paid or transferred to, or on the application of the person or persons, or the majority of the persons named in the warrant or order issued in pursuance of the said Act, or the survivors or survivor of them, unless the Company shall, previously to the expiration of the period limited by this Act for completion of the railway, either open the railway for the public conveyance of passengers, or prove, to the satisfaction of the Board of Trade, that the Company have paid up one-half of the amount of the capital by this Act authorised 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 Board of Trade, the said sum of money, deposited as aforesaid, shall be applied in the manner hereinafter specified; and the certificate of the Board of Trade that such proof has been given to their satisfaction as aforesaid, shall be sufficient evidence of the fact so certified, and it shall not be necessary to produce any certificate of this Act having passed, anything in the above-mentioned Act to the contrary notwithstanding.

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35. The said sum of money deposited as aforesaid, shall be applicable and, after due notice in the London Gazette, shall be applied towards compensating any landowners or other persons whose property may have been interfered with or otherwise rendered less valuable by the commencement, construction, or abandonment of the railway, or any portion thereof, or who may have been subjected to injury or loss in consequence of the compulsory powers of taking property conferred upon the Company by this Act, and for which injury or loss no compensation or inadequate compensation shall have been paid, and shall be distributed in satisfaction of such compensation as aforesaid, in such manner and in such proportions as to the said Chancery Division may seem fit, and if no such compensation shall be payable, or if a portion of the said sum of money shall have been found sufficient to satisfy all just claims in respect of such compensation, then the said sum of money, or such portion thereof as may not be required as aforesaid, shall either be forfeited to Her Majesty, and accordingly be paid or transferred to or for the account of Her Majesty's Exchequer, in such manner as the said Chancery Division thinks fit to order on the application of the Solicitor of Her Majesty's Treasury, and shall be carried to and form part of the Consolidated Fund of the United Kingdom, or, in the discretion of the said Chancery Division, if the Company is insolvent and has been ordered to be wound up, or a receiver has been appointed, shall, wholly or in part, be paid or transferred to such receiver, or to the liquidator or liquidators of the Company, or be otherwise applied as part of the assets of the Company for the benefit of the creditors thereof; provided that until the said sum of money has been repaid to the depositors, or has become otherwise applicable, as hereinbefore mentioned, any interest or dividends accruing thereon shall, from time to time, and as often as the same shall become payable, be paid to or on the application of the person or persons, or the majority of the persons named in such warrant or order as aforesaid, or the survivors or survivor of them.

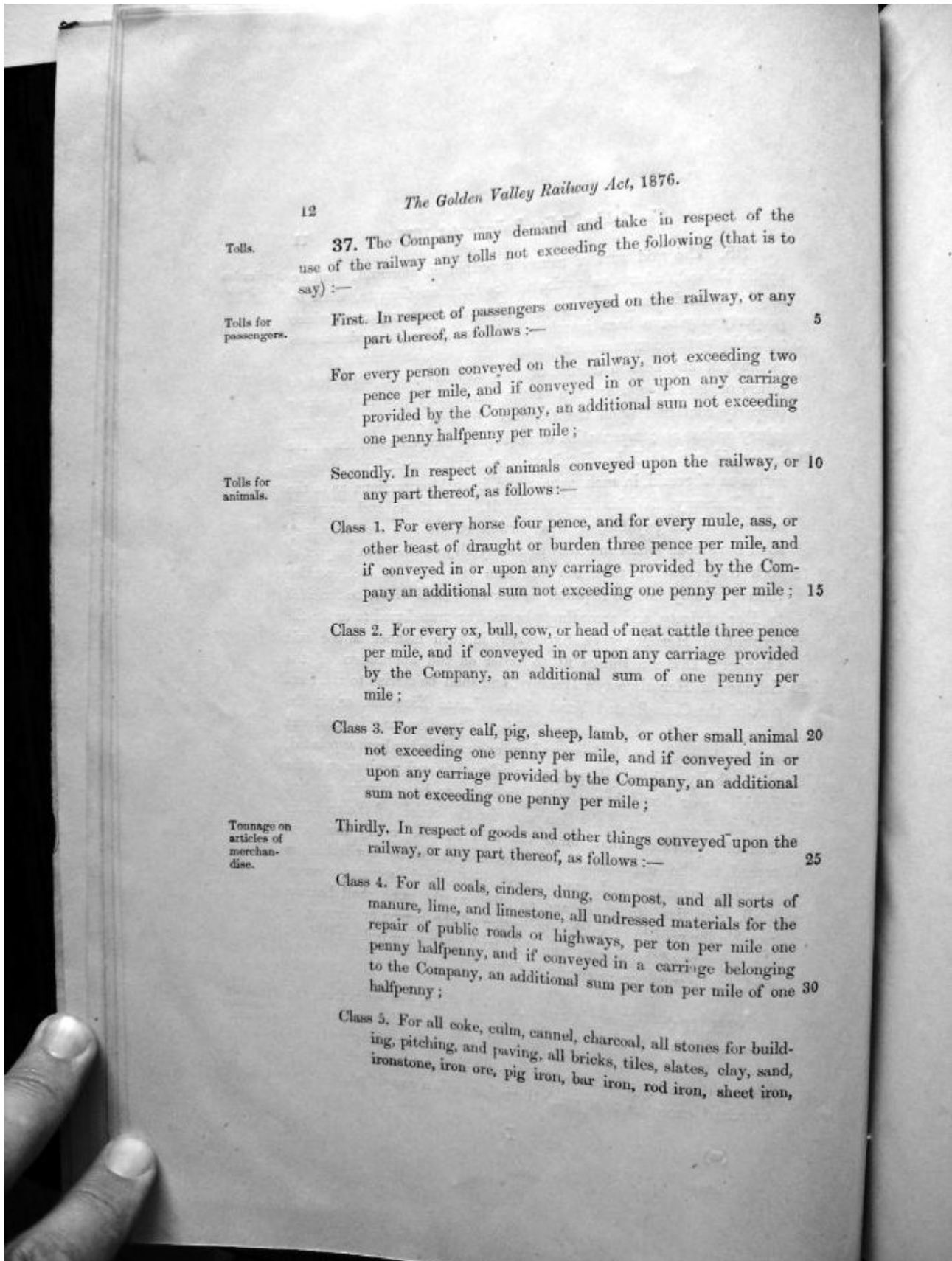
Application
of deposit.

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

Period for
completion
of works.

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Tolls. 37. The Company may demand and take in respect of the use of the railway any tolls not exceeding the following (that is to say) :—

Tolls for passengers. First. In respect of passengers conveyed on the railway, or any part thereof, as follows :— 5

For every person conveyed on the railway, not exceeding two pence per mile, and if conveyed in or upon any carriage provided by the Company, an additional sum not exceeding one penny halfpenny per mile ;

Tolls for animals. Secondly. In respect of animals conveyed upon the railway, or any part thereof, as follows :— 10

Class 1. For every horse four pence, and for every mule, ass, or other beast of draught or burden three pence per mile, and if conveyed in or upon any carriage provided by the Company an additional sum not exceeding one penny per mile ; 15

Class 2. For every ox, bull, cow, or head of neat cattle three pence per mile, and if conveyed in or upon any carriage provided by the Company, an additional sum of one penny per mile ;

Class 3. For every calf, pig, sheep, lamb, or other small animal not exceeding one penny per mile, and if conveyed in or upon any carriage provided by the Company, an additional sum not exceeding one penny per mile ;

Tonnage on articles of merchandise. Thirdly. In respect of goods and other things conveyed upon the railway, or any part thereof, as follows :— 25

Class 4. For all coals, cinders, dung, compost, and all sorts of manure, lime, and limestone, all undressed materials for the repair of public roads or highways, per ton per mile one penny halfpenny, and if conveyed in a carriage belonging to the Company, an additional sum per ton per mile of one halfpenny ; 30

Class 5. For all coke, culm, cannel, charcoal, all stones for building, pitching, and paving, all bricks, tiles, slates, clay, sand, ironstone, iron ore, pig iron, bar iron, rod iron, sheet iron,

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5 hoop iron, plates of iron, slabs, billets, and rolled iron, and iron castings, and all other similar descriptions of wrought iron not manufactured into utensils or other articles of merchandize, per ton per mile two pence, and if conveyed in a carriage belonging to the Company, an additional sum per ton per mile of one halfpenny ;

10 Class 6. For all sugar, grain, corn, flour, salt, hides, dye-woods, earthenware, timber, staves, deals, and metal (except iron), nails, anvils, vices, and chains, per ton per mile three pence, and if conveyed in a carriage belonging to the Company, an additional sum per ton per mile of one penny ;

15 Class 7. For cotton and other wools, drugs, and manufactured goods, and all other wares, merchandise, fish, articles, matters or things per ton per mile three pence halfpenny, and if conveyed in a carriage belonging to the Company an additional sum per ton per mile of one penny ;

20 For every carriage of whatever description, not being a carriage adapted and used for travelling on a railway and not weighing more than one ton, carried or conveyed on a truck or platform per mile six pence, and a sum of two pence per mile for every additional quarter of a ton, or fractional part of a quarter of a ton, which any such carriage may weigh, and if conveyed on a truck or platform belonging to the Company, an additional sum per mile not exceeding two pence.

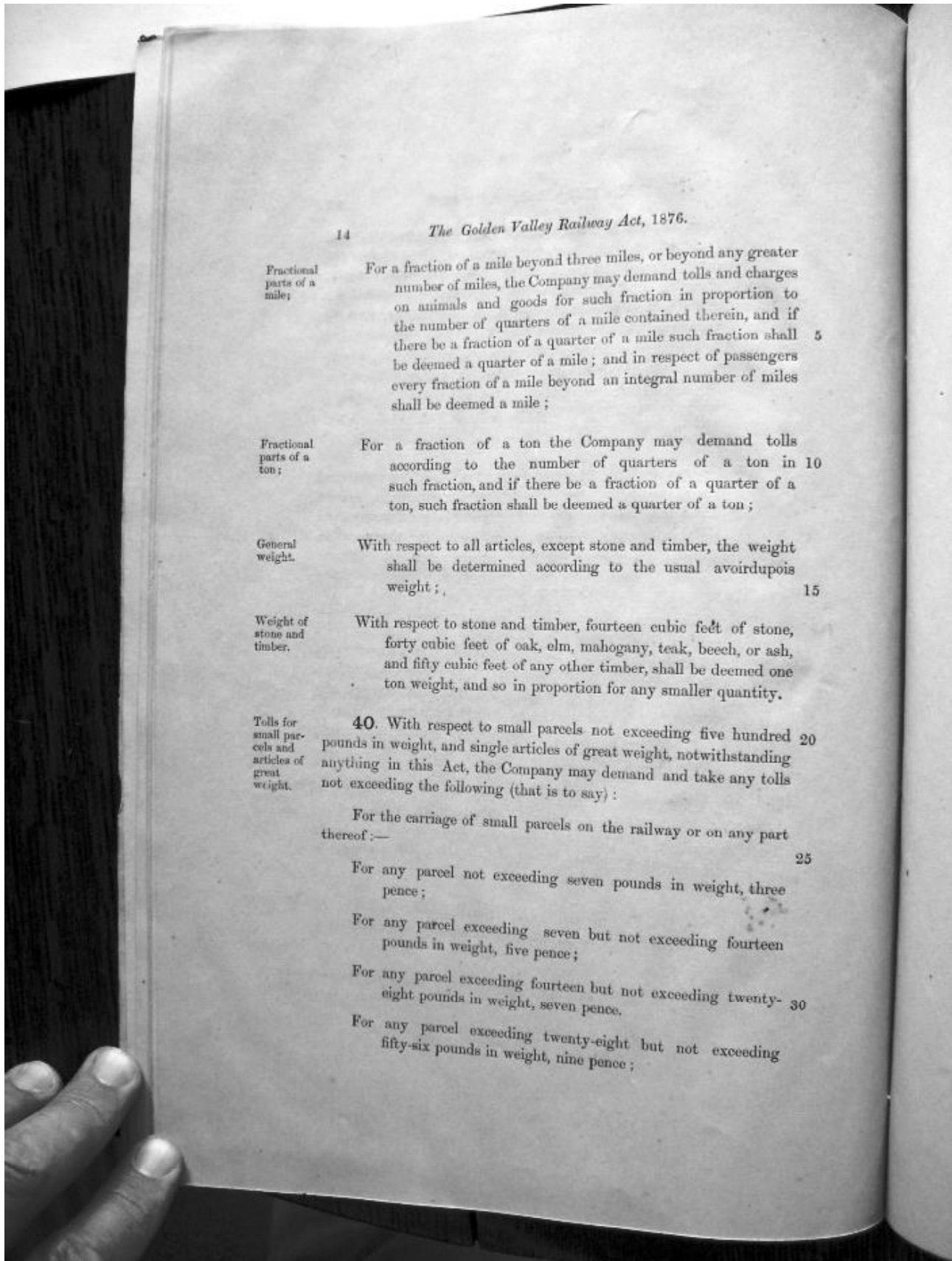
25 **38.** The tolls which the Company may demand for the use of engines for propelling carriages on the railway shall not exceed one penny per mile for each passenger or animal or for each ton of goods, or for each carriage in addition to the several other tolls or sums by this Act authorised to be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

30 **39.** 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.

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

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Fractional parts of a mile; For a fraction of a mile beyond three 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; 5

Fractional parts of a ton; 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;

General weight. With respect to all articles, except stone and timber, the weight shall be determined according to the usual avoirdupois weight; 15

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

Tolls for small parcels and articles of great weight. 40. With respect to small parcels not exceeding five hundred pounds in weight, and single articles of great weight, notwithstanding anything in this Act, the Company may demand and take any tolls not exceeding the following (that is to say): 20

For the carriage of small parcels on the railway or on any part thereof:— 25

For any parcel not exceeding seven pounds in weight, three pence;

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

For any parcel exceeding fourteen but not exceeding twenty-eight pounds in weight, seven pence. 30

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

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For any parcel exceeding fifty-six pounds, but not exceeding five hundred pounds in weight, any sum the Company may think fit :

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

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

10 For the carriage of any single article or thing, the weight of which, including the carriage, exceeds four tons but does not exceed eight tons, the Company may demand and take any sum not exceeding six pence per ton per mile, and if more than one carriage or truck be employed in the conveyance of such article or thing, an additional sum per ton per mile, not exceeding one penny, in respect of each carriage or truck beyond the first so employed ;

15 For the carriage of any single article or thing, the weight of which, with the carriage, exceeds eight tons, the Company may demand and take any sum they think fit.

20 **41.** 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) :—

Maximum rates for passengers.

For every passenger conveyed in a first-class carriage the sum of three pence per mile ;

For every passenger conveyed in a second-class carriage the sum of two pence per mile ;

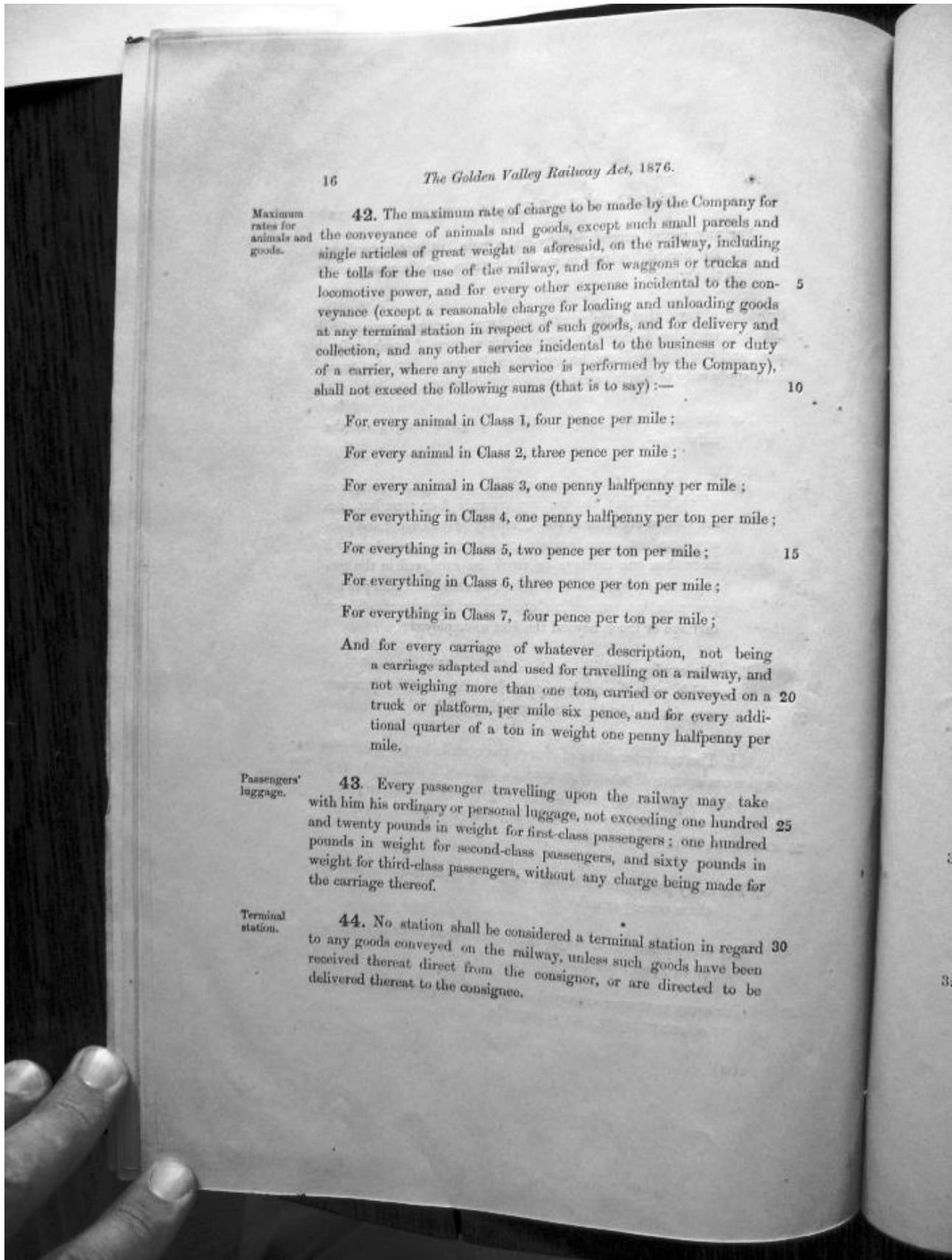
30 For every passenger conveyed in a third-class carriage the sum of one penny halfpenny per mile.

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Maximum rates for animals and goods.

42. The maximum rate of charge to be made by the Company for the conveyance of animals and goods, except such small parcels and single articles of great weight as aforesaid, 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 the Company), shall not exceed the following sums (that is to say) :—

For every animal in Class 1, four pence per mile ;

For every animal in Class 2, three pence per mile ;

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

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

For everything in Class 5, two pence per ton per mile ;

For everything in Class 6, three pence per ton per mile ;

For everything in Class 7, four pence per ton per mile ;

And for every carriage of whatever description, not being a carriage adapted and used for travelling on a railway, and not weighing more than one ton, carried or conveyed on a truck or platform, per mile six pence, and for every additional quarter of a ton in weight one penny halfpenny per mile.

Passengers' luggage.

43. Every passenger travelling upon the railway may take with him his ordinary or personal 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.

Terminal station.

44. 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.

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45. 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
5 time to time by the Company for the conveyance of passengers and goods upon the railway.

Foregoing charges not to apply to special trains.

10
46. 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,
10 by agreement with the owners or persons in charge thereof, either by reason of any special service performed by the Company in relation thereto, or in respect to the conveyance of animals or goods (other than small parcels) by passenger trains.

Company may take increased charges by agreement.

5
47. It shall be lawful for the Company to work into and use
15 the Pontrilas Station, and to run over and use so much of the Great Western Railway as lies between the points of junction therewith of the railway and the Pontrilas Station, together with the use of the said Pontrilas Station, with the sidings, watering places, or other conveniences upon or connected with such station, and the Great
20 Western Railway Company shall find and provide all the staff, including booking clerks necessary for working the traffic of the Company in the said station, and at the sidings, watering places, or other conveniences upon or connected with such station, and the
10 terms and conditions of such user, and the tolls, charges, and payments to be made in respect thereof, and the payments to be made
25 for or in respect of the staff to be provided by the Great Western Railway Company as aforesaid shall be such as shall from time to time be agreed upon between the Company and the Great
25 Western Railway Company, or in default of agreement, as may be prescribed by the Board of Trade, or by an arbitrator appointed by
30 that Board, and the costs of reference or arbitration shall be in the discretion of the Board of Trade, or the arbitrator, as the case may be.

Power to use Pontrilas Station and portion of Great Western Railway

30
48. The Company, in using the said portion of the railway and
35 station of the Great Western Railway Company, in accordance with the provisions hereinbefore contained, shall at all times observe the regulations and bye-laws for the time being in force on the railway

Regulations to be observed in exercising running powers.

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and station so used, so far as such regulations and bye-laws are applicable to the Company.

Power to enter into working agreements.

49. The Company on the one hand and the Great Western Railway Company and the London and North Western Railway Company, or either of them, on the other hand, may, subject to the provisions of Part III of "The Railways Clauses Act, 1863," as amended or varied by The Regulation of Railways Act, 1873, from time to time enter into agreements with respect to the following purposes, or any of them (that is to say) :— 5

The maintenance and management of the railway, or of any part or parts thereof respectively, and of the works connected therewith respectively, or any part thereof; 10

The use or working of the railway, or of any part or parts thereof respectively, and the conveyance of traffic thereon;

The supply of any rolling or working stock and of officers and servants for the conduct of the traffic on the railway; 15

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 undertakings of the contracting Companies, and the levying, fixing, collection, apportionment, and division between the said Companies of the tolls, rates, charges, receipts, and revenues taken, levied, or arising from such traffic. 20 25

Tolls on traffic conveyed partly on the railway and partly on the Great Western and London and North Western Railways.

50. During the exercise of the running powers by this Act conferred upon the Company and during the continuance of any agreement to be entered into under the provisions of this Act, the railway of the Company and of the Great Western Railway Company and of the London and North Western Railway Company, as the case may be, 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 of the Company and partly on the railways of the Great Western Railway 30

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Company or the London and North Western Railway Company, as the case may be, for a less distance than three miles, tolls and charges may only be charged as for three miles, and in respect of passengers for every mile or fraction of a mile beyond three miles, 5 tolls and charges as for one mile only, and in respect of animals and goods for every quarter of a mile or fraction of a quarter of a mile beyond three miles, tolls and charges as for a quarter of a mile only, and no other short distance charge shall be made for the conveyance of passengers, animals, or goods partly on the railway of the Com- 10 pany and partly on the railways of the Great Western Railway Company and of the London and North Western Railway Company, as the case may be.

51. The Company shall in respect of all traffic to and from the respective systems of the Great Western and the London and North 15 Western Railway Companies to and from any station on the railway afford all necessary facilities for the due transmission of such traffic over the railway as well as if it were the proper traffic of the Company, such facilities to include through booking and through rates and fares, and if the Company shall hereafter grant either to 20 the Great Western Railway Company, or to the London and North Western Railway Company, any facilities, privileges, or powers in respect of their traffic, they shall on demand grant the like facilities, privileges, and powers on the like terms to the other of such Com- panies, and if any difference arise as to this provision, or as to the 25 amount of such through rates and fares and the division or appropriation thereof, the same shall from time to time be settled by arbitration in manner provided by the Railway Companies Arbitration Act, 1859, and the arbitrator shall have power by his award to award any damages he may think equitable to either party.

Facilities to London and North Western Railway Company and to the Great Western Railway Company.

30 52. The Company shall not, out of any money by this Act authorised to be raised, pay interest or dividend to any shareholder on the amount of the calls made in respect of the shares held by him; but nothing in this Act shall prevent the Company from paying to any shareholder such interest on money advanced by him beyond the 35 amount of the calls actually made, as is in conformity with "The Companies Clauses Consolidation Act, 1845."

Interest not to be paid upon calls paid up.

53. The Company shall not, out of any money by this Act 4
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Deposits for future Bills

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not to be
paid out of
capital.

authorised to be raised, pay or deposit any sum which by any Standing Order of either House of Parliament, now or hereafter in force, may be required to be deposited in respect of any application to Parliament for the purpose of obtaining an Act authorising the Company to construct any other railway, or to execute any other work or undertaking. 5

Provision
as to
general
railway
Acts.

54. Nothing in this Act contained shall exempt the Company or the railway from the provisions of any general Act relating to railways, or the better and more impartial audit of the accounts of railway companies now in force, or which may hereafter pass during this or any future session of Parliament, or from any future revision or alteration, under the authority of Parliament, of the maximum rates of fares and charges, or of the rates for small parcels authorised by this Act. 10

Costs of
Act.

55. 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. 15