



CHAPTER lxx.

An Act for empowering the Cambrian Railways Company to make approach roads to certain of their Stations to acquire additional Lands to raise further Money for those purposes and also for doubling and improving their Line and for other purposes. [2nd July 1896.]

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WHEREAS it is expedient that the Cambrian Railways Company (in this Act called "the Company") should be empowered to construct the new approach roads to certain of their stations in this Act mentioned and to acquire for the purposes of the said roads and for the general purposes of their undertaking the lands in this Act mentioned :

And whereas a certain deviation of or portion of the Llanfyllin Branch Railway of the Company known as the Llanymynech Curve has in pursuance of the requirements of the Board of Trade been recently constructed by the Company and it is expedient that the construction of the said curve be sanctioned as part of the undertaking of the Company :

And whereas it is expedient that the Company should as in this Act provided be empowered to run over and use the railway of the Van Railway Company and also the loop railway of the Wrexham and Ellesmere Railway Company authorised to be constructed by the Wrexham and Ellesmere Railway Act 1895 and that the Company and the Wrexham and Ellesmere Railway Company should be authorised to enter into working and traffic agreements :

And whereas it is expedient that further powers as in this Act provided should be conferred upon the Company with reference to hotels and refreshment rooms and that the periods for which the Company may let or lease hotels or refreshment rooms should be extended :

And whereas it is expedient that the Company should as in this Act provided be empowered to establish coach services in connexion with or in extension of their railway system

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And whereas the Company require further money for the purposes of this Act and for doubling portions of their existing single line of railway and for constructing additional sidings warehouses engine and carriage sheds and increasing their rolling stock and for otherwise improving their undertaking so as to enable the increasing traffic thereon to be worked with greater expedition safety and economy :

And whereas under the scheme of arrangement between the Cambrian Railways Company and their creditors prepared in pursuance of the provisions of the Railway Companies Act 1867 (which scheme was duly confirmed by the Chancery Division of the High Court on the thirteenth day of June one thousand eight hundred and eighty-five and was enrolled on the fourteenth day of July in the same year) the Company were authorised to create and issue and have created and issued A Debenture Stock amounting to seven hundred and seventy thousand pounds B Debenture Stock amounting to seven hundred and fifty thousand pounds C Debenture Stock amounting to four hundred thousand pounds and D Debenture Stock amounting to three hundred thousand pounds respectively bearing interest at four per centum per annum The A Debenture Stock and all interest thereon as a cumulative charge having priority over the B Debenture Stock and all interest thereon The B Debenture Stock and all interest thereon as a cumulative charge ranking next after the A Debenture Stock and the interest thereon The C Debenture Stock and all interest thereon as a cumulative charge ranking next after the B Debenture Stock and the interest thereon and the D Debenture Stock and all interest thereon which is not cumulative ranking next after the C Debenture Stock :

And whereas under the said scheme the Company were also authorised to create and issue and have created and issued No. 1 Preference Stock amounting to one hundred and twenty-eight thousand eight hundred and seventeen pounds ranking next in priority after the D Debenture Stock No. 2 Preference Stock amounting to three hundred and eighty-four thousand pounds ranking next in priority after the No. 1 Preference Stock No. 3 Preference Stock amounting to three hundred and thirty thousand seven hundred and twenty pounds ranking next in priority after the No. 2 Preference Stock and No. 4 Preference Stock amounting to seven hundred and twelve thousand and eighty pounds ranking next in priority after the No. 3 Preference Stock respectively bearing interest at four per centum per annum provided the traffic of any year should be sufficient for that purpose :

And whereas the Company have recently obtained certificates from the Board of Trade issued under the Regulation of Railways Act 1889 for sums amounting to two hundred and fifty thousand

four hundred and twenty-five pounds and have on account of that sum raised one hundred and eighty-two thousand six hundred and seventy-five pounds eighteen shillings and fourpence by the issue of A Debenture Stock amounting to one hundred and fifty-three thousand and ninety-six pounds leaving sixty-seven thousand seven hundred and fifty pounds still to be raised and they have expended the further sum of twenty-eight thousand four hundred and eighty pounds in providing turn tables water columns platforms structural additions and other improvements :

And whereas the profits of the Company being hitherto insufficient to pay any dividends on their existing preference stocks they are unable to raise the further moneys required by them for the purposes aforesaid by the creation of ordinary or preference capital and it is therefore expedient and would be beneficial to the Company and for the public and local advantage that such further moneys should be raised by the creation of a further amount of D Debenture Stock to rank *pari passu* with and form part of the existing D Debenture Stock and the holders of three fourths in value of the existing D Debenture Stock and the holders of three fourths in value of each class of preference stocks have assented in writing to the raising of such further moneys in manner aforesaid :

And whereas it is expedient that the Company should have power to convert their four pounds per centum debenture stocks into debenture stocks bearing interest at the rate of three pounds per centum per annum :

And whereas plans showing the lands by this Act authorised to be acquired and appropriated and plans showing the roads by this Act authorised and also 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 of this Act were duly deposited with the clerks of the peace for the several counties within which those roads will be constructed and those lands are situate which plans and books of reference are in this Act respectively referred to as the deposited plans 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:—

1. This Act may be cited for all purposes as the *Cambrian Railways Act 1896.* Short title.

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Incorporation of provisions of general Acts.

2. The Lands Clauses Acts and the provisions of the Companies Clauses Consolidation Act 1845 with respect to the giving of notices and the provision to be made for affording access to the special Act by all parties interested and Part III. (relating to debenture stock) of the Companies Clauses Act 1863 and Part III. (relating to working agreements) of the Railways Clauses Act 1863 are except where expressly varied by this Act incorporated with and form part of this Act.

Interpretation.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings unless there be something in the subject or context repugnant to such construction :

The expression "superior courts" or "court of competent jurisdiction" or any other like expression in this Act or any Act wholly or partially incorporated herewith shall for the purposes of this Act be read and have effect as if the debt or demand with respect to which the expression is used were a simple contract debt and not a debt or demand created by statute.

Power to make new approach roads to stations.

4. Subject to the provisions of this Act the Company may in the lines shown on the deposited plans relating thereto make the approach roads herein-after described to certain of their stations 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 those purposes (that is to say) :—

At Barmouth Junction Station—

They may make a road wholly within the parish of Llangelynin in the county of Merioneth commencing by a junction with the highway leading from Dolgelly to Towyn at or near a point where the occupation road from the Ynysgyffylog Farm enters the said highway opposite the slate works known as Tyddyn-Sieffre otherwise Tyddyn-Sheffrey and terminating in the station yard of the Company at Barmouth Junction :

At Glandovey Junction Station—

They may make a road wholly within the township of Issa Garreg and parish of Machynlleth in the county of Montgomery commencing by a junction with the highway leading from Machynlleth to Aberystwyth at or near a point fifteen yards or thereabouts measured along the said highway in a northerly direction from the north-west corner of the abutment of the bridge carrying the said highway over the river Llyfnant and terminating in the station yard of the Company at Glandovey Junction :

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At Moat Lane Junction Station—

They may make a road wholly in the parish of Llandinam in the county of Montgomery commencing by a junction with the highway leading from Newtown to Llanidloes at or near the point known as the Llanidloes Road level crossing and terminating in the station yard of the Company at Moat Lane.

5. The Company may in constructing the new roads by this Act authorised deviate from the lines thereof to the extent of the limits of deviation marked on the deposited plans.

Power to deviate in construction of new roads.

6. The new roads to be made under the authority of this Act shall when made and completed from time to time be maintained and repaired by and at the expense of the Company.

Provisions as to maintenance and repair of new roads.

7. Subject to the provisions of this Act and in addition to the other lands which the Company are by this Act authorised to acquire the Company may from time to time enter upon take use and appropriate to purposes connected with their undertaking the lands herein-after described or referred to delineated on the deposited plans and described in the deposited books of reference relating thereto:—

Power to acquire lands for general purposes of undertaking.

In the county of Salop—

Certain lands adjoining the Company's railway situate at their Ellesmere Station in the parish of Ellesmere at their Oswestry Station in the parish of Oswestry and at their Pant Station in the parish of Llanymynech :

In the county of Montgomery—

Certain lands adjoining the Company's railway situate near to their Four Crosses Station in the parish of Llandysilio :

In the county of Merioneth—

Certain lands adjoining the Company's railway situate about midway between their Towyn and Llwyngwrl Stations in the parish of Llangelynin and at or near their Penrhyn-deudraeth Station in the parish of Llanfihangel-y-Traethau :

In the county of Carnarvon—

Certain lands adjoining the Company's railway situate near to their Afon Wen Station in the parish of Llanystumdwy and their Pwllheli Station in the parish of Abererch.

8. The powers of the Company for the compulsory purchase of lands for the purposes of this Act shall cease after the expiration of three years from the passing of this Act.

Period for compulsory purchase of lands.

9. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the Company any easement right or privilege (not being an easement right or privilege of water in which other than parties to the agreement have an interest) required by them for any of the purposes of this Act to be executed

Power to take easements &c. by agreement.

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Restriction on taking houses of labouring class.

10. The Company shall not under the powers of this Act purchase or acquire ten or more houses which on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers or except with the consent of the Local Government Board ten or more houses which were not so occupied on the said fifteenth day of December but have been or shall be subsequently so occupied :

For the purpose of this section the expression "labouring class" means and includes mechanics artisans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any of such persons who may be residing with them.

Sanctioning Llanymynech Curve on Llanfyllin Branch.

11. The Llanymynech Curve on the Llanfyllin Branch Railway of the Company as already constructed in the parish of Llanymynech in the county of Montgomery and all works and conveniences connected therewith is hereby legalised and may be maintained by the Company as and shall for all purposes be held to be part of their undertaking and the Company shall in respect thereof and of the traffic thereon be entitled to all the powers including the power of levying tolls rates and charges which the Company have and enjoy in respect of the said Llanfyllin Branch Railway and the traffic thereon and the application of the funds which the Company have expended for the purposes of the said curve is hereby sanctioned.

Company may provide work and use coaches &c.

12. The Company may provide horses and own work and use coaches and other vehicles for the conveyance of passengers and goods in connexion with or in extension of their railway system between (1) Llanidloes and Devil's Bridge (2) Aberystwyth and Devil's Bridge (3) Barmouth and Dolgelly and Harlech (4) Portmadoc and Bettws-y-Coed Snowdon Pwllheli and Porth-din-llyn and may make charges in respect of such conveyance and may enter into contracts and agreements with any company or person with reference to the supply of horses and the supply and working of such coaches and other vehicles and the Company may apply their corporate funds to the purposes aforesaid or any of them.

13. The Company may acquire erect provide hold enjoy and maintain as part of their undertaking at or near to or in connexion with their railway hotels refreshment rooms or any like accommodation at Aberystwyth Borth Aberdovey Barmouth Towyn and Portmadoc respectively They may furnish stock equip manage and conduct the said hotels and refreshment rooms and the business thereof and may employ officers managers and servants therein or in connexion therewith And the officer or manager of any such hotel or refreshment room designated as such by the Company shall be deemed to be the real resident holder and occupier thereof And the Company may for any of the purposes aforesaid apply their corporate funds or any of them and may acquire by agreement and may hold lands for and in connexion with the said purposes.

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Company
may provide
hotel accom-
modation.

14. The Company and any company or person from time to time lawfully working or using the railway of the Company on such terms and conditions as may be agreed upon may run over and use with their engines carriages waggons officers and servants for the purposes of traffic of every description the following railway and portion of railway (that is to say) :—

Running
powers over
certain
railways.

The railway of the Van Railway Company :

The loop railway of the Wrexham and Ellesmere Railway Company authorised by the Wrexham and Ellesmere Railway Act 1895 :

Together with the use of all stations sidings platforms points signals junctions roads water watering places sheds standing room for engines and carriages booking and other offices warehouses stacks tips hydraulic and other machinery works and conveniences connected with such railway and portion of railway so to be run over and used as aforesaid.

15. The terms conditions and regulations on and subject to which the Company shall be entitled to run over and use the said railway and portion of railway and the stations and works in connexion therewith and the tolls or other consideration to be paid in respect of the same shall if not agreed upon between the Company on the one part and the Van Railway Company and the Wrexham and Ellesmere Railway Company or either of them on the other part be from time to time determined in manner provided by the Regulation of Railways Act 1873 as amended by the Railway and Canal Traffic Act 1888 with respect to differences between railway companies.

Terms and
conditions of
user.

16. In running over and using the railway or portion of railway and in using any of the stations and conveniences in connexion therewith the regulations and byelaws for the time being in force on the undertaking so used shall be at all times observed so far as such regulations and byelaws shall be applicable.

Byelaws to
be observed.

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Power to enter into working agreements with the Wrexham and Ellesmere Railway Company.

17. The Company on the one hand and the Wrexham and Ellesmere Railway Company on the other hand may subject to the provisions of Part III. of the Railways Clauses Act 1863 as amended or varied by the Railway and Canal Traffic Acts 1873 and 1888 from time to time enter into agreements with respect to the following purposes or any of them (that is to say):—

The maintenance and management of the railway of the Wrexham and Ellesmere Railway Company or any part thereof and of the works connected therewith or any of them :

The use or working of the railway of the Wrexham and Ellesmere Railway Company or of any part thereof and the conveyance of traffic thereon :

The fixing subject to the authorised maximum rates and the collection and apportionment of the tolls rates charges receipts and revenues levied taken or arising in respect of traffic.

Tolls on traffic conveyed partly on railway of Company and partly on other railways.

18. During the continuance of any agreement to be entered into under the provisions of this Act for the working and use of the railway of the Wrexham and Ellesmere Railway Company by the Company and during the exercise of any of the running powers by this Act granted to the Company the railways of the respective companies shall for the purpose of short distance tolls and charges be considered as one railway and in estimating the amount of rates and charges in respect of passengers conveyed partly on the railways of the Company and partly on the railway of the Van Railway Company or of the Wrexham and Ellesmere Railway Company as the case may be for a less distance than three miles rates and charges may be charged as for three miles and for every mile and fraction of a mile beyond three miles as for one mile only and in estimating the amount of rates and charges in respect of merchandise traffic conveyed partly on the railway of the Company and partly on the railway of the Van Railway Company or of the Wrexham and Ellesmere Railway Company as the case may be those companies shall be deemed to be companies connected with the Company and specified in the appendix to the schedule to the Railway Rates and Charges No. 3 (Cambrian Railway &c.) Order 1892 confirmed by the Railway Rates and Charges No. 3 (Cambrian Railway &c.) Order Confirmation Act 1892.

Power to create additional D Debenture Stock.

19. In addition to the sums which the Company are already authorised to raise by debenture stock or otherwise they may from time to time create and issue with the authority of three fourths of the votes of their shareholders present in person or by proxy at a general meeting of the Company specially convened for the purpose such amounts of D Debenture Stock as may be determined not exceeding in the whole the sum of six hundred thousand pounds and the said stock shall rank *pari passu* with and form part of the now existing D Debenture Stock.

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Application
of moneys
raised.

20. All moneys raised by the Company under the powers of this Act shall be applied only to the purposes of this Act and for doubling portions of their existing line of railway and constructing additional sidings warehouses engine and carriage sheds and increasing their rolling stock and otherwise in improving the railway of the Company being in every case purposes to which capital is properly applicable.

Conversion
of four per
centum
debenture
stocks into
three per
centum
debenture
stocks.

21. Subject to the provisions of this Act the Company may convert the existing Four pounds per centum A B C and D Debenture Stocks and such further D Debenture Stock as may be created and issued under this Act into Three pounds per centum A B C and D Debenture Stocks and every holder of such Four pounds per centum A B C and D Debenture Stocks shall be entitled to and shall receive in substitution for each hundred pounds of the four pounds per centum debenture stock held by him a sum of one hundred and thirty-three pounds six shillings and eightpence three pounds per centum debenture stock of the same class and subject and entitled to the same powers provisions rights privileges and incidents whatsoever in all respects as the four pounds per centum debenture stock for which such three pounds per centum debenture stock is substituted and so in proportion for any greater or less sum than one hundred pounds.

Converted
debenture
stocks to be
subject to
same trusts.

22. The Three pounds per centum A B C and D Debenture Stocks issued to holders of Four pounds per centum A B C and D Debenture Stocks converted under the provisions of this Act shall be held subject to the same trusts and obligations as those upon or to which the existing Four pounds per centum A B C and D Debenture Stocks were immediately before the conversion held or subject and every deed or other instrument or testamentary or other disposition purporting to affect such existing debenture stocks shall be held to take effect with reference to the whole or a proportionate part as the case may be of the three pounds per centum debenture stock substituted therefor.

As to
fractional
parts of a
pound of
debenture
stock.

23. Notwithstanding anything in this Act contained no person or corporation shall become entitled under the provisions of this Act to any fractional part of a pound of three pounds per centum debenture stock but in every case in which any such person or corporation would but for this enactment have become entitled to a fractional part of a pound of any such three pounds per centum debenture stock the Company may at their option receive from such person or corporation such a further sum in cash as will make up an even pound or pay to such person or corporation in cash the amount of such fractional part.

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Power to trustees to accept new three per centum debenture stock.

24. Trustees executors and administrators shall accept Three pounds per centum A B C and D Debenture Stock created and issued under the authority of this Act in substitution for the Four pounds per centum A B C and D Debenture Stock in lieu of which such Three pounds per centum Debenture Stocks are so issued and may hold dispose of or otherwise deal with the same in all respects as they might have held disposed of or otherwise dealt with the four pounds per centum debenture stock for which such three pounds per centum debenture stock was substituted.

Interest not to be paid on calls paid up.

25. No interest or dividend shall be paid out of any share or loan capital which the Company are by this or any other Act authorised to raise to any shareholder on the amount of the calls made in respect of the shares held by him Provided 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.

26. The Company shall not out of any money by this Act 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.

Railway to be subject to general Acts.

27. Nothing herein contained shall be deemed or construed to exempt any company named in this Act or the railways of any such company 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 authorised maximum rates of fares and charges or of the rates for small parcels.

Costs of Act.

28. All the costs charges and expenses of and attending the passing of this Act or incidental thereto shall be paid by the Company.

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