



CHAPTER cclxii.

An Act for the acquisition of the undertaking of the Portmadoc Croesor and Beddgelert Tram Railway Company to construct railways and works in the parishes of Treflys Ynyscynhaiarn and Beddgelert in the county of Carnarvon and the parish of Llanfrothen in the county of Merioneth to produce store and supply electricity for public and private purposes and for other purposes.

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[17th August 1901.]

WHEREAS by the Croesor and Portmadoc Railway Act 1865 (in this Act called "the Act of 1865") the Croesor and Portmadoc Railway Company (in this Act called "the Croesor Company") was incorporated for the purpose of maintaining an existing railway from Carreg Hyldrem in the county of Merioneth to Portmadoc in the county of Carnarvon and for executing the other objects and purposes specified in the Act of 1865 :

And whereas by the Portmadoc Croesor and Beddgelert Tram Railway Act 1879 (in this Act called "the Act of 1879") the name of the Croesor and Portmadoc Railway Company was changed to the name of the Portmadoc Croesor and Beddgelert Tram Railway Company (in this Act called "the Croesor Company") :

And whereas by a statutory mortgage dated the twenty-third day of June one thousand eight hundred and seventy the Croesor Company under the borrowing powers conferred upon it by the Act of 1865 mortgaged its undertaking to Mary Elizabeth Littledale to secure eight thousand pounds and interest at the rate of five pounds ten shillings per cent. per annum and such mortgage is now legally vested in Henry William Assheton Littledale :

And whereas by a statutory mortgage dated the nineteenth day of June one thousand eight hundred and eighty-two the Croesor Company under the same borrowing powers mortgaged its undertaking to James Cholmeley Russell to secure three hundred and

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A.D. 1901. thirty pounds and interest at the rate of five pounds per cent. per annum and such mortgage is now legally vested in the said James Cholmeley Russell :

And whereas a receiver was appointed upon the application of the said Mary Elizabeth Littledale in the year 1882 pursuant to the provisions of the Companies Clauses Consolidation Act 1845 and the Act of 1865 for the purpose of enforcing the payment of amount of principal and interest due on the said mortgage and has been continued since that time and there is now due under the said mortgage of the twenty-third day of June one thousand eight hundred and seventy the principal sum of eight thousand pounds and a considerable sum for interest amounting in the aggregate to ten thousand pounds and upwards :

And whereas there is now due under the said mortgage of the nineteenth day of June one thousand eight hundred and eighty-two the principal sum of three hundred and thirty pounds and a considerable arrear of interest :

And whereas an agreement (hereinafter called "the agreement for sale") has been entered into dated the 18th day of March 1901 and made between the Croesor Company of the first part the said Henry William Assheton Littledale of the second part and George Edward Heyl Dia and William John Glover of the third part (two of the persons hereinafter named for the transfer and sale of the undertaking to the Company intended to be incorporated by this Act) for the sale and transfer to the Company of the undertaking of the Croesor Company upon the terms and conditions appearing in this Act and it is expedient that the same be made binding upon the Croesor Company and the Company and all persons purporting to be affected thereby in accordance with the provisions of this Act :

And whereas the said James Cholmeley Russell has agreed to accept the sum of three hundred and thirty pounds in full discharge of the principal and interest due under the said mortgage of the nineteenth day of June one thousand eight hundred and eighty-two :

And whereas an agreement has been entered into for the sale of the Croesor Company's undertaking to the persons in this Act named with others upon the terms and conditions appearing in this Act :

And whereas the persons in this Act named with others are willing at their own expense to carry such agreement into effect and to execute and maintain the railways and other works in this Act

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mentioned under the powers and subject to the conditions herein-
after contained and it is expedient that they be incorporated into a
company (in this Act called "the Company") for the purposes
hereinafter mentioned : A.D. 1901.

And whereas it is expedient that the Company should be
empowered to make execute and maintain the railways and other
works and to exercise the powers by this Act respectively authorised
and conferred upon them and to acquire for the purposes of this
Act certain lands houses and buildings in this Act described or
referred to :

And whereas it is expedient that the Company should be
authorised to raise money for the purposes of this Act :

And whereas there has never been any passenger traffic over the
railway of the Croesor Company and the present condition and state
of repair thereof are not such as to justify or allow the conveyance
of passengers thereon and it is expedient that the said railway
should be repaired and improved as by this Act provided :

And whereas it is expedient that the Company on the one hand
the Cambrian Railways Company the North Wales Narrow Gauge
Railway Company the Festiniog Railway Company and the Snowdon
Mountain Tramroad Company or either of them on the other hand
should be empowered to enter into and carry into effect working
and other agreements as hereinafter provided :

And whereas plans and sections showing the lines and levels
of the railways and other works by this Act authorised to be
constructed and plans showing the lands by this Act authorised to
be acquired and also a book of reference containing the names of
the owners and lessees or reputed owners and lessees and of the
occupiers of those lands were duly deposited with the respective
clerks of the peace for the counties of Carnarvon and Merioneth
and are hereinafter respectively referred to as the deposited plans
sections and book of reference :

And whereas it is expedient that the Company be empowered to
supply electricity for public and private purposes within the urban
districts of Ynyscynhaiarn and Criccieth respectively and the parish
of Beddgelert all in the county of Carnarvon :

And whereas it is expedient that the Company be authorised to
acquire the right to take divert impound appropriate and use water
from Llyn Llydaw and Llyn Teyrn in the county of Carnarvon
for the purpose of generating electrical power for the purposes
mentioned in this Act and also to erect a generating station or

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A.D. 1901. — stations upon the lands hereinafter described and to execute the necessary works and powers in this Act described and contained:

And whereas it is expedient that the Company be authorised to enter into and fulfil agreements with local authorities and other bodies companies and persons and provide for the supply to them of electrical energy and for other purposes as in this Act provided:

And whereas the objects 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 King'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 (that is to say):—

PART I.

PRELIMINARY.

Short title. 1. This Act may be cited as the *Portmadoc Beddgelert and South Snowdon Railway Act 1901.*

Act divided into Parts. 2. This Act is divided into Parts as follows:—
Part I.—Preliminary.
Part II.—Railways and Works.
Part III.—Electric Power and Supply.
Part IV.—Finance and Miscellaneous.

Application of Electric Lighting Acts. 3.—(A) This Act shall be deemed to be a special Act within the meaning of the Electric Lighting Acts 1882 and 1888 and the Electric Lighting (Clauses) Act 1899 which Acts are hereinafter referred to as “the principal Acts.”

Incorporation of Acts. (B) The following Acts and parts of Acts (so far as the same are applicable for the purposes of and are not inconsistent with or varied by the provisions of this Act) are subject to the provisions of this Act hereby incorporated with this Act (that is to say):—

The Companies Clauses Consolidation Act 1845 and Part I. (Cancellation and surrender of shares) and Part III. (Debenture stock) of the Companies Clauses Act 1863 as amended by subsequent Acts:

The Lands Clauses Acts except sections 16 and 17 of the Lands Clauses Consolidation Act 1845:

The Railways Clauses Consolidation Act 1845 and Part I. (Construction of a railway) of the Railways Clauses Act 1863:

And the provisions of the Electric Lighting (Clauses) Act 1899 except the following provisions of the schedule thereto annexed

(that is to say) The definition in section 1 of the expression "plan" sections 3 4 5 7 8 9 41 and 78 and also subsection (1) of section 32 Provided also that in construing the provisions of section 21 of the said schedule for the purposes of this Act the period of three years and six months shall be read in lieu of the two several periods of two years and eighteen months respectively mentioned in the said section.

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4. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have (unless varied by this Act or unless the context other requires) the same respective meanings.

Interpretation.

5. George Edward Heyl Dia William John Glover Henry Samuel Oppenheim and all other persons who have already subscribed to 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 purposes of acquiring making and maintaining the undertaking railways electrical and other works herein mentioned and for generally carrying out the powers and purposes of this Act and for these purposes shall be and are hereby incorporated by the name of "The Portmadoc Beddgelert and South Snowdon Railway Company" and by that name shall be a body corporate with perpetual succession and a common seal and with power to purchase take hold and dispose of lands and other property.

Incorporation of Company.

PART II.

RAILWAYS AND WORKS.

6.—(1) The Croesor Company shall sell to the Company and the Company shall purchase from them the railway and the undertaking of the Croesor Company for the consideration and upon and subject to the terms and conditions in this Act stated or appearing being the consideration terms and conditions contained in the agreement for sale and which are hereby made binding upon the Croesor Company and the Company and upon all persons purporting to be affected thereby and may and shall be carried into effect accordingly.

Power to acquire Croesor Railway.

(2) The purchase money shall be the sum of ten thousand pounds.

(3) Subject to the provisions of this Act the sale and purchase shall comprise all lands railways works stations sidings approaches conveniences hereditaments rights and powers plant assets and effects

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A.D. 1901. of whatever nature or kind belonging to the Croesor Company on the thirtieth day of June one thousand nine hundred and one.

(4) The sale and purchase shall be subject to all rentcharges and other fixed payments (if any) to which the Croesor Company was on the eighteenth day of March one thousand nine hundred and one liable but free from the said statutory mortgage dated the twenty-third day of June one thousand eight hundred and seventy and free from all debts and other liabilities of the Croesor Company (except until payment of the sum of three hundred and thirty pounds hereinafter mentioned a statutory mortgage or mortgages (if any) to secure the balance of the sum of eight thousand three hundred and thirty pounds authorised by the said Act of 1865 to be borrowed).

(5) The sale and purchase shall be completed on a date to be fixed by the Company within twelve months after the passing of this Act and the purchase-money of ten thousand pounds shall be paid to the receiver on behalf of the Croesor Company or into the Bank of England in manner provided in clause 7 hereof together with interest thereon from the thirtieth day of June one thousand nine hundred and one until payment at the rate of five pounds per centum per annum and as from the thirtieth day of June one thousand nine hundred and one until completion the Croesor Company shall carry on the undertaking for and on behalf of the Company and shall be entitled to be indemnified in respect thereof accordingly.

(6) The Company shall pay the sum of three hundred and thirty pounds to the said James Cholmeley Russell in full discharge of all principal money and interest due to him under the mortgage dated the nineteenth day of June one thousand eight hundred and eighty-two and upon payment of such sum of three hundred and thirty pounds the Croesor Company's railway undertaking lands and hereditaments shall be freed and discharged from the said statutory mortgage dated the nineteenth day of June one thousand eight hundred and eighty-two and all other statutory mortgages (if any) to secure the said balance of the said sum of eight thousand three hundred and thirty-three pounds authorised by the Act of 1865 to be borrowed and all principal moneys and interest intended to be secured thereby.

7.—(1) From the date of the completion of the purchase the Croesor Company shall be dissolved except for the purpose of winding up its affairs John Edward Jones or other the receiver for

Dissolution
of Croesor
Company.

the time being of the Croesor Company appointed by the statutory mortgagee of the said Company pursuant to the provisions of the Companies Clauses Consolidation Act 1845 shall be and he is hereby appointed liquidator of the Croesor Company and all money payable by the Company for purchase money interest or costs pursuant to the provisions of the agreement for sale and this Act shall be paid to such liquidator or at the option of the Company into the Bank of England in the name of the Paymaster-General for and on behalf of the Supreme Court to an account to be opened in the matter of this Act and a receipt in writing shall be given to the Company by the said receiver or the cashier of the said Bank as the case may be for the money and such receipt shall be a good discharge to the Company for all sums so paid and the Company shall not be required to see to the application thereof or answerable or accountable for the loss misapplication or non-application thereof.

(2) The said purchase money and interest shall be applied by the liquidator first in payment of the principal and interest due upon the said statutory mortgage for eight thousand pounds referred to in the agreement for sale and the surplus thereof (if any) shall be distributed among the shareholders of the Company in proportion to their shares of the capital thereof.

8.—(1) On payment by the Company of the amount of purchase-money in accordance with the provisions of the last preceding section of this Act the Croesor Company's railway and undertaking with their lands and hereditaments rights powers and privileges under and by virtue of the Act of 1865 and the Act of 1879 shall by virtue of this Act become and shall thenceforth be transferred to and vested in the Company subject to the provisions of this Act but freed and discharged from all debts liabilities obligations and engagements of the Croesor Company and from all claims and demands whatsoever on the part of any of the creditors of the Croesor Company or of the holders of any of the shares thereof and such transfer and vesting are in this Act referred to as "the transfer" Provided always that at the date of the transfer all the unexercised powers of the Croesor Company of raising capital by the creation and issue of shares and of raising money by mortgages and debenture stocks shall be and the same are hereby extinguished. Transfer.

(2) The production of a King's Printer's copy of this Act duly stamped together with a receipt for the purchase-money purporting to be signed by the receiver of the Croesor Company or by the

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A.D. 1901. cashier of the Bank of England as the case may be shall (unless it be proved that such purchase-money has not been paid) be conclusive evidence in all courts and proceedings of the transfer to and vesting in the Company of the Croesor Company's undertaking.

(3) The transfer shall be deemed to take effect as from the thirtieth day of June one thousand nine hundred and one and the Croesor Company shall pay and discharge all outgoings and liabilities of every kind due or payable in respect of the undertaking and be entitled to receive all sums payable to the Croesor Company on or before that date.

Power to
Company to
maintain ex-
isting rail-
way and use
same for
passenger
traffic.

9. The Company may maintain and use the existing railway to be transferred to the Company under the last preceding section which commences at or near the rock called Carreg Hyldrem in the parish of Llanfrothen and county of Merioneth and terminates at Portmadoc in the parish of Ynyscynhaiarn and county of Carnarvon with the railway and approaches sidings works and conveniences connected therewith and may adopt renew improve and use the same or any part thereof for the conveyance and accommodation of passengers as well as of goods and mineral traffic and otherwise.

For pro-
tection of
Cambrian
Railways
Company.

10. For the protection of the Cambrian Railways Company (in this section called "the Cambrian Company") the following provisions shall have effect (that is to say):—

So much of Part I. of the Railways Clauses Act 1863 as relates to junctions shall be applicable to that part of the existing railway which crosses the Cambrian Railway on the level as if such level crossing were a junction with the Cambrian Railway and in construing for the purposes of this section that part of that Act the word "junction" shall mean "crossing" and words importing a junction with a railway shall mean the said level crossing over the Cambrian Railway Provided that the exercise by the Cambrian Company of the powers and rights conferred by the twelfth section of that Act shall if so required by the Company be regulated by a referee to be appointed from time to time by the Board of Trade:

The Company and the Cambrian Company may enter into agreements for the making and maintaining at or near the point where the existing railway crosses the Cambrian Railway any stations sidings wharves depôts works and conveniences for the transshipment and interchange of traffic and the convenience of traders and the public:

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The passage of trains across the Cambrian Railway shall be regulated by the working of the traffic upon the Cambrian Railway and so as not to impede or interfere with that traffic and any dispute which may arise between the Company and the Cambrian Company as to the working of the railways at the crossings of the Cambrian Railway shall be settled on the application of either party by the Board of Trade as arbitrator.

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11. Subject to the provisions of this Act the Company may make use and maintain in the lines and according to the levels shown on the deposited plans and sections the railways hereinafter described with all proper stations approaches junctions roads works and conveniences connected therewith and may enter upon take and use such of the lands delineated on the deposited plans and described in the deposited book of reference as may be required for those purposes The railways hereinbefore referred to and authorised by this Act are situate in the counties of Carnarvon and Merioneth and are—

Power to
make rail-
ways.

A Railway (No. 1) five furlongs and one chain in length commencing at a junction with the existing railway of the Portmadoc Croesor and Beddgelert Tram Railway Company at Penymount in the parish of Ynyscynhaiarn up to a point on the bed of the old Gorseddau Railway 87 feet or thereabouts in an easterly direction measured from the main entrance at Queen's Hotel Portmadoc in the said county of Carnarvon:

A Railway (No. 2) seven miles one furlong four chains and fifteen yards in length commencing at a junction with the existing railway of the aforesaid Portmadoc Croesor and Beddgelert Tram Railway Company at a point 3 miles 4 furlongs from the commencement thereof and thence running in a northerly direction through the parish of Llanfrothen in the county of Merioneth and the parish of Beddgelert situate in the county of Carnarvon and terminating in a field situate at and forming part of the farm called Bwlch Mwyalchen in the said parish of Beddgelert on the northerly bank of the River Glaslyn at a point adjacent to the outlet thereof to Llyn Gwynant.

12. The railways shall be made maintained and worked on a gauge of one foot eleven inches and a half commonly called the two foot gauge Provided that it shall be lawful for the Company at any time hereafter with the previous approval of the Board of Trade to increase the gauge of the railways or any part or parts thereof

Gauge of
railways.

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A.D. 1901. including that of the existing railway hereby acquired to any gauge not exceeding four feet eight and a half inches Provided that previous notice of any application to the Board of Trade for such approval shall be given to the Ynyscynhaiarn Urban District Council who shall be entitled to appear and be heard by the said Board in relation thereto.

Period for compulsory purchase of lands.

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

Time limited for completion of works.

14. The railways and works by this Act authorised shall be completed within seven years from the passing of this Act and on the expiration of that period all the powers hereby granted to the Company for making the railways and works or otherwise in relation thereto shall cease to be exercised except as to so much thereof as shall be then completed.

Lands for extraordinary purposes.

15. The quantity of land to be acquired for the extraordinary purposes mentioned in the Railways Clauses Consolidation Act 1845 in connection with the works authorised by this Act shall not exceed five acres in respect of the railways by this Act authorised in addition to any lands which are authorised by this Act to be taken compulsorily but nothing in that Act or in this Act shall exempt the Company from any indictment action or other proceeding for nuisance in the event of any nuisance being caused or permitted by them upon any land so taken.

Owners may be required to sell parts only of certain lands and buildings.

16. And whereas in the construction of the railways and works hereby authorised or otherwise in exercise of the powers of this Act it may happen that a portion only of the house or building shown on the deposited plan for the parish of Ynyscynhaiarn and the book of reference for such parish and thereon numbered 15B may be sufficient for the purposes of the same and that such portion may be severed from the remainder of the said building without material detriment thereto Therefore notwithstanding section ninety-two of the Lands Clauses Consolidation Act 1845 the owners of and other persons interested in the said house or building whereof a part only is required for the purposes of this Act may if such portion can in the opinion of the jury arbitrators or other authority to whom the question of disputed compensation shall be submitted be severed from the remainder of such building without material detriment thereto be required to sell and convey to the Company the portion only of the premises so required without the Company being obliged

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or compellable to purchase the whole or any greater portion thereof the Company paying for the portions required by them and making compensation for any damage sustained by the owners thereof and other parties interested therein by severance or otherwise. A.D. 1901.

17. The Company may in the construction of the railways carry the same with a single line only whilst the railways shall consist of a single line and afterwards with a double line only across and on the level of the roads following (that is to say) :— Power to traverse and cross certain roads on the level.

Nos. on deposited Plan.	Parish.	Description of Road.
5	Beddgelert	Road.
45	Do.	Public road.
51	Do.	Public road.
158	Do.	Public road.

18. The Company may in constructing any works by this Act authorised deviate from the lines thereof to the extent of the lines of deviation marked on the deposited plans and may deviate from the levels of the railways as delineated on the deposited sections thereof to such extent upwards or downwards as the Company may see fit and the Board of Trade may require or permit and the Company may increase any inclination or gradient of the railways shown on the deposited sections thereof to such an extent as they may see fit and the Board of Trade may require or permit and they may with the like permission diminish the radius of any curve described on the deposited plans of the railways to such an extent as they may see fit. Power to deviate.

19. Notwithstanding anything in this Act contained or shown on the deposited plans the tunnel through or under the property numbered 58 on the deposited plan and book of reference for the parish of Beddgelert at or near to the Pass of Aberglaslyn shall be extended or continued beyond the point at or to which the same is now shown on the deposited plan as aforesaid through and under the property numbered 59 and 60 on the deposited plans for the parish of Beddgelert up to a point to be fixed at 6 miles 3 furlongs and 7 chains on the line of railway shown on the deposited plans and that the Company shall be prohibited from at any time in connection with any works undertaken or carried out under the provisions of this Act tipping débris or rubbish on the banks of the River Glaslyn or into the River Glaslyn between the six-mile Company to extend tunnel at or near Pass of Aberglaslyn and not to tip débris at certain points.

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A.D. 1901. — point and seven-mile point respectively marked on the deposited plans except with the consent of the Lord Lieutenant of the county of Carnarvon.

Power to acquire easements for constructing tunnels.

20. The Company may purchase and acquire easements or rights of constructing and using tunnels through or under the properties respectively numbered 58 59 and 60 on the deposited plans and book of reference for the parish of Beddgelert without being obliged to purchase the land over such tunnels unless the jury or the arbitrators or their umpire to whom the question of disputed compensation shall be submitted shall determine that such right or easement cannot be acquired or used by the Company without material detriment to such properties. Provided that nothing in this section contained nor any dealing with any of the said properties in pursuance thereof shall relieve the Company from liability to pay compensation under section 68 of the Lands Clauses Consolidation Act 1845 in respect of any properties through or under which the Company may purchase or acquire easements or right of constructing such tunnels.

Power to take easements &c. by agreement.

21. 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 persons other than the grantors have an interest) required for the purposes of this Act including easements rights and privileges over in and under lands required in connection with the electrical feeder and pipe line shown on the said deposited plans in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

Tolls.

22. The Company may demand and take for the use of the railways by any other company or person with engines or carriages such reasonable tolls as they think fit.

Rates for merchandise.

23. The classification of merchandise traffic including perishable merchandise by passenger train and the schedule of maximum rates and charges applicable thereto and the regulations and provisions contained in the schedule to the Railway Rates and Charges No. 6 (Festiniog Railway &c.) Order 1892 (which Order is scheduled to and confirmed by the Railway Rates and Charges No. 6 (Festiniog Railway &c.) Order Confirmation Act 1892) shall be applicable and

apply to the Company as if it were one of the railway companies named in the Order confirmed by the said Act Provided that in respect of the conveyance of a consignment of perishable merchandise not exceeding fifty-six pounds in weight by passenger train the Company shall not be entitled to charge a higher rate than the maximum rate which they are authorised to charge for the conveyance of parcels of the same weight. A.D. 1901.

24. For the conveyance on the railway of small parcels not exceeding five hundred pounds in weight by passenger trains the Company may demand and take any charges not exceeding the following (that is to say):— Charges for small parcels.

For the carriage of small parcels on the railways or any part thereof—

For any parcel not exceeding seven pounds in weight threepence ;

For any parcel exceeding seven but not exceeding fourteen pounds in weight fivepence ;

For any parcel exceeding fourteen but not exceeding twenty-eight pounds in weight sevenpence ;

For any parcel exceeding twenty-eight but not exceeding fifty-six pounds in weight ninepence ;

And for any parcel exceeding fifty-six pounds but not exceeding five hundred pounds in weight the Company may demand any sum which they may think fit :

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

25. The maximum rate of charge to be made by the Company for the conveyance of passengers upon the railways or any part thereof including the tolls for the use of the railways and of carriages and for 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 threepence per mile ;

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

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

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A.D. 1901. For every passenger conveyed on the railway for a less distance than three miles the Company may charge as for three miles and every fraction of a mile beyond three miles or any greater number of miles shall be deemed a mile.

Passengers' luggage.

26. Every passenger travelling upon the railways may take with him his ordinary luggage not exceeding one hundred and twenty pounds in weight for first-class passengers one hundred pounds for second-class passengers and sixty pounds in weight for third-class passengers without any charge being made for the carriage thereof.

Foregoing charges not to apply to special trains.

27. The restrictions as to the charges to be made for passengers shall not extend to any special train run upon the railways in respect of which the Company may make such charges as they may think fit but shall apply only to the ordinary and express trains appointed from time to time by the Company for the conveyance of passengers and goods upon the railways.

Power to enter into working agreements with other companies.

28. The Company on the one hand and the Cambrian Railways Company the Festiniog Railway Company the North Wales Narrow Gauge Railway Company and the Snowdon Mountain Tramroad Company or any 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 and carry into effect and rescind contracts agreements and arrangements with respect to the following purposes or any of them (that is to say):—

The working use and maintenance of their respective railways stations and works or any part or parts thereof respectively :

The supply and maintenance by the working Company under and during the continuance of any agreement for the railways being worked and used by the contracting companies or either of them of engines and such plant necessary for the purposes of such agreement and the employment of officials and servants for the conduct of traffic on the respective railways or any part thereof :

The payments to be made and the conditions to be performed with regard to the matters aforesaid :

The equipment maintenance and working by the Company of any or either of the undertakings of the above-mentioned railway companies by means of electrical energy :

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The management negotiation interchange collection transmission and delivery of traffic upon or coming from or destined for the railways or stations of the contracting companies or any or either of them :

The fixing (subject to the maximum rates hereby authorised) collection payment appropriation apportionment and distribution between the said companies of the tolls rates income and profits arising from the respective railways and works of the contracting companies or any or either of them or any part thereof.

29. 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.

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

30. 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 passed before or after the commencement of this Act 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.

Provision as to general Railway Acts.

31. For the protection of the Festiniog Railway Company (hereinafter referred to as " the Festiniog Company ") the following provisions shall have effect (that is to say) :—

For protection of Festiniog Railway Company.

(1) Notwithstanding anything in this Act or shown on the deposited plans the Company shall not enter upon take or use or interfere with any portion of the railway or property of the Festiniog Company :

(2) If and when the Board of Trade require the provision at the junction between the existing railway of the Croesor Company and the railway of the Festiniog Company of a signal box or any signals or additional points and other conveniences the Company shall at their own expense provide and maintain and shall equip work and man the same :

(3) The Festiniog Company shall forward all animals goods and mineral traffic to and from the said junction over the portion of their railway between the said junction and the termination of their said railway at Portmadoc and over any existing sidings

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in extension of their said railway to the private quays and wharves at Portmadoc over which they are for the time being entitled to run at through rates the amount of which as well as the proportion payable to each company shall unless agreed between the Company and the Festiniog Company be settled by the general manager for the time being of the Lancashire and Yorkshire Railway Company or him failing the general manager of such one of the other principal railway companies in England as the parties may agree and the Company shall provide or pay to the Festiniog Company the cost of any exchange sidings at the aforesaid junction if and whenever the same may be necessary and any difference between the Company and the Festiniog Company as to the necessity for such exchange sidings shall be settled by such general manager.

PART III.

ELECTRIC POWER AND SUPPLY.

Defining area of supply.

32. The parish or urban district of Ynyscynhaiarn the parish or urban district of Criccieth and the parish of Beddgelert all in the county of Carnarvon shall be the area of supply for the purposes of this Part of this Act and of the principal Acts and such area is hereinafter referred to as "the area of supply."

Power to supply energy within area of supply.

33. Subject to the provisions of this Act and the provisions of the principal Acts the Company may supply energy within the area of supply for all public and private purposes.

Railway may be worked by electrical or other power.

34. Subject to the provisions of this Act and of any regulations to be prescribed by the Board of Trade (in this Act referred to as "the Board of Trade regulations") the Company may work the traffic on the railways to be acquired and constructed under this Act by animal power steam electrical power or any other mechanical power and for that purpose may lay down along the railway and maintain and use main lines and apparatus for transmitting electrical energy.

Compulsory works.

35. The streets and parts of streets throughout which the Company are to lay down suitable and efficient distributing mains for the purpose of general supply within a period of three years and six months after the passing of this Act as mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 are the following viz. High Street Bank Place Lombard Street

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Madoc Street and Snowdon Street in the town of Portmadoc and High Street Portmadoc Road and Marine Terrace in the town of Criccieth. A.D. 1901.

36. If within two years from the date of the passing of this Act the Company have not substantially commenced their works for the purpose of carrying out their powers under this Part of this Act and if within four years after the date of the passing of this Act the Company have not erected a generating station or generating stations sufficient in the opinion of the Board of Trade and are not in a position to supply therefrom within the urban districts of Ynyscynbaiarn and Criccieth the Board of Trade may order that the powers of the Company under this Act shall cease as to the whole or any part of the area of supply and on any such order being made those powers shall cease accordingly.

Period for erection of generating station.

37. The Company may on the lands following or on any of those lands or any part thereof and not elsewhere erect maintain work and use a station or stations for generating transforming transmitting and conveying electrical energy with all dynamos batteries accumulators indicators generators engines plant machinery works appliances and conveniences for that purpose and may generate transform transmit and convey such energy thereon and therefrom (that is to say) Certain lands the property of Sir Richard Williams Bulkeley situate in the parish of Beddgelert in the county of Carnarvon containing one acre or thereabouts forming part of the property numbered 203 on the deposited plans and book of reference for the parish of Beddgelert and now in the occupation of William Jones.

Power to erect generating station.

38. The Company shall be required to provide one testing station only for the purposes of and in accordance with the provisions of section 41 of the Electric Lighting (Clauses) Act 1899 within the area of supply defined by this Act and such testing station shall be located within the district of the urban council of Ynyscynhaiarn and the provisions of section 41 aforesaid shall apply in all respects to the provision of such testing station at or within the district of the said urban council.

Testing station.

39. The Company may abstract impound appropriate and use the waters of Llyn Llydaw and Llyn Teyrn in the parish of Beddgelert in the county of Carnarvon for condensing or other purposes of their electric undertaking and may divert the same into channels waterways conduits lines of pipe or otherwise to be constructed for

Power to abstract water.

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Railway Act, 1901.

A.D. 1901. the purposes of this Act or other purposes of the undertaking or other work hereby authorised.

Provisions
as to use of
electrical
power.

40. The following provisions shall apply to the use of electrical power under this Act unless such power is entirely contained in and carried along with the carriages :—

- (1) The Company shall employ either insulated returns or uninsulated metallic returns of low resistance :
- (2) The Company shall take all reasonable precautions in constructing placing and maintaining their electric lines and circuits and other works of all descriptions and also in working their undertaking so as not injuriously to affect by fusion or electrolytic action any gas or water pipes or other metallic pipes structures or substances or to interfere with the working of any wire line or apparatus from time to time used for the purpose of transmitting electrical power or of telegraphic telephonic or electric signalling communication or the currents in such wire line or apparatus :
- (3) The electrical power shall be used only in accordance with the Board of Trade regulations and in such regulations provisions shall be made for preventing fusion or injurious electrolytic action of or on gas or water pipes or other metallic pipes structures or substances and for minimising as far as is reasonably practicable injurious interference with the electric wires lines and apparatus of other parties and the currents therein whether such lines do or do not use the earth as a return :
- (4) The Company shall be deemed to take all reasonable and proper precautions against interference with the working of any wire line or apparatus if and so long as they adopt and employ at the option of the Company either such insulated returns or such uninsulated metallic returns of low resistance and such other means of preventing injurious interference with electric wires lines and apparatus of other parties and the currents therein as may be prescribed by the Board of Trade regulations and in prescribing such means the Board shall have regard to the expense involved and to the effect thereof upon the commercial prospects of the undertaking :
- (5) At the expiration of two years from the passing of this Act the provisions of this section shall not operate to give any right of action in respect of injurious interference with any

electric wires lines or apparatus or the currents therein unless in the construction erection maintaining and working of such wires lines and apparatus all reasonable and proper precautions including the use of an insulated return have been taken to prevent injurious interference therewith and with the currents therein by or from other electric currents:

(6) If any difference arises between the Company and any other party with respect to anything in this section contained such difference shall unless the parties otherwise agree be determined by the Board of Trade or at the option of the Board by an arbitrator to be appointed by the Board and the costs of such determination shall be in the discretion of the Board or of the arbitrator as the case may be:

(7) The Company using electrical power contrary to the provisions of this Act or of the Board of Trade regulations shall for every such offence be subject to a penalty not exceeding ten pounds and also in the case of a continuing offence to a further penalty not exceeding five pounds for every day during which such offence continues after conviction thereof Provided always that whether any such penalty has been recovered or not the Board of Trade if in their opinion the Company in the use of electrical power under the authority of this Act have made default in complying with the provisions of this Act or the Board of Trade regulations may by order direct the Company to cease to use electrical power and thereupon the Company shall cease to use electrical power and shall not again use the same unless with the authority of the Board of Trade and in every such case the Board of Trade shall make a special report to Parliament notifying the making of such order:

(8) The expression "Company" in this section shall include licencees and any person owning working or running carriages over any railway of the Company.

41.—(1) Subject to the provisions of sections 11 to 70 (both inclusive) of the schedule to the Electric Lighting (Clauses) Act 1899 the Company may for the purpose of laying down maintaining repairing renewing or removing electric lines for the transmission and conveyance of electric current from any generating station by this Act authorised to any other parish or part of a parish within the Company's area of supply for the time being and pipes for conveying water to and from such station break up the several streets repairable by the local authorities within the parishes of Ynyscynhaiarn Criccieth Beddgelert and Treflys respectively in the

Power to
break up
streets in
Portmadoc
Criccieth and
Beddgelert.

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county of Carnarvon and the parish of Llanfrothen in the county of Merioneth and any sewers drains or tunnels in or under such streets and may lay down and place within the said parishes of Ynyscynhaiarn Criccieth Beddgelert Treflys and Llanfrothen electric lines boxes and apparatus for trying regulating measuring directing and controlling the supply of electric current and energy and water pipes for the purposes aforesaid the examining or trying the state of such electric lines and pipes and the Company may repair alter or remove the same and may remove and use all earth and materials in and under any streets so opened and broken up and for those purposes may do all other acts which they from time to time deem necessary for transmitting and conveying electric current or energy or for conveying water along or by means of such electric lines or pipes as the case may be.

(2) Any electric lines laid down by the Company under the authority of this section under any such streets repairable by a local authority shall be laid in such line or route and in a trench of such dimensions as may be agreed upon between the Company and the local authority or failing agreement shall be settled by the Board of Trade.

Agreement
to supply
energy
in bulk.

42. The Company on the one hand and the Cambrian Railways Company the Festiniog Railway Company the North Wales Narrow Gauge Railway Company the Snowdon Mountain Tramroad Company or any local authority company or person authorised to supply electrical energy on the other hand may enter into or carry into effect agreements for or with respect to the supply by the Company of energy in bulk to any or either of the said railway companies or any such other local authority company or person.

Power to
councils to
acquire elec-
trical under-
taking.

43. In addition to the powers of purchase conferred by section 2 of the Electric Lighting Act 1888 the Ynyscynhaiarn and Criccieth Urban District Councils may each of them separately or (if authorised by Parliament so to do) may jointly purchase so much of the undertaking as is situate within their respective districts (exclusive of the railway undertaking and the electric equipment thereof) at the expiration of thirty-six years from the passing of this Act under and subject to the provisions of the said Act of 1888 except that the undertaking shall be purchased as a going concern.

Maximum
prices.

44. The maximum prices which may be charged by the Company to ordinary consumers within the area of supply under

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section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are the following:— A.D. 1901.

(A) Where the Company charge any consumer by the actual amount of energy supplied to him the Company shall be entitled to charge him at the following rates per quarter For any amount up to twenty units eleven shillings and eightpence and for each unit over twenty units sixpence:

Provided that the charges to be made within the districts of the urban councils of Ynyscynhaiarn and Criccieth respectively shall not exceed the following rates (that is to say):—

(1) For purposes of electric lighting to private consumers the sum of sixpence per unit;

(2) For purposes of public street lighting chargeable only to the said urban councils of Ynyscynhaiarn and Criccieth the sum of fourpence per unit;

(3) For purposes of electrical power other than the purposes mentioned in the foregoing paragraphs (1) and (2) the sum of twopence halfpenny per unit:

(B) Where the Company charge any consumer by the electrical quantity contained in the supply given to him the Company shall be entitled to charge him according to the rates set forth in the preceding subsection the amount of energy supplied to him being taken to be the product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Company under the Board of Trade regulations:

(c) The expression "unit" shall mean the energy contained in a current of one thousand ampères flowing under an electro-motive power of one volt during one hour.

45. The Company shall keep accounts of the electrical power and supply undertaking of the Company authorised by Part III. of this Act separate and apart from other accounts of the Company and section 9 of the Electric Lighting Act 1882 and section 6 of the schedule to the Electric Lighting (Clauses) Act 1899 relating to accounts and their audit shall apply to the accounts of the Company to be separately kept by the Company under this section and to the audit of such accounts. Separate accounts.

PART IV.

FINANCE AND MISCELLANEOUS.

46. The capital of the Company shall be two hundred and seventy thousand pounds in fifty-four thousand shares of five pounds each. Capital.

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Shares not
to be issued
until one
fifth paid.

Calls.

47. The Company shall not issue any share created under the authority of this Act nor shall any such 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 is paid in respect thereof.

48. One fifth of the amount of a share shall be the greatest amount of a call and two months at least shall be the interval between successive calls.

Power to di-
vide shares.

49. 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 divide any shares 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 divide any share under the authority of this Act unless and until not less than sixty per centum upon such share has been paid up and upon every such division fifty per centum upon the entire share shall be carried to the credit of the deferred half share (being the whole amount payable thereon) and the residue to the credit of the preferred half share.

Dividends on
half shares.

50. The dividends which would 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 been payable on the entire share if the same had not been divided.

Dividend on
preferred
half shares to
be paid out
of profits of
year.

51. Each preferred half share shall be entitled out of the profits of each year to the dividend which may have been attached to it by the Company as aforesaid in priority to the deferred half share bearing the same number but if in any year ending the thirty-first day of December there shall not be profits available for the payment of the full amount of dividend on any preferred half share for that year no part of the deficiency shall be made good out of the profits of any subsequent year or out of any other funds of the Company.

Half shares
to be regis-
tered and
certificates
issued.

52. 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.

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53. 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.

Terms of issue to be stated in certificates.

54. The provisions of the Companies Clauses Consolidation Act 1845 with respect to the forfeiture of shares for nonpayment of calls shall apply to all preferred half shares 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.

Forfeiture of preferred half shares.

55. No preferred half share created under the authority of this Act shall be cancelled or be surrendered to the Company.

Preferred half shares not to be cancelled or surrendered.

56. 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.

Half shares to be half shares in capital.

57. The Company may in respect of the said capital or sum of two hundred and seventy thousand pounds borrow on mortgage of their undertaking any sum not exceeding in the whole sixty thousand pounds and of that sum they may borrow from time to time any sum or sums not exceeding in the whole thirty thousand pounds in respect of each moiety or sum of one hundred and thirty-five thousand pounds of the said capital but no part of any such sum of thirty thousand pounds shall be borrowed until shares for the whole of the respective moiety of capital in respect of which

Power to borrow.

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Advances by
local authorities.

58.—(A) The Carnarvonshire County Council and the Merionethshire County Council or either of them may each advance to the Company either by way of loan or as part of the share capital of the Company or partly in one way and partly in the other any amount not exceeding in the whole the sum of ten thousand pounds.

(B) The urban district council of Ynyscynhaiarn and the rural district council of Glaslyn in the county of Carnarvon or either of them may each advance to the Company either by way of loan or as part of the share capital of the Company or partly in one way and partly in the other any amount not exceeding in the whole the sum of five thousand pounds.

And the said county councils and district councils (hereinafter called "the investing authorities") may take and hold shares stock mortgages and debenture stock of the Company and the advances hereby authorised shall be in addition to the amounts which the Company is authorised to borrow under the section of this Act the marginal note of which is "Power to borrow" and all advances made by way of loan to the Company by the investing authorities under this section shall rank *pari passu* with each other and with all mortgages (if any) of the undertaking of the Company under the said section hereinbefore mentioned.

59. Any member or officer of any of the investing authorities for the time being authorised in that behalf in writing under the seal of such investing authority may vote and exercise any privileges of a shareholder in the capital of the Company in respect of the shares held by that investing authority.

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As to vote of local authorities.

60. Any money advanced by any of the investing authorities to the Company by way of loan shall—

As to interest on advances by local authorities.

(A) Bear interest at a rate not exceeding the rate at which the investing authority in each case may borrow for the purpose of the advance or in the case of any investing authority which does not borrow for the purpose of the advance at the rate of three pounds per centum per annum ; and

(B) Be repayable to each of the investing authorities respectively at such time and under such conditions as may be agreed upon at the time of the advance.

61.—(A) The said county councils may respectively borrow the sums to be contributed by them subject to and in accordance with the provisions of the Local Government Act 1888 as if those contributions were for the purposes of that Act and the urban district council of Ynyscynhaiarn and the rural district council of Glaslyn may respectively borrow the sums to be contributed by them subject to and in accordance with the provisions of the Public Health Act 1875 as if those contributions were purposes of that Act and any sums so borrowed shall be repaid within a period of forty years which shall be the prescribed period for the purposes of the said Act regulating such borrowing under this Act Provided that the consent of the Local Government Board shall not be required to the exercise by the said councils of the powers of borrowing conferred by this section and such borrowings shall not be restricted by any provisions of the above-mentioned Acts.

Powers of councils to borrow and as to repayment of borrowed money.

(B) All dividends and interest received by the said councils respectively shall be carried to the credit of the several funds or rates on the security of which the sums to be advanced by them under the powers and provisions of this Act are borrowed.

(C) The investing authorities may respectively enter into agreements with the Company with respect to the matters aforesaid and such agreements may provide for the appointment by an investing authority of one or more directors of the Company.

(D) All moneys received by the investing authorities in payment of any principal moneys advanced by them or by the sale of shares shall be applied by them in the repayment of moneys borrowed for the purposes of this Act so long as any part of such moneys shall be

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(E) The clerk to the investing authority shall within twenty-one days after the thirty-first day of March in each year if during the twelve months next preceding the said thirty-first day of March any sum is required to be paid as an instalment or annual payment or to be appropriated or to be paid to a sinking fund in respect of any money raised under this Act and at any other time when the Local Government Board may require such a return to be made transmit to the Local Government Board a return in such form as may be prescribed by that Board and if required by that Board verified by statutory declaration of the clerk showing for the year next preceding the making of such return or for such other period as the Board may prescribe the amounts which have been paid as instalments or annual payments and the amounts which have been appropriated and the amounts which have been paid to or invested or applied for the purpose of the sinking fund and the description of the securities upon which any investment has been made and the purposes to which any portion of the sinking fund or investment of the sums accumulated by way of compound interest has been applied during the same period and the total amount (if any) remaining invested at the end of the year and in the event of his failing to make such return the clerk to the contributing authority shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by action on behalf of the Crown in the High Court and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of Mandamus to be obtained by the Local Government Board out of the High Court.

(F) If it appears to the Local Government Board by that return or otherwise that the investing authority has failed to pay any instalment or annual payment required to be paid or to appropriate any sum required to be appropriated or to set apart any sum required for any sinking fund (whether such instalment or annual payment or sum is required by this Act or by the Local Government Board in virtue thereof to be paid appropriated or set apart) or has applied any portion of any sinking fund to any purposes other than those authorised by the Local Government Board the Local Government Board may by order direct that the sum in such order mentioned not exceeding double the amount in respect of which default has been

made shall be paid or applied as in such order mentioned and any such order shall be enforceable by writ of Mandamus to be obtained by the Local Government Board out of the High Court. A.D. 1901.

62. The mortgagees of the undertaking 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 five thousand pounds in the whole. Appointment of receiver.

63. 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 and of all mortgages at any time created and issued or granted by the Company under this or any subsequent Act shall subject to the provisions of any subsequent Act rank *pari passu* (without respect to the dates of the securities or of the Acts of Parliament or resolutions by which the stock and mortgages were authorised) and shall have priority over all principal moneys secured by such mortgages. Notice of the effect of this enactment shall be endorsed on all mortgages and certificates of debenture stock. Debenture stock.

64. All moneys raised under this Act whether by shares debenture stock or borrowing shall be applied only to the purposes of this Act to which capital is properly applicable. Application of moneys.

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

66. The number of directors shall be five but the Company may vary the number provided that the number be not less than five or more than ten. Number of directors.

67. The qualification of a director shall be the possession in his own right of not less than fifty shares. Qualification of directors.

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

69. George Edward Heyl Dia William John Glover Henry Samuel Oppenheim and two duly qualified persons to be nominated by them and consenting to such nomination shall be the first directors of the Company and shall continue in office until the first ordinary meeting held after the passing of this Act. At that meeting the shareholders present in person or by proxy may either First directors.

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Power to
hold patent
rights.

70. The Company may acquire and hold patent and other rights and licences in relation to the use of electrical power for the purposes of this Act.

Deposit
money not
to be repaid
except so far
as railway is
opened.

71. Whereas pursuant to the Standing Orders of both Houses of Parliament and to the Parliamentary Deposits Act 1846 a sum of ten thousand nine hundred and seventy pounds eleven shillings two pounds fifteen shillings per centum consolidated stock being equal in value to ten thousand six hundred and sixty-two pounds equal to five per cent. upon the amount of the estimate in respect of the railway has been deposited with the Paymaster-General for and on behalf of the Supreme Court in respect of the application to Parliament for this Act (which sum is referred to in this Act as "the deposit fund") Be it enacted that notwithstanding anything contained in the said Act the said deposit fund shall not be paid or transferred at 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 survivor or survivors of them (which persons survivors or survivor are or is in this Act referred to as "the depositors") unless the Company shall previously to the expiration of the period limited by this Act for completion of the railway open the same for the public conveyance of passengers and if the Company shall make default in so opening the railway the deposit fund shall be applicable and shall be applied as provided by the next section Provided that if within such period as aforesaid the Company open any portion of the railway for the public conveyance of passengers then on the production of a certificate of the Board of Trade specifying the length of the portion of the railway opened as aforesaid and the portion of the deposit fund which bears to the whole fund the same proportion as the length of

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the railway opened bears to the entire length of the railway the High Court shall on the application of the depositors order the portion of the deposit fund specified in the certificate to be paid or transferred to them or as they shall direct and the certificate of the Board of Trade shall be sufficient evidence of the facts therein 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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72. If the Company do not previously to the expiration of the period limited for the completion of the railway complete the same and open it for the public conveyance of passengers then and in every such case the deposit fund or so much thereof as shall not have been paid to the depositors shall be applicable and after due notice in the London Gazette shall be applied towards compensating any landowners or other persons whose property has been interfered with or otherwise rendered less valuable by the commencement construction or abandonment of the railway or any portion thereof or who 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 has been paid and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the High Court may seem fit And if no such compensation is payable or if a portion of the deposit fund has been found sufficient to satisfy all just claims in respect of such compensation then the deposit fund or such portion thereof as may not be required as aforesaid shall if a receiver has been appointed or the Company is insolvent or the undertaking has been abandoned be paid or transferred to such receiver or be applied in the discretion of the court as part of the assets of the Company for the benefit of the creditors thereof and subject to such application shall be repaid to the depositors Provided that until the deposit fund 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 depositors.

Application
of deposit.

73. If any money is payable to any person by the Company for all or any of the purposes of this Act being an infant idiot or lunatic the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Company.

Receipt in
case of per-
sons not sui
juris.

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Power to pay
interest out
of capital
during con-
struction.

74. Notwithstanding anything in this Act or in any Act or Acts incorporated herewith the Company may out of any money by this Act authorised to be raised pay interest at such rate not exceeding three pounds per centum per annum as the directors of the Company may determine to any shareholder on the amount from time to time paid up on the shares held by him from the respective times of such payments until the expiration of the time limited by this Act for the completion of the works by this Act authorised or such less period as the directors may determine but subject always to the conditions hereinafter stated (that is to say):—

(A) No such interest shall begin to accrue until the Company shall have obtained a certificate from the Board of Trade that two thirds at least of the share capital authorised by this Act in respect of which such interest may be paid has been actually issued and accepted and is held by shareholders who or whose executors administrators or assigns are legally liable for the same:

(B) No such interest shall accrue in favour of any shareholder for any time during which any call on any of his shares is in arrear:

(C) The aggregate amount to be so paid for interest shall not exceed six thousand pounds and the amount so paid shall not be deemed share capital in respect of which the borrowing powers of the Company may be exercised but such borrowing powers shall be reduced to the extent of one third of the amount paid for interest as aforesaid:

(D) Notice that the Company has power so to pay interest out of capital shall be given in every prospectus advertisement or other document of the Company inviting subscriptions for shares and in every certificate of shares:

(E) The half-yearly accounts of the Company shall show the amount of capital on which and the rate at which interest has been paid in pursuance of this section.

Save as hereinbefore set forth 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 but nothing in this Act shall 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.

75. If there be any error omission misstatement or misdescription of any lands or of the owners lessees or occupiers of any lands shown on the deposited plans or specified in the deposited book of reference the Company after giving ten days' notice to the owners lessees and occupiers of the lands in question may apply to two justices acting for the counties of Carnarvon or Merioneth as the case may be for the correction thereof and if it appear to the justices that the error omission misstatement or misdescription arose from mistake they shall certify the same accordingly and they shall in their certificate state the particulars of the omission and in what respect any such matter is misstated or wrongly described and such certificate shall be deposited with the clerk of the peace for the county of Carnarvon or Merioneth as the case may be and a duplicate thereof shall also be deposited with the clerk of the urban district council or parish council as the case may be in which the lands affected thereby are situate and such certificate and duplicate respectively shall be kept by such clerks respectively with the other documents to which the same relate and thereupon the deposited plans and book of reference shall be deemed to be corrected according to such certificate and it shall be lawful for the Company to take the lands in accordance with such certificate.

A.D. 1901.
Correction
of errors &c.
in deposited
plans and
book of
reference.

76.—(1) The Company shall not under the powers of this Act purchase or acquire in any urban district or in any parish or part of a parish not being within an urban district 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.

Restriction
on taking
houses of
labouring
class.

(2) If the Company acquire or appropriate any house or houses for the purposes of this Act in contravention of the foregoing provisions they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the Local Government Board by action in the High Court and shall be carried to and form part of the Consolidated Fund of the United Kingdom Provided that the Court may if it think fit reduce such penalty.

(3) For the purpose of this section —

The expression "house" means any house or part of a house occupied as a separate dwelling; and

[Ch. cclxii.] *Portmadoc Beddgelert and South Snowdon* [1 EDW. 7.]
Railway Act, 1901.

A.D. 1901.
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The expression "labouring class" means 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 per week and the families of any such persons who may be residing with them.

Saving rights
of Crown.

77. Nothing herein contained shall authorise the Company to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any land hereditaments subjects or rights of whatsoever description belonging to the King's most Excellent Majesty in right of His Crown and under the management of the Commissioners of Woods or of the Board of Trade respectively without the consent in writing of the Commissioners of Woods or the Board of Trade as the case may be on behalf of His Majesty first had and obtained for that purpose (which consent the Commissioners and such Board are hereby respectively authorised to give) neither shall anything herein contained extend to take away prejudice diminish or alter any of the estates rights privileges powers or authorities vested in or enjoyed or exerciseable by the King's Majesty.

Costs of Act.

78. The costs charges and expenses of and incidental to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company.

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