



ANNO VICESIMO SEPTIMO & VICESIMO OCTAVO

VICTORIÆ REGINÆ.

Cap. cxlvii.

An Act for authorizing the *Aberystwith and Welsh Coast Railway Company* to acquire additional Lands, and to raise further Monies; and for authorizing the *Oswestry and Newtown Railway Company* to contribute further Monies towards the Funds of that Company; and for other Purposes. [30th June 1864.]

WHEREAS by "The *Aberystwith and Welsh Coast Railway Act, 1861*," the *Aberystwith and Welsh Coast Railway Company* (in this Act called "the Company") were incorporated with a Capital of Four hundred thousand Pounds, and Authority to borrow not exceeding One hundred and thirty-three thousand Pounds, and were authorized to make and maintain the several Railways in that Act specified, and therein distinguished as Railways No. 1., No. 2., No. 3., No. 4., and No. 5.; and it was provided (Section Thirty) that the Company should not make the Railway No. 1. more expeditiously than the Railways No. 2. and No. 3.; and the *Oswestry and Newtown Railway Company* (in this Act called "the *Oswestry Company*"), to the Extent of Seventy-five

24 & 25 Vict.
c. clxxxi.

[Local.]

21 P

five

*Aberystwith and Welsh Coast Railway (General) Act, 1864.*25 & 26 Vict.
c. clxxvi.

five thousand Pounds, were authorized to subscribe for or take and hold Shares of the Capital of the Company: And whereas by "The *Aberystwith and Welsh Coast Railway Act, 1862*," the Company were authorized to raise an additional Capital of Two hundred and fifty thousand Pounds, and to borrow additional Sums not exceeding Eighty-three thousand three hundred Pounds, and were authorized to make and maintain the several Railways in that Act specified, and therein distinguished as Railways No. 6., No. 7., and No. 8., and a Pier, with Lines of Railways thereon, in extension of Railway No. 8. (therein by Mistake called the Railway No. 9.), and to acquire and reclaim waste and flooded Lands near to their Lines of Railway:

26 & 27 Vict.
c. cxli.

And whereas by "The *Aberystwith and Welsh Coast Railway Act, 1863*," the Company were authorized to raise an additional Capital of One hundred and fifty thousand Pounds, and to borrow additional Sums not exceeding Fifty thousand Pounds, and were authorized to make and maintain additional Railways and other Works: And whereas the *Oswestry* Company hold Shares in the Capital of the Company to the Extent of Seventy-five thousand Pounds: And whereas it is expedient that the Company be authorized to make and maintain their Railway across the Roads in that Behalf in this Act specified on the Level, and to acquire additional Lands, and to raise further Monies: And whereas it is expedient that the *Oswestry* Company be authorized to take and hold further Shares in the Capital of the Company: And whereas it is expedient that the Provision of the first-recited Act for restraining the Company from making the Railway No. 1. more expeditiously than the Railways No. 2. and No. 3. be repealed: And whereas it is expedient that other Provisions be made with respect to the Company: And whereas Plans showing the Lands to be acquired under this Act, and Books of Reference to the Plans containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the Lands, have been deposited with the respective Clerks of the Peace for the Counties of *Cardigan* and *Merioneth*: And whereas the Objects of this Act cannot be attained without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

Short Title.

1. This Act may for all Purposes be cited as "*Aberystwith and Welsh Coast Railway (General) Act, 1864*."

8 & 9 Vict.
cc. 16. 18. &
20.,
23 & 24 Vict.

2. The Provisions—

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

With

Aberystwith and Welsh Coast Railway (General) Act, 1864.

With respect to the Transfer or Transmission of Shares ;
 With respect to the Payment of Subscriptions, and the Means of enforcing the Payment of Calls ;
 With respect to the Forfeiture of Shares for Nonpayment of Calls ;
 With respect to the Remedies of Creditors of the Company against the Shareholders ;
 With respect to the borrowing of Money by the Company on Mortgage ;
 With respect to the Conversion of the borrowed Money into Capital ;
 With respect to the Consolidation of the Shares into Stock ;
 And with respect to the Provision for affording Access to the Special Act, of "The Companies Clauses Consolidation Act, 1845," and Part 1 (relating to Cancellation and Surrender of Shares) and Part 2 (relating to additional Capital) of "The Companies Clauses Act, 1863," and "The Lands Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Acts Amendment Act, 1860," and "The Railways Clauses Consolidation Act, 1845," and Part 1 (relating to Construction of a Railway) of "The Railways Clauses Act, 1863," save so far as any of the Sections and Provisions of those Acts and Parts of Acts respectively are expressly excepted or varied by this Act, are incorporated with and form Part of this Act.

c. 106., and
 26 & 27 Vict.
 cc. 92. &
 118. incor-
 porated.

3. The several Words and Expressions to which by the Acts in whole or in part incorporated with this Act Meanings are assigned, have in this Act the same respective Meanings unless excluded by the Subject or Context; provided that the Expression "Superior Courts," or "Court of competent Jurisdiction," or any other like Expression in this Act shall be read and have effect as if the Debt or Demand with respect to which the Expression is used were a common Simple Contract Debt, and not a Debt or Demand created by Statute; and the Words "Shares" and "Shareholders" include, when requisite, "Stock" and "Stockholders."

Same Mean-
 ing to
 Words in
 incorporated
 Acts and
 Parts of
 Acts and in
 this Act.

4. Subject to the Provisions of this Act, the Company from Time to Time may enter upon, take, and use, for Purposes of their Undertaking, such of the Lands to be acquired under this Act as are shown on the deposited Plans and specified in the deposited Books of Reference as they think expedient.

Power for
 Company to
 purchase
 Lands com-
 pulsorily.

5. The Lands which the Company are by this Act authorized to purchase compulsorily comprise the Lands, Embankments, and Water-courses in the Parish of *Llanfihangel Geneur Glyn* in the County of *Cardigan*, which are situate near to the North-eastward Part of *Ynys Las Farm House*, and are bounded westwardly by the River

Specified
 Lands to be
 purchased
 compulso-
 rily.

Lerry,

Aberystwith and Welsh Coast Railway (General) Act, 1864.

Lerry, northwardly by the Embankment of the River *Dovey*, eastwardly and south-eastwardly and in part southwardly by the Lands numbered respectively 128 and 130 on the Plans referred to in the recited "Act of 1863," and in other Part southwardly by the Lands numbered 123 on those Plans.

Period for compulsory Purchase of Lands.

6. The Powers of the Company under this Act for the compulsory Purchase of Lands shall not be exercised after the Expiration of Three Years after the passing of this Act.

Power for Company to purchase Lands by Agreement.

7. For the extraordinary Purposes specified in "The Railways Clauses Consolidation Act, 1845," incorporated with this Act, the Company, from Time to Time, by Agreement, may purchase or acquire, in addition to the other Lands which they are authorized to acquire, any Quantity of Land adjoining or near to their Railways not exceeding in the whole One hundred Acres.

Level Crossings.

8. Subject to the Provisions of this Act, the Company may make and maintain the Railway with not exceeding One Line of Rails so long as the Railway consists of a single Line of Railway, and not exceeding Two Lines of Rails if the Railway consists of more than a single Line of Railway, across and on the Level of the public Carriage Roads numbered respectively on the Plans deposited for the Purposes of the recited "Act of 1861," and referred to in that Act, as follows :

Number on Plan.	Parish.
226	Llanbadarn Fawr.
383	Towyn.

And also across and on the Level of a Road made by the Company in substitution for or as a Diversion of Two other Roads, and now crossing the Railway at a Point Two Miles Two Furlongs and Two Chains, or thereabouts, from the Commencement of the Railway No. 3. in the Parish of *Llangelynin* in the County of *Merioneth*: Provided always, that the Company shall construct and for ever maintain a Bridge for Foot Passengers over the Railway where' the same crosses the said Road numbered 226 in the Parish of *Llanbadarn Fawr*.

Part of Sect. 30 of 24 & 25 Vict. c. clxxxi.

9. So much of Section 30 of the recited "Act of 1861" as provides that the Company shall not make the Railway No. 1. more expeditiously than the Railways No. 2. and No. 3. is by this Act repealed: Provided always, that if the Company shall not within Three Years from the passing of this Act complete and open for Traffic

Aberystwith and Welsh Coast Railway (General) Act, 1864.

Traffic Railway No. 2. authorized by the "Act of 1861," so as to form a continuous Through Communication between the Railways of the Company North and South of the River *Dovey*, either according to the Line thereof authorized by the "Act of 1861," or according to any Line which may be authorized by any future Act to be substituted for such Line or any Portion thereof, they shall after the Expiration of the said Period be liable to a Penalty of Twenty Pounds *per Day*, to be recoverable as a Debt due to the Crown, for every Day after the Expiration of the said Period until the said Line shall be completed and opened for Traffic.

10. The Company from Time to Time may raise for the following Purposes, by the Creation and Issue of new Shares or new Stock, whether ordinary or preferential, or both, and in addition to all other Capital which they are authorized to raise, any Capital not exceeding the following Amount; namely,

Power to Company to raise Capital.

For the general Purposes of the Company, 330,000/.

11. The *Oswestry* Company from Time to Time may subscribe for or take and hold Shares of the Capital of the Company to any Extent not exceeding One hundred thousand Pounds, in addition to the Shares thereof which they are already authorized to hold.

Power for Oswestry Company to take further Shares of Company's Capital.

12. For the Purposes of the Acquisition by the *Oswestry* Company of Shares of the Capital of the Company, the *Oswestry* Company may apply any Monies now or hereafter belonging to them or under their Control, and which are not by any Act relating to them expressly appropriated for any particular Purpose, or which if so appropriated are not required for that Purpose, and may raise any Monies by the Creation and Issue of new Shares or new Stock, whether ordinary or preferential, or both, of their respective Capital.

Power for Oswestry Company to raise and apply Monies for taking Shares of Company's Capital.

13. No Share shall be issued by either Company under the Authority of this Act, unless and until a Sum not being less than One Fifth Part of the Amount of such Share shall have been paid up in respect thereof.

Shares not to be issued until One Fifth of the Amount thereof shall have been paid up.

14. Provided always, That the *Oswestry* Company shall not under this Act subscribe for or take any Share of the Capital of the Company, or raise any Money for the Purpose, without in every Case the Sanction of at least Three Fifths of the Votes of the Shareholders of the *Oswestry* Company present, in person or by proxy, at an Extraordinary General Meeting specially convened for the Purpose.

Sanction of Shareholders for Oswestry Company taking Shares of Company's Capital.

15. The several Provisions and Parts incorporated with this Act of "The Companies Clauses Consolidation Act, 1845," and "The

Provisions of 8 & 9 Vict. c. 16. and

Aberystwith and Welsh Coast Railway (General) Act, 1864.

26 & 27 Vict.
c. 118. to
extend to
Oswestry
Company.
Power to
borrow on
Mortgage.

Companies Act, 1863," respectively extend and apply for the Purposes of this Act to the *Oswestry* Company.

16. The Company from Time to Time may borrow on Mortgage, and in addition to all other Sums which they are authorized to borrow, any Sums not exceeding in the whole One hundred and ten thousand Pounds: Provided, that the Company shall not so borrow any Part of that Sum of One hundred and ten thousand Pounds until the whole of the additional Capital of Three hundred and thirty thousand Pounds is *bonâ fide* subscribed for or taken, and One Half thereof is actually paid up, nor until the Company shall have proved to the Justice who is to certify under Section Forty of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that the whole of the Capital of Three hundred and thirty thousand Pounds is *bonâ fide* subscribed for and issued, and that One Fifth of every Share has been paid on Issue of the same, and that all such Shares are held by the Subscribers or their Assigns, who are legally liable for so much thereof as is not paid up, of which Proof having been given the Certificate under that Section shall be sufficient Evidence.

Priority of
now existing
Mortgages.

17. Provided, That the Mortgages of the Company granted before the passing of this Act, and now in force, shall, while in force, have Priority over all Mortgages granted by the Company under this Act.

Arrears may
be enforced
by Appoint-
ment of a
Receiver.

18. The Mortgagees of the Company under this Act may enforce the Payment of the Arrears of Interest or the Principal and Interest due on their Mortgages, by the Appointment of a Receiver, and the Amount to authorize a Requisition for a Receiver is Ten thousand Pounds.

Interest not
to be paid
out of
Capital.

19. The Company, or any other Railway Company to which this Act relates, shall not, out of any Money by this Act or any other Act relating to the respective Company authorized to be raised by them respectively by Shares or by borrowing, pay Interest or Dividend to any Shareholder on the Amount of the Calls made in respect of the Shares held by him; provided that the respective Company from Time to Time may pay to any Shareholder such Interest on any Money advanced by him beyond the Amount of the Calls actually made as is in conformity with the Provisions in that Behalf of "The Companies Clauses Consolidation Act, 1845," incorporated with this Act.

Deposits for
future Bills
not to be
made out of
Capital.

20. The Company, or any other Railway Company to which this Act relates, shall not, out of any Money by this Act or any Act relating to the respective Company authorized to be raised by them respectively

Aberystwith and Welsh Coast Railway (General) Act, 1864.

respectively by Shares or by borrowing, pay or deposit any Sum of Money which by any Standing Order of either House of Parliament now or hereafter in force is required to be deposited in respect of any Application to Parliament for an Act authorizing the respective Company to make any other Railway or execute any other Work or Undertaking.

21. All the Monies from Time to Time raised under this Act by the Company by Shares or by borrowing shall be applicable and be applied only for the Purposes for which it is by this Act authorized to be raised. Application of Monies.

22. Nothing contained in this Act, or in any of the Acts herein referred to, shall authorize the said Company to take, use, or in any Manner interfere with any Land, Soil, Tenements, or Hereditaments, or any Rights, of whatsoever Nature, belonging to or enjoyed or exerciseable by the Queen's most Excellent Majesty in right of Her Crown, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or One of them, on behalf of Her Majesty, first had and obtained for that Purpose (which Consent such Commissioners are hereby respectively authorized to give); neither shall anything in the said Act or Acts contained divest, take away, prejudice, diminish, or alter any Estate, Right, Privilege, Power, or Authority vested in or enjoyed or exerciseable by the Queen's Majesty, Her Heirs or Successors. Saving Rights of the Crown.

23. Except only as is by this Act otherwise expressly provided, nothing in this Act contained shall take away, lessen, prejudice, or alter any of the Estates, Rights, Interests, Powers, or Privileges of the Company or of the *Oswestry* Company. Saving Rights of Oswestry Company.

24. Nothing in this Act contained shall exempt the Company, or any other Railway Company to which this Act relates, from any of the Provisions of any present or future General Act relating to Railways, or to the better or more impartial Audit of the Accounts of Railway Companies, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges by any of the Acts relating to the respective Company, or the Rates for small Parcels thereby authorized. Company not exempt from Provisions of present and future General Acts.

25. All the Costs, Charges, and Expenses of and incident to the preparing and applying for, obtaining, and passing of this Act shall be borne and paid by the Company. Expenses of Act.

LONDON:

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1864.

