



ANNO VICESIMO OCTAVO & VICESIMO NONO

VICTORIÆ REGINÆ.

Cap. cclxxxiii.

An Act to enable the *Aberystwith and Welsh Coast Railway Company* to deviate from some of its authorized Lines, to make certain Extensions at *Portmadoc Harbour, Aberdovey, and Cerig-y-Penrhyn*; and for other Purposes.

[5th July 1865.]

WHEREAS by the "*Aberystwith and Welsh Coast Railway Act, 1861*," herein-after called "the Act of 1861," the *Aberystwith and Welsh Coast Railway Company* (herein-after called "the Company") were incorporated and were authorized to make and maintain the several Railways in that Act specified as Railways No. 1., No. 2., No. 3., No. 4., and No. 5.; and by the same Act the *Oswestry and Newtown Railway Company* were authorized to subscribe for or take and hold Shares in the Capital of the Company to the Extent of not exceeding Seventy-five thousand Pounds, which Shares were accordingly taken and have been fully paid up, and the *Llanidloes and Newtown Railway Company* were authorized to subscribe for and to take and hold Shares in the Capital of the Company to the Extent of not exceeding Twenty-five thousand Pounds, which Shares have been accordingly taken and have been fully paid up:

24 & 25 Vict.
c. clxxxi.

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And

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25 & 26 Vict. c. clxxvi. And whereas by the "*Aberystwith and Welsh Coast Railway Act, 1862*," herein-after called "the Act of 1862," the Company were authorized to raise additional Capital, and to make and maintain the several Railways in that Act specified, and therein distinguished as Railways No. 6., No. 7., and No. 8.: And whereas by the "*Aberystwith and Welsh Coast Railway Act, 1863*," herein-after called "the Act of 1863," the Company were authorized to raise further Capital, and to make and maintain additional Railways and other Works: And 26 & 27 Vict. c. cxli. whereas by the "*Aberystwith and Welsh Coast Railway (General) Act, 1864*," herein-after called "the Act of 1864," the Company were authorized to raise further Capital and to purchase additional Lands, and by the same Act the *Oswestry and Newtown Railway Company* were authorized to subscribe for and to take and hold additional Shares in the Capital of the Company to the Extent of not exceeding One hundred thousand Pounds in addition to the previously authorized Extent of Seventy-five thousand Pounds: And whereas by the said Acts the Company were authorized to raise the Capital following; (that is to say,)

	Share Capital.	Loans.
	£	£
By the Act of 1861 - -	400,000 - -	133,000
By the Act of 1862 - -	250,000 - -	83,300
By the Act of 1863 - -	150,000 - -	50,000
By the Act of 1864 - -	330,000 - -	110,000

27 & 28 Vict. c. cclxii. and the Share Capital authorized by the Acts of 1863 and of 1864 was permitted to be raised by Preference Shares: And whereas the *Oswestry and Newtown Railway Company* and also the *Llanidloes and Newtown Railway*, together with several other Companies, were by "The *Cambrian Railways Act, 1864*," incorporated into One Company by the Name of the *Cambrian Railways Company*, and the *Cambrian Railways Company* is now possessed of Capital of the Company to the Extent of One hundred thousand Pounds, and is entitled to take and hold further Shares in the Company to the Extent of One hundred thousand Pounds: And whereas it is expedient that the *Cambrian Railways Company* should be authorized to appoint Two of the Directors of the Company: And whereas by "The *Corris, Machynlleth, and River Dovey Tramroad Act, 1858*," amended by "The *Corris Railway Act, 1864*," which Acts are herein-after referred to as "the *Corris Acts*," a Company was incorporated by the Name of the *Corris, Machynlleth, and River Dovey Tramroad Company*, but which Name has since been varied to the *Corris Railway Company*, for the Purpose of making certain Railways and Works upon a Gauge of Two Feet Three Inches, and were authorized to use Locomotive Engines thereon, but were by Section 14 of the Act of 1864, prohibited from using any of their Railways for the Conveyance of Passengers, or allowing any Train to be drawn at a Rate exceeding Ten

21 & 22 Vict. c. xcvi.
27 & 28 Vict. c. ccxxv.

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Ten Miles *per* Hour, and by Section 28 of the Act of 1864 the *Corris* Railway Company were authorized to enter into Agreements with respect to the Working, Maintenance, and Use of their Railways, and for the Supply of Engines, Carriages, and Rolling Stock for the Purposes thereof, with the *Oswestry and Newtown* Railway Company, the *Newtown and Machynlleth* Railway Company, and the Company, or any One or more of them: And whereas it is expedient that the Prohibition herein-before mentioned against the Conveyance of Passengers on the *Corris* Railway, and the Limitation of the Speed of Trains thereon, should be repealed: And whereas it is expedient that the Company should be authorized to deviate certain Portions of the said Railways No. 2. and No. 4., and to make and maintain certain substituted and additional Railways and Works, and to acquire additional Lands, and to raise further Capital: And whereas it is expedient that the Company should be authorized to purchase certain Ferries across the Rivers or Estuaries of the *Dovey* and *Mawddach* in the Counties of *Cardigan* and *Merioneth*, and to purchase, construct, enlarge, and complete the Inner Harbour at *Portmadoc* in the County of *Carnarvon*: And whereas owing to the Difficulties that may arise in keeping the Application of the Monies authorized to be raised by the several Acts relating to the Company, including this Act, to the Objects specially authorized by such Acts respectively, it is expedient that the Company should be enabled to apply any of the Monies authorized to be raised by any of such Acts to any of the authorized Objects of the Company: And whereas it is expedient that the Time limited for the Completion of the said Railways No. 3. and No. 4. should be extended: And whereas it is expedient that other Provisions should be made with respect to the Company: And whereas Plans and Sections of the intended Railways showing the Lines and Levels thereof respectively, and of the Lands to be acquired under this Act, and a Book of Reference to such Plans containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of such Lands, have been deposited with the respective Clerks of the Peace for the Counties of *Cardigan*, *Carnarvon*, *Merioneth*, and *Montgomery*: 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,)

1. This Act may for any Purpose be cited as the "*Aberystwith and Welsh Coast Railway (General) Act, 1865.*" Short Title.

2. "The Lands Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Acts Amendment Act, 1860," and "The 8 & 9 Vict.
cc. 18. & 20.,
10 & 11 Vict.
c. 27.,
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23 & 24 Vict. c. 106., and 26 & 27 Vict. cc. 92. & 118., incorporated. Railway Clauses Consolidation Act, 1845," and "The Harbours, Docks, and Piers Clauses Act, 1847," except with respect to Life-boats, and with respect to keeping a Tide and Weather Gauge, which excepted Portions shall not be obligatory on the Company unless and until or further than the Board of Trade, by Notice in Writing under the Hand of their Secretary, shall from Time to Time require, and also Part 1, Part 2, Part 3, and Part 5 of "The Railways Clauses Act, 1863," and Part 1, Part 2, Part 3 of "The Companies Clauses Act, 1863," save and except so far as any of the Sections or Provisions of any of the aforesaid Acts or Parts of Acts are expressly excepted or varied, or are inconsistent with or inapplicable to the Objects and Purposes of this Act, shall be incorporated with this Act.

Part of 8 & 9 Vict. c. 16. incorporated.

3. The following Sections of "The Companies Clauses Consolidation Act, 1845," shall be incorporated with this Act; (that is to say,)

- With respect to the Distribution of the Capital of the Company into Shares :
- With respect to the Transfer or Transmission of Shares :
- With respect to the Payment of Subscriptions and the Means of enforcing the Payment of Calls :
- With respect to the Forfeiture of Shares for Nonpayment of Calls :
- With respect to the Remedies of Creditors of the Company against the Shareholders :
- With respect to the borrowing of Money by the Company on Mortgage or Bond :
- With respect to the Conversion of the borrowed Money into Capital :
- With respect to the Consolidation of the Shares into Stock :
- With respect to the Provisions to be made for affording Access to the Special Act.

Same Meanings to Words in incorporated Acts as in this Act.

4. The several Words and Expressions to which by the Acts in whole or in part incorporated with this Act Meanings are assigned shall have in this Act the same respective Meanings, unless excluded by the Subject or Context: Provided that the Expressions "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" shall include, when requisite, "Stock" and "Stockholders."

The Company may acquire the

5. The Company may acquire, by Compulsion or otherwise, the Basin or Harbour at *Portmadoc* known as the Inner Harbour, together

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together with all Hereditaments, Works, and Conveniences connected therewith.

Inner Harbour at Portmadoc.

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.

Powers for compulsory Purchases limited.

7. Subject to the Provisions of this Act, and subject and without Prejudice to the Provisions of the Acts and Parts of Acts incorporated with this Act, the Company may from Time to Time make and maintain the several Railways and Works by this Act authorized on the Lands shown on the deposited Plans and specified in the deposited Book of Reference, and, so far as the Lines and Levels thereof are shown on the deposited Plans and Sections, may make and maintain the same in accordance with the Lines and Levels so shown.

Power to make Works authorized by Act.

8. The several Works shown on the deposited Plans, and by this Act authorized to be made and maintained by the Company, comprise the following Railways, Wharfs, Shipping and Landing Places, Bridges, Quays, and Embankments, Harbour and Works, with all proper and sufficient Stations, Approaches, Viaducts, Sidings, Works, and Conveniences connected therewith; (that is to say,)

Works authorized by Act.

(A.) A Railway, in substitution for a Portion of the Railway No. 2. authorized by the Act of 1861, commencing in the Parish of *Machynlleth* in the County of *Montgomery* by a Junction with the existing Railway of the Company from *Machynlleth* to *Aberystwith*, and terminating in the Parish of *Towyn* by a Junction with the said Railway No. 2. :

(B.) A Railway commencing in the said Parish of *Towyn* by a Junction with the said Railway No. 2., and terminating at a Point distant, in a Direction measured along the Centre Line of the Railway (*Aberdovey Wharf Extension and Embankment*), as shown on the deposited Plans, One Furlong Eight Chains from the Commencement thereof, together with an Embankment along the Northern Shore of the Estuary of the River *Dovey*, adjoining but not extending beyond such Railway, and Wharfs, Quays, Sidings, and Tramways, and other Conveniences thereon; and the Company shall not in any future Session of Parliament promote any Bill for authorizing any Line of Railway, Wharf, Embankment, or Quay between the Point measured along the said Centre Line distant Three Furlongs and One Chain from the Commencement of the Railway as shown

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on the deposited Plans and the Termination of the Railway shown on the said Plans :

- (c.) A Railway, in substitution for a Portion of the Railway No. 4. authorized by the Act of 1861, commencing in the Parish of *Llanaber* in the County of *Merioneth* by a Junction with and at the Termination of the said Railway No. 3. authorized by the Act of 1861, and terminating by a Junction with the said Railway No. 4. at or near a Point Seven Furlongs or thereabouts from the authorized Commencement of the said Railway No. 4. :
- (d.) A Railway, in substitution for a Portion of the said Railway No. 4., commencing in the Parish of *Llandecwyn* in the County of *Merioneth* by a Junction with the authorized Line of the said Railway No. 4., and terminating by a Junction with the authorized Line of the said Railway No. 4. ; and the Works connected with such Railway may be so constructed as to render the Embankment, Bridge, and other Works by which the said Railway is to be carried across the *Traeth Bach* available for Foot Passengers :
- (e.) A Railway situate wholly in the Parish of *Llanfihangel-geneur-glyn* in the County of *Cardigan* commencing by a Junction with the existing Railway of the Company from *Machynlleth* to *Aberystwith*, and terminating at the Landing Stage at or near *Cerig-y-Penrhyn* on the South Shore of the River *Dovey* ;
- (f.) Wharfs, Shipping, and Landing Places on the East and West Sides of the River *Lerry*, in the said Parish of *Llanfihangel-geneur-glyn*, between the Mouth of that River and the Road Bridge over the River at *Ynyslas* :
- (g.) The Construction, Enlargement, and Completion of the Basin or Harbour at *Portmadoc* known as the Inner Harbour :
- (h.) The Conversion of the existing Stone Bridge at the Entrance of such Inner Harbour into a Swing or Draw Bridge ; and it shall be lawful for the Company to enter upon, take, and use such of the Lands shown on the deposited Plans, and described in the deposited Books of Reference, as may be necessary for the Purpose of the said Works, or for any Purpose by this Act authorized.

9. The Viaduct for carrying the Railway (a.) across the River *Dovey* shall be made with an Opening Bridge of not less than Thirty-five Feet Span.

10. The Company may make and maintain the Railway with either a single Line or a double Line of Railway, as each Case may from

Viaduct to be made with an Opening Bridge 35 Feet Span.

Level Crossings.

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from Time to Time require, across and on the Level of the following Roads :

Number on deposited Plans.	Parish.	Description of Road.
8	Towyn - - -	Public Road.
13	Llandecwyn - - -	Public Road.
33	Llanfihangel-y-traethau - - -	Public Road.
3	Llanfihangel-geneur-glyn - - -	Public Road.

11. The Company may make the several Roads next herein-after mentioned, when altered for the Purposes of this Act, of any Inclination not steeper than the Inclination herein-after mentioned in connexion with such Road :

Inclination of Roads.

Number on Plan.	Parish.	Description of Road.	Intended Inclination of Roads.
28	Towyn - - -	Turnpike Road - - -	1 Foot in 16 Feet.
6	Llanfrothen - - -	Public Road - - -	1 Foot in 17 Feet.

12. In carrying the several Roads numbered respectively over or under the Railway, the Company may make the Bridges or Arches of the following Dimensions ; that is to say,

Height and Span of Bridges or Arches.

Number on Plan.	Parish.	Description of Road.	Span and Height of Bridge or Arch.
28	Towyn - - -	Turnpike Road - - -	20 Feet Span, 16 Feet high.
9	Llanaber - - -	Public Road - - -	20 Feet Span, 16 Feet high.

13. In making the several Works by this Act authorized, and shown on the deposited Plans and Sections, the Company may deviate from the Lines and Levels thereof shown thereon respectively to any Extent laterally within the Limits of Deviation for the same shown on the Plans, and vertically not exceeding Five Feet from the Levels thereof shown on the Sections.

Lateral and vertical Deviations.

14. The Company shall abandon the Construction of so much of the Railway No. 2., authorized by the Act of 1861, as lies between the Commencement thereof and a Point thereon distant One Mile Six Furlongs Two Chains from such Commencement and the authorized Works connected therewith, including the Embankment marked I and the Road marked K on the deposited Plans referred to in the Act of 1863, and by that Act authorized to be constructed, and

Power to Company to abandon Portions of authorized Lines.

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and the Company shall also abandon the Construction of so much and such Portions of Railway No. 4. authorized by the Act of 1861, as will become unnecessary to be constructed in consequence of the Works by this Act authorized to be constructed in substitution therefor.

Compensation to be made in respect of Portions of Railways abandoned.

15. Where before the passing of this Act any Contract may have been entered into or Notice given by the Company for the purchasing of any Land for the Purposes of or in relation to any Portions of the Railways or Works authorized to be abandoned by this Act, and which shall not be required for the Purposes of any of the Works by this Act authorized, full Compensation shall be made to the Owners and Occupiers or other Persons interested in such Lands for all Injury or Damage sustained by them respectively by reason of the Purchase not being completed pursuant to the Contract or Notice, and the Amount and Application of the Compensation shall be determined in manner provided by the "Lands Clauses Consolidation Act, 1845," for determining the Amount and Application of Compensation paid for Lands taken under the Provisions thereof.

Compensation for Damage to Land by Entry, &c. for Purposes of Railways abandoned.

16. The Abandonment by the Company under the Authority of this Act of any Portion of any Railway or Works shall not prejudice or affect the Right of the Owner or Occupier of any Land which the Company were authorized to purchase for the Purpose of making the same, and which may not be required for the Purposes of any of the Works by this Act authorized, to receive Compensation, in accordance with the Provisions in that Behalf of "The Lands Clauses Consolidation Act, 1845," for any Damage occasioned by the Entry of the Company on the Land for the Purpose of surveying and taking Levels, or probing or boring to ascertain the Nature of the Soil, or setting out of the Line of Railway.

For Protection of the Tramways leading to Frongoch Quarry.

17. The Railway by this Act firstly authorized shall be made through the Property of *Charles Capper* and *Alfred Brett* Esquires in the Parish of *Towyn*, at such Level and in such Manner as to allow the existing High-level Tramway belonging to *Frongoch* Quarry to pass over the Railway with a double line of Rails, and so as to allow the existing Low-level Tramway belonging to that Quarry to pass with a double Line of Rails under the Railway with a clear Headway of not less than Six Feet, and so as not to alter the present Level of either of the said Tramways; and the Works necessary for the Purposes aforesaid shall be executed by the Company to the reasonable Satisfaction of the Engineer of the Owners of the said Quarry, and shall be so made and thereafter efficiently maintained by the Company at their own Expense. In case of Difference between the Engineer of the Company and the Engineer of the Owners of the

Quarry

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Quarry as to the Efficiency of the Works proposed or executed by the Company, the same shall, within One Month after the Delivery to the Engineer of the Owners of the Quarry of the Plans of the Works proposed by the Company, or within the like Period after the Execution of the Works, if the Plans thereof have not been previously approved by that Engineer, be decided by an Engineer to be appointed on the Application of either Party by the Board of Trade: Provided always, that no Works shall be commenced upon the Property of the said *Charles Capper* and *Alfred Brett* until the Plans thereof have been first submitted to their Engineer.

18. If in the course or by means of the Execution of any of the Works by this Act authorized any Part of the Shores or Bed of the Sea or of any navigable tidal River which may now respectively belong to Her Majesty shall be inned, gained, or reclaimed from the Water, the said Company shall not have or exercise any Right upon the same or in respect thereof, and shall not enter upon, take, use, or interfere with the Lands so inned, gained, or reclaimed, for any Purpose whatsoever, 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, but such Inning, Gaining, or Reclamation shall enure absolutely for the Benefit of the Queen's Majesty, Her Heirs and Successors.

Any Land reclaimed by the Works not to be taken without the Consent of the Commissioners of Woods, &c.

19. In case the Company shall take down and remove the existing Stone Bridge at the Entrance of the said Inner Harbour, they may convert and dispose of, for their own Benefit, all or any of the Materials thereof and of the Abutments thereof, and in such Case they shall, at their own Expense, construct and for ever after maintain in a good and efficient State of Repair a Swing or Draw Bridge in lieu of such Stone Bridge, such Swing or Draw Bridge to be so constructed as to be not less commodious and safe for Use by the Public than the existing Stone Bridge, and with sufficient Safeguards for the Protection of the Public at all Times when the Swing or Draw Bridge may be open: Provided always, that the Company shall also, at their own Expense, during the Removal of the existing Bridge and the Construction of the Swing or Draw Bridge, construct and maintain a convenient temporary Bridge for the Use of the Public, and shall cause the same to be properly cleansed, watched, and lighted.

The Swing Bridge at Entrance of Harbour to be maintained by the Company, and to provide a temporary Bridge.

20. It shall not be lawful for the Company, without the Consent of the *Festiniog* Railway Company in Writing under their Common Seal first had and obtained, except for the Purpose of the Removal of the existing Stone Bridge, and the Construction of the proposed Swing or Draw Bridge and the said temporary Bridge, and the Works

Railway and Land of the *Festiniog* Railway Company not to be interfered with

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without their
Consent.

in connexion therewith respectively, to enter upon, take, and use, or to take any Easement or Right of using, or in any way to interfere with the Railway of the *Festiniog* Railway Company, or any Land belonging to that Company or over which the Railway of that Company now passes, and for the Purposes of this Enactment all Lines of Railway and Sidings of the *Festiniog* Railway Company, whether constructed under the Powers of any Act of Parliament or otherwise, shall be deemed to be Part of the Railway of the *Festiniog* Railway Company.

Prescribing
the Line and
Levels of the
Drawbridge.

21. The Line and Levels both of the said proposed Swing or Draw Bridge and the said proposed temporary Bridge shall be such as to allow of the carrying of the Railway of the *Festiniog* Railway Company over the said Swing or Draw Bridge and temporary Bridge respectively, and without altering the present Level of the said Railway, and the Company shall, at their own Expense, lay down such Lines of Rails and execute such other Works as shall be necessary for carrying that Railway over the said Bridges, and in such Manner that as little Interruption as possible to the Traffic upon that Railway shall arise, either during the Removal of the existing Stone Bridge, or except whilst the intended Swing or Draw Bridge shall be opened for the Passage of Vessels, to the Passage of such Traffic over the said Swing or Draw Bridge.

Swing or
Draw Bridge
not to be
opened dur-
ing certain
Times.

22. It shall not be lawful for the Company to cause or allow the said Swing or Draw Bridge to be opened or to remain open at any Time longer than shall be necessary for the passing of any Vessel into or out of the said Harbour, or within Five Minutes previously to the published Time of starting of any Train of the *Festiniog* Railway Company from the Station at *Portmadoc*, or within Five Minutes previously to or within Twenty-five Minutes after the published Time of Arrival of any Train of the *Festiniog* Railway Company at the Station at *Portmadoc*, unless such Train shall have passed over the said Bridge; and if the Company shall, after Delivery to the Harbour-master, or other principal Officer of the Company having Charge of the Bridge, of a Print or Copy of the published Time Tables of the *Festiniog* Railway for the Time being in use, cause or allow the said Bridge to be opened or to remain open contrary to this Enactment, the Company shall for every Offence forfeit and pay to the *Festiniog* Railway Company a Sum not exceeding Five Pounds, and an additional Sum not exceeding One Pound for every Five Minutes during which the said Bridge shall be open contrary to the said Enactment, and those Sums respectively may be recovered by the *Festiniog* Railway Company from the Company, with full Costs, in manner provided by the "Railways Clauses Consolidation Act, 1845," with reference to the Recovery of Penalties, or in any Court of competent Jurisdiction:

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Jurisdiction: Provided always, that the *Festiniog* Railway Company shall not be at liberty to require the Company to keep the said Swing or Draw Bridge closed more than Thirty Minutes consecutively at any One Time: Provided also, that the Company shall not be liable to any Penalty for or in respect of any Offence against the above Enactment, which shall arise from Stress of Weather or other unavoidable Cause.

23. If the Company or the *Festiniog* Railway Company shall at any Time or Times hereafter find that the Provisions of the last-preceding Section, or any of them, are insufficient or inexpedient, either for the Traffic of the Railway over the Bridge or the Passage of Vessels into or out of the said Harbour, or otherwise, then and in every such Case the Rules and Regulations as to the opening of such Bridge and the Traffic of the Railway over the same shall be such as the Company and the *Festiniog* Railway Company agree upon, or, in case of Difference between them, as shall be decided, upon the Application of either Party, by the Board of Trade.

Company and *Festiniog* Railway Company to agree as to Regulations, and, in case of Difference, Board of Trade to decide.

24. The Company shall, at their own Expense, erect and for ever maintain, upon the Railway of the *Festiniog* Railway Company or near thereto, and on both Sides of the said Swing or Draw Bridge, all such Signals as shall be proper or necessary to indicate whether the said Swing or Draw Bridge is open or shut, and shall, at their like Expense, employ proper and efficient Officers and Servants for the Management and Working of such Signals, and the Company shall cause such Signals to be properly and efficiently managed and worked accordingly.

Signals to be erected for Protection of Traffic of *Festiniog* Railway Company.

25. The Railway (A.) by this Act authorized shall be completed on or before the Thirtieth Day of *June* One thousand eight hundred and sixty-seven, and the several other Railways and Works by this Act authorized shall be completed within Five Years after the passing of this Act, and on the Expiration of those respective Periods the Powers by this Act conferred on the Company with respect to the making of the same, or otherwise in relation thereto respectively, shall cease to be exercised, except as to so much thereof as may then be completed.

Period for Completion of Works.

26. The Period for the Completion of the Railways No. 3. and No. 4. authorized by the Act of 1861, and of all the Works connected therewith respectively, shall be extended for the Period of Three Years from the Time of the passing of this Act.

Extension of Time for completing certain Works.

27. After the Expiration of the Period by this Act limited for the Completion of the several Lines of Railway by this Act authorized if the same be not then completed, the Company shall be liable to a Penalty of Fifty Pounds a Day, to be recoverable as a Debt due to the Crown, for every Day after the Period so limited until the same

Penalty for Noncompletion of Railways within Period limited for

Lines

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Completion thereof.

Lines of Railway are so completed and opened for public Traffic; but no Penalty shall accrue in respect of any Time during which it appears, by a Certificate to be obtained from the Board of Trade, that the Company were prevented from completing or opening the Lines of Railway, or any of them, by unforeseen Accident or Circumstances beyond their Control, provided that the Want of sufficient Funds shall not be held to be a Circumstance beyond their Control.

Power to purchase Ferries on the Dovey and Mawddach.

28. The Company may purchase, but only by Agreement, and upon such Terms and Conditions as may be mutually agreed upon between the Company and the Owner thereof, all or any of the exclusive Ferries or Rights of Ferries over or across the Rivers or Estuaries of the Rivers *Dovey* and *Mawddach*, whether belonging to Her Majesty in right of Her Crown, or to any Corporations, Public Bodies, or Persons, which Her Majesty, Her Heirs and Successors, or any such Corporations, Public Bodies, or Persons, may from Time to Time be willing to sell or dispose of to the Company, subject to any existing Leases or Lettings thereof, which Leases or Lettings, or the Estate or Interest of any Company or Person in such Leases, the Company may upon or at any Time after the Purchase or Acquisition of the Reversion, but not before, purchase or acquire by Compulsion.

Cambrian Railway Company may appoint Two Directors.

29. The *Cambrian* Railways Company may from Time to Time appoint Two of the Directors of the *Cambrian* Railways Company to be Directors of the Company by way of addition to the Number of Directors of whom the Board may for the Time being be authorized to be composed, and each of such Two Directors shall be entitled to the same Rights, Privileges, and Remuneration as if he were a Director elected by the Shareholders of the Company: Provided that no Person shall continue to be One of such Two Directors after he shall have ceased, from any Cause whatever, to be a Director of the *Cambrian* Railways Company: Provided also, that an Extract from the Minutes of the Board of the *Cambrian* Railways Company, authenticated by the Seal of that Company and signed by its Secretary, shall at all Times be *primâ facie* Evidence of the lawful Appointment of the Person named therein to be a Director of the Company: Provided also, that it shall not be lawful for the *Cambrian* Railways Company to sell or transfer any Share in the Capital of the Company which may have been acquired by them.

Part of Sect. 14 of 27 & 28 Vict. c. ccxxv. repealed.

30. So much of Section 14 of "The *Corris* Railway Act, 1864," as prohibits the *Corris* Railway Company from using any of their Railways for the Conveyance of Passengers, or allowing any Train to be drawn at a Rate exceeding Ten Miles an Hour, shall be and the same is hereby repealed: Provided always, that the Railways of the *Corris* Company shall at all Times be subject to and shall be used in accordance with such Regulations and Restrictions as shall from
Time

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Time to Time be made by the Board of Trade with respect to the Use of such Railways and the Speed of Trains passing over the same.

31. The Company may demand, take, and recover in respect of the Railways or Portions of Railways authorized by this Act the same Tolls, Fares, Rates, and Charges as if such Railways or Portions of Railways had been authorized by the Act of 1861, and for such Purpose the several Lines of Railway of the Company shall be regarded as One Railway, and as constructed under the Authority of One and the same Act: Provided that the Fare for the Conveyance of Third-class Passengers between the Company's Station at *Aberdovey* and the Company's Station at *Ynyslas* shall not exceed Sixpence, and that the Charge for the Conveyance of Animals and Things between the same Stations shall be made as for a Distance of Six Miles only.

Tolls for
Railway.

32. The Company may demand, take, and recover such and the same Tolls in respect to the User of the Embankment, Bridge, and Works, or any Part thereof, by this Act authorized to be constructed by the Company across the *Traeth Bach* as if the same had been constructed under the Authority of the Act of 1863, and for such Purpose Sections 53 to 67, both inclusive, of such Act shall be incorporated with this Act.

Tolls in
respect of
Embank-
ment, &c.
across *Traeth*
Bach.

33. Subject to the Provisions of "The Harbours, Docks, and Piers Clauses Act, 1847," the Company may demand and take a Tonnage Rate of not exceeding Fourpence *per* Ton for every Vessel which shall enter the Basin or Harbour by this Act authorized to be purchased and completed by the Company for every Time of entering the same; and if any Vessel shall remain in such Basin or Harbour for more than Two Months, the Company may demand and take an additional Tonnage Rate of not exceeding One Penny *per* Ton for every entire Week that such Vessel shall remain in the Basin or Harbour beyond the said Period of Two Months.

Tonnage
Toll for
using the
Basin or
Harbour of
the Company.

34. The Company may from Time to Time raise for the Purposes of this Act, and in addition to the present authorized Capital, by the Creation and Issue of new Shares or new Stock, whether ordinary or preferential, or both, any Capital not exceeding One hundred and twenty thousand Pounds, and also such further Capital as may be necessary for the Purposes of the Amalgamation by this Act authorized: Provided that no Share in respect of such first-mentioned Capital shall be issued by the Company, or shall vest in the Person accepting the same, until not less than One Fifth Part of the nominal Amount thereof shall have been paid thereon.

Power to
raise addi-
tional Cap-
ital by new
Shares.

35. The Company may from Time to Time borrow on Mortgage, or raise by the Creation of Debenture Stock, in addition to all other

Power to
borrow on
Mortgage.

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Sums which they are now authorized to borrow, any Sums not exceeding in the whole Forty thousand Pounds: Provided that the Company shall not borrow on Mortgage, or raise by the Creation of Debenture Stock, any Part of that Sum until the whole of their Capital under this Act shall have been subscribed for or taken, and One Half thereof actually paid up, nor until the Company shall have proved to the Justice, previously to his giving the Certificate required by the Fortieth Section of "The Companies Clauses Consolidation Act, 1845," that Shares for the whole of the Capital have been issued, and that One Half of the said Sum of One hundred and twenty thousand Pounds has been paid up, and that not less than One Fifth Part has been paid on account of each separate Share before or at the Time of the Issue or Acceptance thereof, and that such Shares are held by Subscribers or their Assigns, or for which such Subscribers or their Assigns are legally liable, of which Proof having been so given to him the Certificate of the Justice under that Section shall be sufficient Evidence.

Priority of existing Mortgages.

36. Provided, That all Mortgages granted by the Company before the passing of this Act and now in force shall, during the Continuance thereof respectively, have Priority over all Mortgages granted by the Company under this Act.

Arrears may be enforced by Appointment of a Receiver.

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

Application of Money of the Company.

38. Notwithstanding anything contained in the Act of 1861, or in any of the subsequent Acts obtained by the Company, the Company may apply any Portion of their authorized or existing Capital or Funds, including the Capital authorized to be raised under the Authority of this Act, to any of the Railways, Works, or Objects authorized by this Act or by any of the previous Acts obtained by the Company.

Power to the Company to use certain Railways.

39. The Company and all Persons and Companies lawfully using their Railway may pass over and use, with their Engines, Carriages, and Waggon, and for the Purposes of Traffic of all kinds, the Railways of the *Bala and Dolgelly*, *Corwen and Bala*, and *Llangollen and Corwen* Railway Companies (herein-after called the Three Companies), and the Stations, Sidings, Watering Places, Works, and Conveniences belonging to or connected with the said Railways respectively, including the Station at *Llangollen*, and the Three Companies and all Companies and Persons working their respective Railways shall make all necessary Arrangements for that Purpose, and

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and afford all reasonable Facilities and perform all reasonable Services for the Passage, Reception, Delivery, and Transmission of Traffic over their Railways to and from the Railway of the Company, and make Provision for the Use of Booking Offices at the Stations on such Railways, and all other Matters necessary for facilitating the Traffic of the Company and all Persons and Companies lawfully using their Railway in connexion with the Railways of the Three Companies.

40. Nothing in the immediately preceding Enactment contained shall interfere with or restrict the Right of the Three Companies respectively to fix the Fares, Rates, and Charges to be paid in respect of local Traffic on their respective Railways, which shall be under the sole and exclusive Power and Discretion of the Company owning the Railway run over; and the Fares, Rates, and Charges in respect of such Traffic which may be received by the Company or any Company or Person using their Railway shall be accounted for and paid over to such Companies respectively, less such reasonable Deduction for the Expense of carrying such Traffic as, failing Agreement, shall be determined from Time to Time by Arbitration in manner hereinafter provided.

For protect-
ing Local
Traffic.

41. The *Vale of Llangollen*, the *Llangollen and Corwen*, the *Corwen and Bala*, and the *Bala and Dolgelly* Railway Companies (hereinafter called the Four Companies), and all Companies and Persons lawfully using their respective Railways, may pass over and use, with their Engines, Carriages, and Waggon, and for the Purposes of their Traffic of all kinds, the Railways of the Company between *Dolgelly* and *Barmouth* and between *Dolgelly* and *Aberystwith* respectively, and the Stations, Sidings, Watering Places, Works, and Conveniences belonging to or connected with such Portions of the said Railways respectively, including the Stations at *Aberystwith* and *Barmouth*, and the Company shall make all necessary Arrangements for that Purpose, and afford all reasonable Facilities and perform all reasonable Services for the Passage, Reception, Delivery, and Transmission of Traffic over such Portions of their Railways as aforesaid to and from the Railways of the said Four Companies respectively, and make Provision for the Use of Booking Offices at the said Stations, and all other Matters necessary for facilitating the Traffic of the Four Companies and all Persons and Companies lawfully using their respective Railways in connexion with the aforesaid Portions of the Railway of the Company.

Power to
Vale of
Llangollen
and other
Railway
Companies
to use Parts
of the Rail-
ways of the
Company.

42. Nothing in the immediately preceding Enactment contained shall interfere with or restrict the Right of the Company to fix the Fares, Rates, and Charges to be paid in respect of local Traffic on the aforesaid Portions of the Railway of the Company, which shall be

Fixing of
local Fares
and Rates in
the Control
of the Com-
pany.

under

Aberystwith and Welsh Coast Railway (General) Act, 1865.

under the sole and exclusive Power and Discretion of the Company; and the Fares, Rates, and Charges in respect of such Traffic which may be received by the Four Companies or any of them, or any Company or Person using their Railways or any of them, shall be accounted for and paid over to the Company, less such reasonable Deduction for the Expense of carrying such Traffic as, failing Agreement, shall be determined from Time to Time by Arbitration in manner herein-after provided.

Charge between Aberdovey and Borth to be as if Line across the Dovey, authorized in 1861, had been constructed and was used between those Places.

43. In estimating and ascertaining the Tolls, Rates, and Charges to be paid to the Company for the Use of any Portion of their Railway situate between *Aberdovey* and *Borth*, under the Exercise of the Running Powers herein-before granted, the Company shall not be entitled to demand or charge, in respect of Traffic other than local Traffic, for any longer Mileage than they would have been entitled to charge if the Line across the Estuary of the *Dovey*, authorized by the "*Aberystwith and Welsh Coast Railway Act, 1861*," and by this Act authorized to be abandoned, had been made and used for the Transmission of such Traffic.

Definition of local Traffic.

44. The Expression "local Traffic," as used in the several preceding Enactments, shall in the Case of the Railway of the Company mean all Traffic of every Description taken up at any Station on their Railway and set down at any other Station thereon, and in the Case of the Three Companies shall mean all Traffic of every Description taken up at any Station on any One of the Railways of the Three Companies and set down at any other Station on any One of such Railways.

Terms of Use of Railways.

45. Subject to the Provisions herein-before made, the Terms, Conditions, and Regulations to which the Company on the one hand, in the Exercise of the Powers herein-before granted to run over and use the Railways of the Three Companies, and the Four Companies and any Person or Company claiming to exercise the Powers herein-before given to run over and use such Portions of the Railway of the Company as aforesaid on the other hand, shall be subject in respect of the said Use, Facilities, and Services, and the Tolls or other Considerations to be paid by them for the same, shall, failing Agreement between the Parties, be from Time to Time determined by an Arbitrator to be appointed by the Board of Trade, and the Decisions of such Arbitrator shall be binding and conclusive on all the Parties in difference, and the Costs and Expenses of such Arbitration shall be defrayed as the Arbitrator shall direct; and any of the said Companies who shall refuse or neglect to perform, observe, and conform to any Decision given or Regulation made by any such Arbitrator in the Premises shall forfeit and pay to such Person or Company as the Arbitrator shall determine any Sum not exceeding Fifty Pounds for every

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every such Offence, and Twenty Pounds for every Day during which such an Offence shall continue.

46. In order to facilitate the Transmission of Traffic passing to or from the Railways of the Four Companies or any of them, the Four Companies and all Companies and Persons working their Railways or any of them (subject as herein-after provided) shall, for the Purposes of all Traffic whatever, whether Passengers, Cattle, Goods, Minerals, or other Things, from Time to Time and at all Times hereafter have the Right to book and invoice through from any Station or Place on their respective Railways to any Station or Place on or beyond the Railway of the Company; and the Company shall, for and in respect of all Traffic of the Four Companies and any Company or Person working their or any of their Railways as aforesaid, at all Times afford to and for the Four Companies and such other Companies and Persons as aforesaid all needful Accommodations, Facilities, and Conveniences at and over the Railway of the Company, or any Part thereof, and at the Stations, Works, and Conveniences thereon, by the Trains of the Company, and by Through Booking and Invoicing, Through Rates, and, so far as reasonably may be, Through Waggons and Carriages, and shall at all Times and in all respects conduct, forward, and carry on and accommodate all such Traffic on equal Terms with and as well as if it were their own proper Traffic: Provided always, that the Company shall not be required to afford any such Facilities, or be otherwise bound by the Provisions of this Section, except on One Month's Notice in Writing from the Four Companies, or any Company or Person working their or any of their Railways, of their Intention to afford, and unless and until and so long only as the said Four Companies and such other Company or Person as aforesaid shall afford, the like Accommodation, Facilities, and Conveniences for the Traffic of the Company on, at, and over their respective Railways, and at all Stations, Works, and Conveniences connected therewith; and the Rates and other Sums to be charged by the Company to the Four Companies, and by the Four Companies to the Company respectively, shall be agreed upon between such Companies, and, failing Agreement, shall be settled from Time to Time by Arbitration in the Manner provided for the Settlement of Disputes by Arbitration by the "Railway Companies Arbitration Act, 1859," and the Decisions of such Arbitrator shall be binding and conclusive on all the Parties in difference, and the Costs and Expenses of such Arbitration shall be defrayed as the Arbitrator shall direct; and any of the said Companies who shall refuse or neglect to perform or observe and conform to any Decision given or Regulation made by any such Arbitrator in the Premises shall forfeit and pay to such Person or Company as the Arbitrator shall determine any Sum not exceeding Fifty Pounds for any such Refusal or Neglect, and Twenty Pounds for every Day during which such Refusal or Neglect shall continue:

Facilities for
Transmission of
Traffic on
Railways
of the Com-
pany.

[*Local.*]

47 H

Provided

Aberystwith and Welsh Coast Railway (General) Act, 1865.

Provided always, nevertheless, that in the Apportionment and Division of the Fares, Rates, and Charges arising in respect of Through Traffic transmitted over the Railway of the Company as above provided, and crossing the River *Dovey*, the Company shall be entitled to demand and receive in respect of such last-mentioned Traffic such Proportion only of Mileage or other Fare or Rate as they would have been entitled to in case the Railway across the Estuary of the River *Dovey*, authorized by "The *Aberystwith and Welsh Coast Railway Act, 1861*," and by this Act authorized to be abandoned, had been constructed and used for the Transport and Conveyance of such Traffic.

Facilities for Transmission of Traffic on Railways of the Vale of Llangollen and other Companies.

47. In order to facilitate the Transmission of Traffic passing to or from the Railways of the Company, the Company and all Companies and Persons working their Railway (subject as herein-after provided) shall, for the Purposes of all Traffic whatever, whether Passengers, Cattle, Goods, Minerals, or other Things, from Time to Time and at all Times hereafter, have the Right to book and invoice through from any Station or Place on the Railway of the Company, or any Company or Person working their Railway, to any Station or Place on or beyond the Railways of the Four Companies or any of them; and the Four Companies shall, for and in respect of all Traffic of the Company and any Company or Persons working their Railway as aforesaid, at all Times afford to and for the Company and such other Companies and Persons as aforesaid all needful Accommodations, Facilities, and Conveniences at and over the Railways of the Four Companies respectively, or any Part thereof, and at the Stations, Works, and Conveniences thereon, by the Trains of the Four Companies respectively, and by Through Booking and Invoicing, Through Rates, and, so far as reasonably may be, Through Waggons and Carriages, and shall at all Times and in all respects conduct, forward, and carry on and accommodate all such Traffic on equal Terms with and as well as if it were their own proper Traffic: Provided always, that the Four Companies shall not be required to afford any such Facilities, or be otherwise bound by the Provisions of this Section, except on One Month's Notice in Writing from the Company, or any Company or Person working their Railway, of their Intention to afford, and unless and until and so long only as the Company and such other Company or Persons as aforesaid shall afford, the like Accommodation, Facilities, and Conveniences for the Traffic of the Four Companies on, at, and over the Railway of the Company and such other Company or Persons as aforesaid, and at all Stations, Works, and Conveniences connected therewith; and the Rates and other Sums to be charged by the Four Companies to the Company, and by the Company to the Four Companies respectively, shall be agreed upon between such Companies, and, failing Agreement, shall be settled from Time to Time by Arbitration in the Manner provided for the Settlement of Disputes by Arbitration by "The Railway Companies Arbitration

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Arbitration Act, 1859," and the Decisions of such Arbitrator shall be binding and conclusive on all the Parties in difference, and the Costs and Expenses of such Arbitration shall be defrayed as the Arbitrator shall direct; and any of the said Companies who shall refuse or neglect to perform or observe and conform to any Decision given or Regulation made by any such Arbitrator in the Premises shall forfeit and pay to such Person or Company as the Arbitrator shall determine any Sum not exceeding Fifty Pounds for any such Refusal or Neglect, and Twenty Pounds for every Day during which such Refusal or Neglect shall continue.

48. Notwithstanding the Provisions of this Act authorizing the Abandonment of a Portion of the Railway, described as Railway No. 2. in the Act of 1861, in case the Four Companies, or any or either of them, or any Company or Person working their respective Railways shall at any Time within Ten Years from the passing of this Act apply for Powers to authorize the Construction of a Railway across the Estuary of the River *Dovey* for connecting the Railways of the Company North and South thereof, the Company shall not, directly or indirectly, oppose such Application, and shall afford all reasonable Facilities for the successful Prosecution of the same, and for the Construction of such Railway, if authorized: Provided always, that in any Act to be obtained for the making of such Railway Provision shall be made for securing to the Company the Right to run over and to use the same, with their Engines, Carriages, and Waggons for the Purposes of Traffic of all kinds, upon such Terms, and subject to such Conditions, Rules, and Regulations, as, failing Agreement, shall be settled by Arbitration in manner provided by "The Railway Companies Arbitration Act, 1859."

Company not to oppose Four Companies obtaining Powers to carry a Railway across the Estuary of the Dovey.

49. Nothing contained in this Act, or in any of the Acts herein referred to, shall authorize the 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 previous 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); and as incidental to any such Consent as aforesaid, the Company may enter into any Agreement with the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or either of them, who respectively may, with the Approval of the Commissioners of Her Majesty's Treasury, join in every such Agreement; and the said Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or either of them, with the like Approval, and

Saving Rights of the Crown.

Aberystwith and Welsh Coast Railway (General) Act, 1865.

and the Company may respectively execute all necessary Conveyances, Leases, Licences, or other Deeds of or relating to any Land, Hereditaments, or Rights belonging to Her Majesty in right of Her Crown, and every Agreement so entered into as aforesaid shall be performed by the same Commissioners and the Company respectively; and nothing in the said Act or Acts contained shall divest, take away, prejudice, diminish, or alter, any Estate, Right, Privilege, Power, or Authority now or from Time to Time vested in or enjoyed or exerciseable by the Queen's Majesty, Her Heirs or Successors.

Interest not
to be paid on
Calls paid up.

50. The Company shall not, out of any Money by this Act or any other Act authorized to be raised by them 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 Company from Time to Time may pay to any Shareholder such Interest on 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.

Deposit for
future Bills
not to be
paid out of
Capital.

51. The Company shall not, out of any Money by this Act or any other Act authorized to be raised by them 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 Company to make any other Railway, or execute any other Work or Undertaking.

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

52. Nothing in this Act contained shall exempt the Railways to which this Act relates from the Provisions of any present or future General Act relating to Railways, or to the better and 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 this Act authorized, or the Rates for small Parcels thereby authorized.

Expenses of
Act.

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

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