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VICTORIÆ REGINÆ.

Cap. cccxxxiv.

An Act for empowering the *Cambrian* Railways Company to deviate a Portion of their authorized Railway; to construct other Works in connexion with their Undertaking; and for other Purposes. [6th August 1866.]

WHEREAS the making of the Deviation Railway, Roads, and Works hereafter in this Act described would be of local and public Advantage: And whereas the *Cambrian* Railways Company (hereafter in this Act called the Company) are willing to undertake the making and Maintenance of the Deviation Railway, Roads, and Works aforesaid; and it is expedient that they be empowered to do so accordingly: And whereas Plans of the Lands intended to be taken under this Act, and Plans and Sections describing the Lines, Situations, and Levels of the intended Railway, Roads, and Works, and a Book of Reference to those Plans, have been deposited with the respective Clerks of the Peace for the Counties of *Salop*, *Montgomery*, *Cardigan*, *Merioneth*, and *Carnarvon* (which are in this Act referred to as the deposited Plans, Sections, and Book of Reference): And whereas the Undertaking of the *Aberystwith and Welch Coast* Railway Company (which Undertaking is herein-after designated as the *Coast Railways*) was by the *Cambrian and Coast Railways Amalgamation Act, 1865*, amalgamated with and now forms Part of the Undertaking of the Company, but the Shares and Stock of that

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Company are by that Act directed to be kept separate and distinct from the rest of the Capital of the Company, being therein and herein-after designated as the "Coast Stock," and the Receipts from the Coast Railways are by the same Act to be applied after Payment of the Charges therein mentioned as Dividends among the Proprietors of such Coast Stock who are not in respect of that Stock to be entitled to participate in any other Profits of the Company: And whereas the Company require to raise further Capital for the Purposes of their Undertaking other than the Coast Railways and for the Station Improvements, and also require to raise further Capital for the Purposes of the Coast Railways, and for the Construction of the Deviation Railway and the Roads and other Works herein-after described; and it is expedient that the Company should be authorized to raise the same respectively: 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 Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title. 1. This Act may be cited for all Purposes as *The Cambrian Railways (New Works) Act, 1866.*

8 & 9 Vict.
cc. 16. 18.
& 20.,
10 & 11 Vict.
c. 27.,
23 & 24 Vict.
c. 106., and
26 & 27 Vict.
cc. 92. & 118.
incorporated.

2. The Provisions—

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 Shares into Stock:

With respect to the General Meetings of the Company and the Exercise of the Right of voting by the Shareholders:

With respect to the making Dividends and giving of Notices, and with respect to the Provision to be made for affording Access to the Special Act:

Of *The Companies Clauses Consolidation Act, 1845*:

The Harbour, Docks, and Piers Clauses Act, 1847:

Part I. (relating to Cancellation and Surrender of Shares):

Part II. (relating to additional Capital):

And Part III. (relating to Debenture Stock), of *The Companies Clauses Act, 1863*:

The Lands Clauses Consolidation Act, 1845:

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The Lands Clauses Consolidation Acts Amendment Act, 1860 :

The Railways Clauses Consolidation Act, 1845 :

And Part I. (relating to Construction of a Railway) of
The Railways Clauses Act, 1863,are (except where expressly varied by this Act) incorporated with
and form Part of this Act.

3. In this Act the several Words and Expressions to which Meanings are assigned by the Acts wholly or partially incorporated herewith shall have the same respective Meanings, unless there be something in the Subject or Context repugnant to such Construction; and the Expression "Superior Courts" or "Court of competent Jurisdiction," or any other like Expression in this Act or any Act wholly or partially incorporated herewith, shall be read and have effect as if the Debt or Demand with respect to which the Expression is used were a common Simple Contract Debt, and not a Debt or Demand created by Statute.

Interpreta-
tion of
Terms.

4. Subject to the Provisions of this Act, the Company may make and maintain, in the Line and according to the Levels shown on the deposited Plans and Sections, the Railway and other Works hereinafter described, with all proper Stations, Approaches, Works, and Conveniences connected therewith, and may enter upon, take, and use such of the Lands delineated on the said Plans and described in the deposited Books of Reference as may be required for those and the other Purposes of the Act. The Railway and other Works hereinafter referred to and authorized by this Act are—

Power to
make Rail-
way and
Works ac-
cording to
deposited
Plans.

A Deviation Railway, Two Miles Two Chains and a Half in Length, commencing by a Junction with the authorized Railway of the Company in the Parish of *Abererch* in the County of *Carnarvon*, and terminating by a Junction with the authorized Line of the Company in the Parish of *Penrhos* in the same County:

Wharves, Shipping, Landing Places, and other Conveniences in connexion with such Railway:

A Road commencing by a Junction with the public Highway leading from *Portmadoc* to *Tremadoc*, at or near the Point where the Railway of the Company crosses the said public Highway in the Parish of *Ynyscynhaiarn* in the County of *Carnarvon*, and terminating in the same Parish at or near the Point of Intersection between the Turnpike Road leading from *Portmadoc* to *Maentwrog* and the Parish Road leading from *Traethmawr* to *Traethbach*:

A Road commencing in the Parish of *Llanfihangel-y-traethau* by a Junction with a Road numbered 24 on a Plan deposited with the Clerk of the Peace of the County of *Carnarvon*, in respect of the Railway D, authorized by The *Aberystwith and Welsh Coast* Railway (General) Act, 1865, and terminating in the said Parish of *Llandecwyn* by a Junction with the Turnpike Road

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Road leading from *Harlech* to *Maentwrog*, South of the Toll Gate near the *Penbrynissa* Farmhouse in the said Parish of *Llandecwyn* :

The Construction, Enlargement, Extension, and Improvement of the Stations, Sidings, Junctions, Approaches, and other Works in connexion with the Undertaking of the Company at *Oswestry*, *Welshpool*, and *Newtown* (in this Act called the Station Improvements).

Power to purchase certain Lands by Agreement, and to erect Works thereon.

5. The Company may purchase so much of the Sands and Lands as are situated between the old Embankment which connects the Counties of *Carnarvon* and *Merioneth* and the Railway of the Company across the *Traethmawr*, upon such Terms and Conditions, and for such Consideration, pecuniary or otherwise, as have been or may be agreed upon between the Company and the Owners thereof; and the Company may construct and maintain upon the said Sands and Lands, Quays, Wharves, and other Works and Conveniences, and alter the Course of the River *Glaslyn* in the said Parish of *Llanfrothen*, by carrying the same by means of a Cutting through the Rock called and known as *Garth Plasnewydd*, and divert the Waters of that River through such Cutting, and construct and maintain Sluice Gates and other Works within the last-mentioned Cutting, and also a Bridge over that Cutting: Provided always, that nothing in this Act contained shall authorize the Company to purchase, take, or in any way interfere with any Part of the *Festiniog* Railway, or any Part of the Turnpike Road leading from *Portmadoc* to *Maentwrog*, or any Part of the said old Embankment, or to make any Cutting or Sluice Gates, or any other Works through or under the same, notwithstanding that such last-mentioned Works may have been delineated on the said Plans and described in the said deposited Books of Reference, or that any Part of the intended Site thereof might fall within the Limits of Deviation shown on the said Plans,

Additional Capital.

6. The Company may from Time to Time raise for the Purposes of their own Undertaking other than the Coast Railways and of the Station Improvements hereby authorized, by the Creation and Issue of new Shares or Stock, whether ordinary or preferential, or both, and in addition to the Capital which they are already authorized to raise, such Amount of Capital as they think fit, not exceeding One hundred and forty-two thousand Pounds.

Additional Capital for Coast and Works.

7. The Company may also from Time to Time raise for the Purposes of the Coast Railways, and of the Deviation Railway and other Works hereby authorized (which Railway and Works are herein referred to as the Coast new Works), by the Creation and Issue of new Shares or Stock, whether ordinary or preferential, or both, and in addition to the Capital which they are already authorized to raise for the Purposes of the said Coast Railways, such Amount of Capital as they think proper, not exceeding Three hundred thousand Pounds.

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8. The additional Capital so to be raised for the respective Purposes before mentioned shall respectively be applied to those Purposes only, and that which is raised for the Purposes of the Coast Railways and the Coast new Works shall form Part of the Coast Stock, and be subject to all the Incidents of that Stock. Application of Monies.

9. The Company shall not issue any Share created under the Authority of this Act, nor shall any 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 shall have been paid in respect thereof. Shares not to issue until One Fifth paid up.

10. 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, and Four Fifths of the Amount of a Share shall be the utmost aggregate Amount of the Calls made in any Year upon any Share.

11. Except as by or under the Powers of this Act otherwise provided, and subject thereto, all new Shares issued under the Powers of this Act shall, in proportion to the aggregate Amount from Time to Time paid up on the new Shares held by the same Person at the same Time, entitle the respective Holders thereof to the same Dividends and Profits, and confer on them the like Qualifications and the like Rights of voting, as the like Amount paid up on existing Shares or Stock of the Company. Qualification of new Shares.

12. The Company may from Time to Time borrow on Mortgage any Sum not exceeding in the whole Forty-seven thousand three hundred Pounds for the Purposes of their Undertaking other than the Coast Railways, but no Part thereof shall be borrowed until the whole additional Capital of One hundred and forty-two thousand Pounds is subscribed for, issued, and accepted, and One Half thereof is paid up, and the Company have proved to the Justice who is to certify under the Fortieth Section of The Companies Clauses Consolidation Act, 1845, before he so certifies, that the whole of such additional Capital has been issued and accepted, and that One Half thereof has been paid up, and that not less than One Fifth Part of the Amount of each separate Share has been paid on account thereof, before or at the Time of the Issue or Acceptance thereof, and that such Capital was issued *bonâ fide*, and is held by the Subscribers or their Assigns, and that such Subscribers or their Assigns are legally liable for the same, and upon Production to such Justice of the Books of the Company, and of such other Evidence as he shall think sufficient, he shall grant a Certificate that the Proof aforesaid has been given, which Certificate shall be sufficient Evidence thereof. Power to borrow on Mortgage.

13. The Company may also from Time to Time borrow on Mortgage for the Purposes of the Coast Railways any Sum not exceeding in the whole One hundred thousand Pounds, but no Part thereof shall be borrowed until the whole of the additional Capital of Three hundred thousand Pounds is subscribed for, issued, and accepted, Power to borrow for Coast Railways.

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and One Half thereof is paid up, and the Company have proved to the Justice who is to certify under the Fortieth Section of The Companies Clauses Consolidation Act, 1845, before he so certifies, that the whole of such additional Capital has been issued and accepted, and that One Half thereof has been paid up, and that not less than One Fifth Part of the Amount of each separate Share has been paid on account thereof, before or at the Time of the Issue or Acceptance thereof, and that such Capital was issued *bonâ fide*, and is held by the Subscribers or their Assigns, and that such Subscribers or their Assigns are legally liable for the same, and upon Production to such Justice of the Books of the Company, and of such other Evidence as he shall think sufficient, he shall grant a Certificate that the Proof aforesaid has been given, which Certificate shall be sufficient Evidence thereof.

Application
of borrowed
Money.

14. The Sums so borrowed shall be respectively applied to the Purpose for which they are respectively borrowed as before mentioned, and that which is borrowed and all other Debts of the Company incurred for the Purposes of the Coast Railways shall be a Charge on those Railways, and the Receipts therefrom only, and not upon the general Undertaking or Property of the Company.

Arrears may
be enforced
by Appointment
of a
Receiver.

15. The Mortgagees of the Company may enforce Payment of Arrears of Principal and Interest due on their Mortgages by the Appointment of a Receiver; and in order to authorize the Appointment of a Receiver the Amount owing to the Mortgagees by whom the Application for a Receiver shall be made shall not be less than Ten thousand Pounds in the whole.

Debenture
Stock.

16. The Company may create and issue Debenture Stock.

Debenture
Stock, &c.
not to confer
Votes or
Qualification.

17. No Debenture Stock or Preferential Shares or Stock of the Company issued after the passing of this Act shall confer any Right of voting, or any Qualification, except so far as the Company resolve that such Stock or Preferential Shares shall confer any such Right or Qualification.

Existing
Mortgages
to have
Priority.

18. All Mortgages granted by the Company, or the Companies amalgamated into or with the Company, in pursuance of the Powers of any Act of Parliament before the passing of this Act, and which shall be subsisting at the Time of the passing thereof, shall respectively, during the Continuance of such Mortgages and Bonds, subject to the Provisions of the amalgamated Acts and this Act, have Priority over the Mortgages respectively to be granted by virtue of this Act.

Company
may apply
Corporate
Funds to
Purposes of
Act.

19. Except as otherwise provided by this or any other Act or Acts relating to the Company, and subject to such Powers, the Company may from Time to Time apply for or towards all or any of the Purposes of this Act any Sums of Money which they have already raised or are authorized to raise by this or any other Acts, and which are not required for the Purposes to which they are by those Acts made specially applicable.

20. The

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20. The Quantity of Land to be taken by the Company for the extraordinary Purposes mentioned in The Railways Clauses Consolidation Act, 1845, shall not exceed Five Acres. Lands for extraordinary Purposes.

21. The Powers of the Company for the compulsory Purchase of Lands for the Purposes of the Deviation Railway shall not be exercised after the Expiration of Two Years from the passing of this Act, and the Powers of the Company for the compulsory Purchase of other Lands for the Purposes of this Act shall not be exercised after the Expiration of Three Years from the passing of this Act. Powers for compulsory Purchases limited.

22. The Deviation Railway shall be completed within Two Years from the passing of this Act, and the Roads and other Works shall be completed within Five Years from the passing of this Act, and on the Expiration of those Periods the Powers by this Act granted to the Company for executing the Railway, Roads, and other Works, or otherwise in relation thereto, shall cease to be exercised except as to so much thereof as shall then be completed. Period for Completion of Works.

23. Subject to the Provisions in The Railway Clauses Consolidation Act, 1845, and in Part I. (relating to the Construction of a Railway) of The Railways Clauses Act, 1863, contained, in reference to the crossing of Roads on the Level, the Company may, in the Construction of the Railway, carry the same with a single Line of Railway only whilst the Railway shall consist of a single Line, and afterwards with a double Line of Railway only, across and on the Level of the Road next herein-after mentioned ; (that is to say,) Power to cross a certain Road on the Level.

No. on deposited Plan.	Parish.	Description of Road.
4	Deneio - -	Public Road.

24. The Company may demand and receive for and in respect of the Railway the same Tolls and Charges as they are now empowered to receive in respect of their existing Undertaking, and the Railway shall in all respects be deemed Part of the Railway of the Company, as if authorized by The *Cambrian Railways Act, 1864.* Railway, as to Tolls, &c., to form Part of Undertaking.

25. The Company shall not, out of any Money by this Act authorized to be raised by Calls 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 always, that this Act shall not prevent the Company from paying to any Shareholder such Interest on Money advanced by him beyond the Amount of the Calls actually made as is in conformity with The Companies Clauses Consolidation Act, 1845. Interest not to be paid on Calls paid up.

26. The Company shall not, out of any Money by this Act authorized to be raised, pay or deposit any Sum which by any Standing Deposits for future Bills not to be

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paid out of
Capital.

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 authorizing the Company to construct any other Railway or to execute any other Work or Undertaking.

Railway not
exempt from
Provisions of
present and
future Ge-
neral Acts.

27. Nothing herein contained shall be deemed or construed to exempt the Railway from the Provisions of any General Act relating to Railways, or the better and more impartial Audit of the Accounts of Railway Companies, now in force or which may hereafter pass during this or any future Session of Parliament, or from any future Revision or Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges or of the Rates for small Parcels authorized by this Act.

Any Lands
reclaimed by
the Works
not to be
taken with-
out the Con-
sent of the
Commis-
sioners of
Woods, &c.

28. If in the course or by means of the Execution of any of the Works by this Act authorized any Land below High-water Mark belonging to Her Majesty shall be inured, 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 inured, 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 inuring, gaining, or Reclamation shall enure absolutely for the Benefit of the Queen's Majesty, Her Heirs and Successors.

Saving
Rights of
Crown.

29. Nothing contained in this Act shall authorize the said Company to take, use, or in any Manner interfere with any Land or Hereditaments, or any Rights, of whatsoever Description, belonging to 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 same Act 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 Queen's Majesty, Her Heirs or Successors.

Expenses of
Act.

30. All Costs, Charges, and Expenses of and incident to the preparing for, obtaining, and passing of this Act, or otherwise in relation thereto, shall be paid by the Company.

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Buchan & Co