

CAMBRIAN RAILWAYS ACT 1906.

ARRANGEMENT OF SECTIONS.

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A C T

To authorise the Cambrian Railways Company to acquire additional Lands and to extend the time for the completion of the Railway authorised by the Cambrian Railways Act 1901; and for other purposes.

[*Royal Assent, 20th July, 1906.*]

WHEREAS it is expedient that the Cambrian Railways Company (in this Act called "the Company") should be empowered to acquire additional lands for the general purposes of their undertaking: Preamble.

5 And whereas plans showing the lands required or which may be taken under the powers of this Act and also books of reference to those plans containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the said lands were duly deposited with the respective clerks of the peace for the
10 counties of Montgomery Brecknock and Carnarvon within which the said lands are situate and those plans and books of reference are in this Act referred to as the deposited plans and books of reference respectively:

15 And whereas it is expedient that the time limited by the Cambrian Railways Act 1901 for the construction of the railway by that Act authorised should be extended:

And whereas it is expedient that more effectual powers should be conferred upon the Company with respect to the prevention of trespass on the railways stations and works of the Company :

And whereas it is expedient that the Company should be authorised to apply to the purposes of this Act so much of the sum of six hundred thousand pounds which they were by the Cambrian Railways Act 1896 (in this Act called "the Act of 1896") authorised to raise by the creation and issue of "D" debenture stock as may not be required for the purposes of that Act or of the Cambrian Railways Act 1901 or the Cambrian Railways (Mid Wales Railway Amalgamation &c.) Act 1904 or either of those Acts :

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 King's Most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows :—

Short title. **1.**—This Act may be cited for all purposes as the Cambrian Railways Act 1906. 20

Incorporation of general Acts. **2.**—The following Acts and parts of Acts are except where expressly varied by this Act incorporated with and form part of this Act (that is to say) :—

The Lands Clauses Acts :

The Railways Clauses Consolidation Act 1845 : 25

Part II (relating to extension of time) and Part III (relating to debenture stock) of the Railways Clauses Act 1863 as amended by subsequent Acts.

Interpretation. **3.**—In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings unless there be something in the subject or context repugnant to such construction. 30

4.—Subject to the provisions of this Act the Company may enter upon take use and appropriate for purposes connected with their undertaking all or any of the lands following delineated on the deposited plans thereof and described in the deposited books of reference relating thereto (that is to say) :—

Power to acquire lands for general purposes.

In the county of Montgomery—

Lands in the parish and urban district of Machynlleth adjoining the south-eastern side of the railway of the Company :

In the county of Brecknock—

10 Lands in the parishes of Talgarth Llangorse and Llandefaelog Tre'r Graig adjoining the western side of the Mid Wales section of the railway of the Company :

In the county of Carnarvon—

15 Lands in the parish of Llanystumdwy adjoining the northern side of the railway of the Company.

5.—All private rights of way over any lands which shall under the powers of this Act be acquired compulsorily shall as from the date of such acquisition be extinguished. Provided that the Company shall make full compensation to all parties interested in respect of any such rights and such compensation shall be settled in manner provided by the Lands Clauses Acts with reference to the taking of lands otherwise than by agreement.

As to private rights of way over lands taken compulsorily.

6.—The powers granted by this Act for the compulsory purchase of lands shall cease after the expiration of three years from the passing of this Act.

Period for compulsory purchase of lands.

7.—Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the Company any easement right or privilege (not being an easement right or privilege of water in which persons other than the grantors have an interest) required for the purposes of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and rent-charges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

Power to owners to grant easements &c.

Extension of
time for
construction of
the railway
authorised by
the Cambrian
Railways Act
1901.

8.—The period limited by the Cambrian Railways Act 1901 for the completion of the railway by that Act authorised is hereby extended for a period of three years from the second day of July one thousand nine hundred and six and Section 10 of the said Act of 1901 shall be read and construed as if the period by this Act limited for the completion thereof had been the period limited by that Act. 5

If the said works be not completed within the said period of three years then on the expiration of that period the powers by the said Act of 1901 and this Act respectively granted to the Company for making and completing the same respectively or otherwise relating thereto shall cease except as to so much thereof respectively as shall then be completed. 10

For better
prevention of
trespass on
railways of the
Company.

9.—Any person who shall trespass upon any of the lines of railway now or hereafter belonging or leased to or worked by the Company solely or in conjunction with any other company or companies shall on conviction be liable to a penalty not exceeding forty shillings and the provisions of the Railways Clauses Consolidation Act 1845 with respect to the recovery of damages not specially provided for and of penalties and to the determination of any other matters referred to justices shall apply to this enactment Provided that no person shall be subject to any penalty under this enactment unless it shall be proved to the satisfaction of the justices before whom complaint is laid that by notices painted on boards or printed on paper and pasted on boards or enamelled on metal or otherwise as the Company may think fit and clearly exhibited public warning has been given to persons not to trespass upon the railway and that one or more of such notices has been affixed at the station on that railway and at the public road level crossing (if any) nearest to the spot where such trespass is alleged to have been committed and such warning shall be renewed as often as the same shall be obliterated or destroyed and no penalty shall be recoverable unless such warning is so placed and renewed Provided also that no person lawfully crossing any such railway at any level crossing thereof shall be liable to any such penalty as aforesaid And provided lastly that this enactment shall not interfere with but shall be subject to any future general enactment on the subject of trespassing on railways. 20
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10.—The Company may apply to the purposes of this Act any portion of the moneys which they are authorised to raise under the Act of 1896 by the creation and issue of D debenture stock and which may not be required for the purposes to which such debenture stock was by that Act and the Cambrian Railways Act 1901 and the Cambrian Railways (Mid Wales Railway Amalgamation &c.) Act 1904 or either of those Acts made specially applicable.

Application of
"D" debenture
stock to
purposes of Act.

11.—No interest or dividend shall be paid out of any share or loan capital which the Company are by this or any other Act authorised to raise to any shareholder on the amount of the calls made in respect of the shares held by him but nothing in this Act shall prevent the Company from paying to any shareholder such interest on money advanced by him beyond the amount of the calls actually made as is in conformity with the Companies Clauses Consolidation Act 1845.

Interest not to
be paid on calls
paid up.

12.—The Company shall not out of any money by this Act authorised to be raised by them pay or deposit any sum which by any Standing Order of either House of Parliament now or hereafter in force may be required to be deposited in respect of any application to Parliament for the purpose of obtaining an Act authorising the Company to construct any other railway or to execute any other work or undertaking.

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

13.—Nothing in this Act contained shall exempt the Company or their railways from the provisions of any general Act relating to railways or the better and more impartial audit of the accounts of Railway Companies passed before or after the commencement of this Act or from any future revision or alteration under the authority of Parliament of the maximum rates of fares and charges or of the rates for small parcels authorised to be taken by the Company.

Provisions as to
general
Railway Acts.

14.—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.

Costs of Act.

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A C T

To authorise the Cambrian Railways Company to acquire additional Lands and to extend the time for the completion of the Railway authorised by the Cambrian Railways Act 1901; and for other purposes.

[*Royal Assent, 20th July, 1906.*]

6 EDW. VII.—SESSION 1906.

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