



ANNO VICESIMO QUINTO & VICESIMO SEXTO

# VICTORIÆ REGINÆ.

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## *Cap. clxxvi.*

An Act for authorizing the *Aberystwith and Welsh Coast Railway Company* to make and maintain additional Lines of Railway, and to reclaim Lands near to their Lines of Railway; and to raise further Monies; and for other Purposes.

[29th July 1862.]

**W**HEREAS by the "*Aberystwith and Welsh Coast Railway Act, 1861,*" (in this Act called "*the Act of 1861,*") the *Aberystwith and Welsh Coast Railway Company* (in this Act called "*the Company*") were authorized to make and maintain the several Railways in that Act specified, and which several Railways are together the Company's Railway, and were authorized to raise a Capital of Four hundred thousand Pounds by Shares, and to borrow not exceeding One hundred and thirty-three thousand Pounds: And whereas it is expedient that the Company be entitled to make and maintain the additional Lines of Railway, and the Pier and other Works by this Act authorized: And whereas Plans and Sections of the intended Lines of Railway and Pier showing the Lines and Levels thereof, and the Lands to be taken for the Purposes thereof, and Books of Reference to the Plans specifying 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 *Merioneth, Cardigan,* and *Carnarvon* respectively, and those Plans, Sections, and Books

24 & 25 Vict.  
c. clxxxi.

[*Local.*] 28 S of

*Aberystwith and Welsh Coast Railway Act, 1862.*

of Reference are in this Act referred to as the deposited Plans, Sections, and Books of Reference: And whereas it is expedient that the Company be authorized to acquire by Agreement flooded and other Waste Lands near to their Lines of Railway, and to reclaim and sell the same: And whereas it is expedient that the Company be authorized to raise further Monies: 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 Act, 1862.*"

8 & 9 Vict.  
c. 18. and  
23 & 24 Vict.  
c. 106. incor-  
porated.     **2.** "The Lands Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Acts Amendment Act, 1860," (save so far as any of the Sections or Provisions of those Acts respectively are expressly excepted or varied by this Act,) are respectively incorporated with this Act.

8 & 9 Vict.  
c. 20. incor-  
porated.     **3.** "The Railways Clauses Consolidation Act, 1845," (save so far as any of the Sections or Provisions thereof are expressly excepted or varied by this Act,) is incorporated with this Act, and applies to the Railway by this Act authorized, and the Works and Conveniences connected therewith; and the Provisions thereof "with respect to the temporary Occupation of Lands near the Railway during the Construction thereof" apply also to the Pier by this Act authorized, and the Works and Conveniences connected therewith, as if the Pier were Part of the Railway.

10 & 11 Vict.  
c. 27. incor-  
porated.     **4.** "The Harbours, Docks, and Piers Clauses Act, 1847," save so far as any of the Sections or Provisions thereof are expressly excepted or varied by this Act, is incorporated with this Act, and applies to the Pier by this Act authorized, and the Works and Conveniences connected therewith; provided that the several Clauses and Provisions of "The Harbours, Docks, and Piers Clauses Act, 1847," with respect to Lifeboats, and with respect to keeping a Tide and a Weather Gauge respectively, shall not be obligatory on the Company unless and until or further than the Admiralty, by Notice in Writing under the Hand of the Secretary to the Admiralty, so require.

Parts of  
8 & 9 Vict.  
c. 16. incor-  
porated.     **5.** The following Provisions of "The Companies Clauses Consolidation Act, 1845," are 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

*Aberystwith and Welsh Coast Railway Act, 1862.*

With respect to the Forfeiture of Shares for Nonpayment of Calls:

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.

6. The several Words and Expressions to which by the Acts wholly or in part incorporated with this Act the same respective Meanings unless excluded by the Subject or Context.

Same Meanings to Words in incorporated Acts and this Act

7. For the Purposes of the several Railways, Pier, and Works by this Act authorized, and subject to the Provisions of this Act, the Company from Time to Time may enter upon, take, and use such of the Lands shown on the deposited Plans and specified in the deposited Books of Reference as they think requisite, or may by Agreement purchase, take, and use any Rights, Easements, or Privileges in or affecting those Lands or any of them, and without taking any other Estate or Interest therein.

Powers to take and use Lands for Works authorized by Act.

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

Powers for compulsory Purchases limited.

9. The Company from Time to Time may purchase, but only by Agreement, for the extraordinary Purposes expressed in "The Railways Clauses Consolidation Act, 1845," and "The Harbours, Docks, and Piers Clauses Act, 1847," respectively, and in addition to the other Lands which they are authorized to purchase, any Quantity of Land adjoining or near to the Railway not exceeding in the whole Five Acres, and adjoining or near to the Pier not exceeding Three Acres.

Lands for extraordinary Purposes.

10. For the Purposes of the Reclamation of Lands by this Act authorized the Company from Time to Time, within Ten Years after the passing of this Act, but only by Agreement, may enter upon, take, and use any flooded unenclosed waste or other Lands contiguous to the Railways and Works of the Company, or any Part thereof, (in this Act referred to as the Lands to be reclaimed,) whether belonging to Her Majesty in right of Her Crown, or to any Corporations, Public Bodies, or Persons, and which Her Majesty, Her Heirs and Successors, and they or such Corporations, Public Bodies, and Persons respectively, are from Time to Time willing to sell or dispose of to the Company.

Power for Company to purchase by Agreement flooded, &c. Lands near to Railway to be reclaimed.

11. The Company shall not so enter upon, take, or use any of the Lands to be reclaimed belonging to Her Majesty in right of Her Crown without the previous Consent in Writing of Her Majesty's Commissioners of Woods, Forests, and Land Revenues, or One of them, and which Consent they or he may give on such Terms and Conditions as they or he shall think fit.

Restriction as to Purchase of Lands of the Crown.

12. If

*Aberystwith and Welsh Coast Railway Act, 1862.*

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

**12.** 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 Creek or Bay or navigable River belonging to Her Majesty shall be inned, gained, or reclaimed from the Water, the 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 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.

Power for Company to make Works authorized by Act.

**13.** Subject to the Provisions of this Act, the Company from Time to Time may make in the Lines and according to the Levels shown on the deposited Plans and Sections, and in and upon the Lands shown on the deposited Plans and specified in the deposited Books of Reference, the several Works shown on the deposited Plans and by this Act authorized.

Works authorized by this Act.

**14.** 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 and Pier, with all proper convenient Sidings, Stations, Approaches, Viaducts, Bridges, Buildings, and other Works and Conveniences connected therewith; (that is to say,)

A Railway (No. 6) commencing by a Junction with the Railway (No. 3) by the "Act of 1861" authorized in the Parish of *Llangelynin* otherwise *Celynin*, passing thence through or into and terminating in the Parish of *Dolgelly*, both in the County of *Merioneth*:

A Railway (No. 7) commencing by a Junction with the Railway (No. 4) by the "Act of 1861" authorized in the Parish of *Ynyscynhaiarn*, passing thence through or into the several Parishes, Townships, and Places following, or some of them; (that is to say,) *Ynyscynhaiarn*, *Portmadoc*, *Tremadoc*, *Penmorfa*, *Trestlys*, *Criccieth*, *Llanystymdwy*, *Llanarmon*, *Abereirch*, *Denio*, and *Pwllheli*, and terminating in the Parish of *Abereirch*, all in the County of *Carnarvon*:

A Railway (No. 8) commencing by a Junction with the Railway (No. 7) in the Parish of *Abereirch*, passing thence through or into the several Parishes, Townships, and Places following, or some of them; (that is to say,) *Abereirch*, *Denio*, *Pwllheli*, *Llanor*, *Penrhos*, *Llanfihangel*, *Bachellaeth*, *Boduan*, *Ceidio*, *Llandudwen*, *Edeyrn*, *Nevin*, and *Porthdinlleyn*, and terminating in the Parishes of *Edeyrn* and *Nevin*, or One of them, all in the County of *Carnarvon*:

A Pier upon the Sea Beach near the Rock called *Careg-yr-af* in connexion with and in extension of the Railway (No. 9), commencing by a Junction with that Railway at the Termination thereof at *Porthdinlleyn* Harbour, and extending thence in a Seaward or Westerly Direction about Fifty Yards, with Lines of Rail upon the Pier in connexion with the Company's Railway.

**15.** In

*Aberystwith and Welsh Coast Railway Act, 1862.*

15. In the Execution of the Works by this Act authorized the Company may deviate from the Lines shown on the deposited Plans within the Limits of Deviation shown thereon. Lateral Deviations.

16. In carrying the several Roads, numbered respectively on the deposited Plans as follows, 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.

Railway on which Road is situate.	No. on Plans.	Parish.	Description of Road.	Span of Bridge or Arch.
Railway No. 3 on Plan, and in Act No. 7.	43	Ynyscynhaiarn -	Turnpike Road -	28 Feet Span, 15 Feet high.
" "	29	Llanystumdwy -	Public Road -	20 Feet Span, 15 Feet high.
" "	4	Abereirch - -	Public Road -	20 Feet Span, 14 Feet high.
" No. 4. on Plan, and in Act No. 8.	14	Llanor - -	Public Road -	20 Feet Span, 15 Feet high.

17. Subject to the Provisions of this Act, the Company may make and maintain the Railway with not more than a single Line of Railway so long as the Railway shall be a single Line, and with not more than a double Line of Railway if the Railway shall at any Time hereafter be made a double Line, across and on the Level of the following Roads : Level Crossings.

Railway on which Road is situate.	No. on Plans.	Parish.	Description of Road.
Railway No. 3 on Plan, and in Act No. 7.	23	Ynyscynhaiarn - -	Public Road.
" "	44	Criccieth - - -	Ditto.
" "	49a	Abereirch - - -	Ditto.
Railway No. 4 on Plan, and in Act No. 8.	5	Penrhos - - -	Turnpike Road.

18. It shall not be lawful in shunting any Engine, Carriage, Truck, or Train to allow the Engine, Carriage, Truck, or Train to pass over the level Crossing, or to allow any Carriage, Truck, or Train to stand across the level Crossing. Trains not to be shunted on level Crossings.

19. For the greater Convenience and Security of the Public the Company shall erect and permanently maintain a Lodge at a Point where the Railway crosses any of those Roads on the Level, and the Company shall be subject to and abide by all Rules and Regulations with respect to the crossing of such Road on the Level, or with respect to the Speed at which Trains shall pass the Road, as are from Time to Time made by the Board of Trade; and if the Company fail to erect Company to erect a Lodge at Point of crossing and abide by Rules, &c. of Board of Trade.

*Aberystwith and Welsh Coast Railway Act, 1862.*

or at all Times maintain the Lodge, or to appoint a proper and competent Person to watch and superintend the level Crossing, or to observe or abide by the Rules and Regulations so made, they shall for every such Offence be liable to a Penalty of Twenty Pounds, and also to a daily Penalty of Ten Pounds for every Day the Offence continues after the Penalty of Twenty Pounds is incurred.

Bridge instead of level Crossings.

**20.** The Board of Trade, if it appear to them necessary for the public Safety, may at any Time either before or after the Railway is completed and opened for public Traffic, require the Company within such Time as the Board of Trade direct, and at the Expense of the Company, to carry any of the said Roads either under or over the Railway by means of a Bridge or Arch instead of crossing the same on the Level, or to execute such other Works as under the Circumstances appear to the Board of Trade best adapted for removing or diminishing the Danger arising from the level Crossing.

Works on Pier.

**21.** The Company from Time to Time may lay down, alter, renew, maintain, and use upon and in connexion with the Pier by this Act authorized, or any Part thereof, not only Lines of Rails, but also all such Turntables, Cranes, Lifts, Drops, and other Conveniences for working Traffic thereon as the Company from Time to Time find expedient.

Lights and Beacons.

**22.** Subject to the Provisions of "The Merchant Shipping Act, 1854," the Company from Time to Time, with the Sanction of the *Trinity House*, may provide, maintain, and discontinue such Lights and Beacons as they think requisite for any of the Purposes of this Act.

Previously to commencing certain Works, Plans, &c. to be deposited at the Admiralty.

**23.** Previously to commencing any Bridge or Viaduct over the Low-water Channel of *Pwllheli* Harbour, or the Pier near *Careg-yr-af* Rock, or any Work whatsoever interfering with the River *Mawddoch*, or with the Waters of *Cardigan Bay*, *Barmouth* Estuary, or *Pwllheli* Harbour, or any of them, the Company shall deposit at the Admiralty Office Plans, Sections, and Working Drawings of each of the said Bridges, and of the said Pier and Works, for the Approval of the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral aforesaid, such Approval to be signified in Writing under the Hand of the Secretary of the Admiralty, and every such Bridge, Pier, and Work shall be constructed only in accordance with such Approval; and when any such Bridge, Pier, or Work shall have been commenced or constructed, it shall not be lawful for the Company at any Time to alter or extend the same without obtaining, previously to making any such Alteration or Extension, the like Consent or Approval; and if any such Bridge, Pier, or Work shall be commenced or completed, or be altered, extended, or constructed, contrary to the Provisions of this Act, it shall be lawful for the said Lord High Admiral, or the said Commissioners for executing the Office of Lord High Admiral, to abate, alter, and remove the same, and to restore the Site

*Aberystwith and Welsh Coast Railway Act, 1862.*

Site thereof to its former Condition, at the Cost and Charge of the Company, and the Amount thereof shall be a Debt due from the Company to the Crown, and be recoverable accordingly, with Costs of Suit, or may be recovered, with Costs, as a Penalty is or may be recoverable from the Company.

24. During the Construction of the said Bridge or Viaduct over the Low-water Channel of *Pwllheli* Harbour the Company shall cause to be hung out or exhibited every Night from Sunset to Sunrise Lights, to be kept burning by and at the Expense of the Company, for the Navigation and safe Guidance of Vessels, and for ever after the Completion of each of the said Bridges the Company shall cause to be hung out or exhibited upon or near to the Centre of the said Bridge every Night from Sunset to Sunrise a good and sufficient Light, to be kept burning by and at the Expense of the Company, for the Navigation and safe Guidance of Vessels, and which Lights shall be from Time to Time altered by the Company in such Manner, and be of such Description, and be so used and placed, as the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral shall, by Writing under the Hand of the Secretary of the Admiralty, approve of; and in case the Company shall neglect to exhibit and keep any of such Lights burning as aforesaid they shall forfeit and pay for every such Neglect the Sum of Ten Pounds.

During the Construction of Bridge over Low-water Channel of *Pwllheli* Harbour Lights to be kept burning from Sunset to Sunrise.

25. Where any of the Railways cut off or will cut off Access between the Land and Water the Company shall during the Formation of the several Lines of Railways, and from Time to Time thereafter, make and for ever maintain and allow to be used by all Persons and at all Times, free of Toll or other Charge, all such Footways and Carriageways over, under, or across the Railways or on a Level therewith, as the said Lord High Admiral or the said Commissioners shall at any Time or from Time to Time require, such Requirement to be signified in Writing under the Hand of the Secretary of the Admiralty: Provided always, that the Company shall not be required to make such Footways or Carriageways in such a Manner as would prevent or obstruct the working or using of the Railways, nor to make any such Footways or Carriageways over any Lands for the Use of Owners and Occupiers who shall have agreed to receive and shall have been paid Compensation for the Severance of such Lands from the Shore: Provided also, that the Expense of making and maintaining such Footways or Carriageways shall be defrayed by the Body or Persons interested in the Shore for whose Benefit or Convenience such Crossing shall be required, and if any such Carriageway be made across the Railways on the Level, then the Manner of making and watching such level Crossing shall be subject to the Approval of the Board of Trade, and all Expenses attending the watching of such level Crossing shall in like Manner be paid by the Body or Persons interested in the Shore for whose Benefit or Convenience such level Crossing shall have been made.

Where any of the Railways cut off Access between the Land and Water Company to make Communications across the Railways.

26. Where

*Aberystwith and Welsh Coast Railway Act, 1862.*

Where Railways skirt the Shore no Deviation to be made Seaward or Riverward without the previous Consent of the Admiralty.

**26.** Where any of the Railways skirt the Shore of any Sea, Harbour, Bay, River, or Estuary, the Railways and other Works shall not deviate Riverward or Seaward from the continuous Centre Line of Way marked on the Plans deposited at the Admiralty without the previous Consent of the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral, to be signified in Writing under the Hand of the Secretary of the Admiralty, and then only in such Manner as may be mentioned in any such Consent.

If any such Deviation is made without Consent Admiralty may abate and remove the same at Expense of Company.

**27.** If any Deviation which requires the previous Consent of the said Lord High Admiral or the said Commissioners be made without such Consent, it shall be lawful for the said Lord High Admiral or the said Commissioners to abate every such Deviation or any Part thereof, and the Cost of every such Abatement shall be a Debt due from the Company to the Crown, and be recoverable accordingly, with Costs of Suit, or may be recovered, with Costs, as a Penalty is or may be recoverable from the Company.

Admiralty may order a local Survey at Expense of Company.

**28.** If at any Time or Times it shall be deemed expedient by the Lord High Admiral of the United Kingdom, or the Commissioners for executing the Office of Lord High Admiral, to order a local Survey and Examination of any Works of the Company in, over, or affecting any tidal or navigable Water or River, or of the intended Site thereof, the Company shall defray the Costs of every such local Survey and Examination, and the Amount thereof shall be a Debt due to Her Majesty from the Company, and if not paid upon Demand may be recovered as a Debt due to the Crown, with the Costs of Suit, or may be recovered, with Costs, as a Penalty is or may be recoverable from the Company.

Works affecting tidal Waters abandoned may be removed by Admiralty at Expense of Company.

**29.** If any Work to be constructed by the Company in, under, over, through, or across any tidal Water or navigable River, or if any Portion of any Work which affects or may affect any such Water or River or Access thereto, shall be abandoned or suffered to fall into Disuse or Decay, it shall be lawful for the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, to abate and remove the same, or such Part or Parts thereof as he or they may at any Time or Times deem fit and proper, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Company, and the Amount thereof shall be a Debt due from the Company to the Crown, and if not paid upon Demand may be recovered as a Debt due to the Crown, with the Costs of Suit, or may be recovered, with Costs, as a Penalty is or may be recoverable from the Company.

Period for Completion of Works.

**30.** The Railways and Pier by this Act authorized and shown on the deposited Plans shall be completed within Five Years after the passing of this Act, and on the Expiration of that Period the Powers of the Company for making the same, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as is then completed.

**31.** Whereas



*Aberystwith and Welsh Coast Railway Act, 1862.*

31. Whereas pursuant to the Standing Orders of both Houses of Parliament, and to the Act of the Session of the Ninth and Tenth Years of Her present Majesty, Chapter Twenty, a Sum of Twenty thousand Pounds, being *Eight per Centum* upon the Amount of the Estimate in respect of the Railway by this Act authorized, has been deposited with the Court of Chancery with respect to the Application to Parliament for this Act: Therefore, notwithstanding anything in that Act, the Sum of Twenty thousand Pounds so deposited, or the Interest or Dividends thereof, shall not, except upon the Execution and Deposit of such a Bond as in this Section mentioned, be paid or transferred to or on the Application of the Person or Persons or the Majority of Persons named in the Warrant or Order lodged in pursuance of that Act, or the Survivors or Survivor of them, unless the Company before the Expiration of the Period limited for the Completion of the Railway either open the Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Board of Trade that the Company have paid up One Half of the Amount of the Capital by this Act authorized to be raised by Shares, and have expended for the Purposes of this Act a Sum equal in Amount to that One Half; and if the Period expire before the Company either open the Railway for the public Conveyance of Passengers, or give the Proof to the Satisfaction of the Board of Trade, the Sum so deposited, and the Interest and Dividends thereof, shall immediately from and after the Expiration of that Period be forfeited to Her Majesty, and be paid and transferred by the Officer or Person in whose Name they are then deposited or invested to the Account of Her Majesty's Exchequer, and when so paid and transferred shall be carried to and form Part of the Consolidated Fund of the United Kingdom: Provided that at any Time after the passing of this Act if a Bond in twice the Amount of that Sum of Twenty thousand Pounds be executed by the Company, with One or more Sureties, (the Bond to be prepared to the Satisfaction of, and the Surety or Sureties to be approved by, the Solicitor to the Treasury,) conditioned for Payment to Her Majesty, Her Heirs or Successors, of the Sum of Twenty thousand Pounds if the Company do not, within the Time limited for the Completion of the Railway, either open the Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Board of Trade that the Company have paid up One Half of the Amount of the Capital by this Act authorized to be raised by Shares, and have expended for the Purposes of this Act a Sum equal in Amount to One Half of that Capital, and if the Bond be deposited with the Solicitor to the Treasury, then that Sum of Money, and the Interest or the Dividends thereof, shall be paid to or on the Application of the Person or Persons or the Majority of the Persons named in the Warrant or Order, or the Survivors or Survivor of them, and it shall not be necessary to produce any Certificate of this Act having passed; and the Monies recovered on the Bond shall be dealt with in like Manner as the deposited Sum of Money, and the Interest or Dividends thereof, would be dealt with under this Act if the Bond were not so executed or deposited; and

Deposit in Court of Chancery to be forfeited to the Crown in a certain Event.

*Aberystwith and Welsh Coast Railway Act, 1862.*

the Certificate of that Solicitor that the Bond has been so executed and deposited, and the Certificate of the Board of Trade that the Proof has been given to their Satisfaction, shall respectively be sufficient Evidence of the Facts so certified.

Company's  
Lines of  
Railway to  
be Aber-  
ystwith and  
Welsh Coast  
Railway.

**32.** The several Lines of Railway by the "Act of 1861" and this Act respectively authorized, including the Lines of Railway on the Pier, shall together form the *Aberystwith and Welsh Coast Railway*, and shall be the Company's Railway.

Power for  
Company to  
make and  
maintain  
Works for  
Reclamation  
of Lands to  
be reclaimed.

**33.** With respect to such of the Lands to be reclaimed as the Company from Time to Time acquire for the Reclamation Purposes of this Act the Company from Time to Time, within Ten Years after the passing of this Act, may enclose, drain, and reclaim the same, and in order thereto may make, maintain, and use in and upon the same, and any other Lands of the Company adjoining or near thereto, all such Banks, Fences, Ditches, Drains, Cuts, Watercourses, Dams, Sluices, Hatches, Ways, Engines, Machinery, Apparatus, and other Works and Conveniences whatsoever as they think fit, and may do all other Things proper for the Reclamation of the Lands to be reclaimed.

Company to  
sell Lands  
when re-  
claimed.

**34.** Provided, That whenever any Quantity not less than Thirty Acres of the Lands to be reclaimed is enclosed, drained, and reclaimed, and rendered fit for Cultivation or other Use, the Company shall, by proper and sufficient Bound-stones or other Marks, distinguish it from the Lands adjoining thereto, and within Ten Years thereafter shall sell, as superfluous Land of the Company, so much thereof as they do not require for any Purposes of their Undertaking.

Appoint-  
ment of  
Pier-master  
and other  
Officers.

**35.** The Company from Time to Time may appoint and remove such Pier-master, Weighers, Meters, Collectors, Constables, Officers, and Servants as the Company deem requisite for the Execution of any of the Purposes of this Act, and may determine their respective Remuneration, Duties, and Regulation.

Power to  
Constables  
to go on  
board Ves-  
sels at Pier.

**36.** Every Constable appointed by the Company, having just Cause to suspect that any Felony has been or is about to be committed on board any Vessel at the Pier, may enter at all Times, as well by Night as by Day, into and upon every such Vessel, and may search the same, and may take all necessary Measures for the effectual Prevention or Detection of all Felonies which he has just Cause to suspect have been or are about to be committed, and may apprehend and detain all Persons suspected to be concerned in the Felonies, and also all Property suspected to be feloniously stolen, and may produce the same before some Justice.

Tolls for  
Railway.

**37.** The Company from Time to Time may demand and take, in respect of the Parts by this Act authorized of the Company's Railway, the same Tolls, Fares, Rates, and Charges as by the "Act of 1861" they are authorized to demand and take in respect of the Parts thereof  
by

*Aberystwith and Welsh Coast Railway Act, 1862.*

by that Act authorized: Provided that the maximum Tolls, Fares, Rates, and Charges shall in no Case exceed the Maximum prescribed by the "Act of 1861;" provided also, that for estimating Tolls, Fares, Rates, and Charges, the several Lines of Railway forming together the Company's Railway shall be regarded as being One continuous Line of Railway, and as if the Railways authorized by this Act had been authorized by the Act of 1861.

**38.** Except as is by this Act otherwise provided, the Pier shall for all Purposes of Tolls, Fares, Rates, and Charges be deemed to be Part of the Company's Railway, and forming therewith One continuous Line of Railway. Pier Tolls.

**39.** In addition to the several other Tolls, Fares, Rates, and Charges which the Company from Time to Time may demand and take in respect of the Pier, they may demand and take in respect of the landing at and embarking from the Pier of all Persons, Animals, and Things the like Amount of Tolls as by this Act they are empowered to demand and take in respect of the Conveyance of like Passengers, Animals, and Things on the Company's Railway for a Distance of only One Mile. Tolls for Railway on Pier.

**40.** In addition to the other Sums which the Company are by this Act authorized to demand and take, they may demand and take any Rates not exceeding the following; (that is to say,) Rates for Use of Pier, Cranes, &c.

First, for the Shipment by the Company of Slate and Minerals by means of Drops or other Machinery at the Pier, any Sum not exceeding Twopence a Ton:

Secondly, for the weighing by the Company at or near to the Pier of Slate or other Minerals (including the Use of other Weighing Machines), any Sum not exceeding One Farthing a Ton:

Thirdly, for the Use of the Pier and for the Use at or near to the Pier of Drops or other Machinery or Apparatus, and for the landing, shipping, or moving by the Company at, on, and from the Pier of all Things except Slates and Minerals and of all Animals, and for the warehousing and safe keeping at or near to the Pier of any Things warehoused by or deposited with or in Custody of the Company, and for any other Machinery, Accommodation, or Services provided or rendered by the Company with respect to the Pier, such Rates as are from Time to Time agreed on, or, if not agreed on, as are usual and reasonable; provided that those Rates respectively shall be at all Times charged equally to all Persons in respect of like Vessels, Things, Machinery, Accommodation, or Services.

**41.** The Company may receive for shipping, unshipping, landing, relanding, loading, weighing, and depositing in Warehouses Animals and Things whatsoever shipped or landed at the Pier or Warehouse by the Company, and for other Work or Labour performed by them in respect thereof, such reasonable Rates as they from Time to Time direct, so that Rates for landing and shipping Goods, &c.  
the

*Aberystwith and Welsh Coast Railway Act, 1862.*

the same do not exceed the Rates then usually paid in respect thereof in the Port of *London*, and which Rates shall be recoverable by the Company as other Rates under this Act.

Exemption of Officers of Customs from Pier Tolls, &c.

**42.** All Officers of Customs, being in the Execution of their Duty, may have free Ingress and Egress to and from, and freely pass over and land at and embark from, the Pier at all Times, without any Payment for so doing.

Traffic not to be obstructed.

**43.** The Company shall not obstruct the Conveyance of Passengers, and the Receipt, Conveyance, and Delivery of Goods, arriving at or passing over or destined for any Portion of their Railway or Stations connected therewith, or for any Place beyond their Railway, or divert such Traffic from the shortest and most convenient Route for the Conveyance thereof, and the Company shall afford all reasonable and equal Facilities to all Companies whose Lines join the Railway of the Company, or to any Company or Person desirous of using the same, for the Conveyance of the Traffic over the Railway of the Company or any Part thereof.

Sections of 66 and 67 of 24 & 25 Vict. c. clxxxi. to apply to this Act.

**44.** The Provisions of Sections Sixty-six and Sixty-seven of the "Act of 1861" extend and apply to the Railway, Pier, and Works by this Act authorized.

Power to raise additional Capital by Shares.

**45.** For the Purposes of this Act the Company from Time to Time may raise, by the Creation and Issue of new Shares, an additional Capital of Two hundred and fifty thousand Pounds.

Power to cancel unissued new Shares.

**46.** If, after having created any new Shares, the Company determine not to issue the whole of the new Shares, they may cancel the unissued new Shares, and from Time to Time thereafter may create and issue instead thereof other new Shares of an aggregate Amount not exceeding the aggregate Amount of the new Shares so cancelled.

Power to cancel forfeited Shares.

**47.** Where any Share of the Capital of the Company issued under this Act is declared forfeited, and the Forfeiture is confirmed by a General Meeting of the Company in accordance with the Provisions of "The Companies Clauses Consolidation Act, 1845," and Notice of the Forfeiture is given by Advertisement in the *London Gazette* and in some *London Daily Morning Newspapers*, and if the Directors are unable to sell the Share for a Sum equal to the Arrears of Calls and Interest and Expenses due in respect thereof, then at any General Meeting of the Company held after an Interval of at least Two Months after the Notice is given, and if Payment of all Arrears of Calls and Interest and Expenses due on the Share is not made by or on behalf of the registered Owner before the Meeting is held, the Company may resolve and direct that the Share instead of being sold be cancelled, and the Share shall thereupon be cancelled accordingly, provided that no Money shall be paid by the Company for any such Surrender.

**48.** A Decla-

*Aberystwith and Welsh Coast Railway Act, 1862.*

**48.** A Declaration in Writing made by some credible Person before a Justice, stating that a Sum of Money sufficient to pay the Arrears of Calls, and Interest and Expenses, in respect of the Share could not be obtained for the same at the Time of the Cancellation thereof, shall be Evidence of the Fact therein stated. Evidence for Cancellation.

**49.** Where it is so resolved that any Share shall be cancelled, the Owner thereof, on and after the passing of the Resolution, shall be precluded from all Right and Interest in the Share; but the Cancellation thereof shall not affect the Liability of the last registered Holder thereof to pay to the Company the Arrears of Calls, and Interest and Expenses, due in respect thereof at the Time of the Cancellation thereof, or the Powers of the Company to enforce Payment thereof by Action or other legal Proceeding. Shareholders liable to pay Calls, &c. notwithstanding Cancellation.

**50.** Provided, That the Value of the Share at the Time of Cancellation thereof shall be deducted from the Amount so then due; provided also, that if Payment of all the Arrears of Calls, and Interest and Expenses, be made before the Meeting, the Share shall revert to the Person who was the registered Holder thereof at the Time of the Forfeiture thereof, and shall be so re-entered on the Register. Value of Share to be deducted, &c.

**51.** Where any Share in the Company is declared forfeited, or where any Sum payable on any Share remains unpaid, the Company, with the Consent in Writing of the registered Holder of the Share, and with the Sanction of a General Meeting, may resolve that the Share shall be cancelled, and all Liabilities and Rights with respect to the Share shall thereupon be absolutely extinguished, provided that no Money shall be paid by the Company for any such Cancellation. Power to cancel forfeited Shares with Consent of Holders.

**52.** Where the Company under any of the Provisions of this Act cancel any issued Shares, they from Time to Time thereafter may create and issue, instead of the Shares so cancelled, new Shares of an aggregate Amount not exceeding the aggregate Amount of what remained unpaid on the Shares so cancelled. Power to issue new Shares instead of issued Shares cancelled.

**53.** If at the Time of issuing any new Shares under this Act the then ordinary Shares of the Capital of the Company are at a Premium, then, unless the Company before the Issue of the new Shares otherwise determine, the new Shares to be then issued shall be of such Amount as will conveniently allow the same to be apportioned among the then Shareholders in proportion as nearly as the Company find convenient to the original Shares held by them respectively, and shall be offered to them at Par in that Proportion. If Shares at a Premium new Shares to be offered to existing Shareholders.

**54.** Provided, That it shall not be obligatory on the Company so to apportion or offer any new Shares unless the Amount of any new Share, if so apportioned, would be at least Ten Pounds. Company not obliged to apportion Shares if less than 10*l.* each.

**55.** Every such Offer of new Shares shall be made by Letter under the Hand of the Treasurer or Secretary of the Company given to every Offer to be made by Letter.

*Aberystwith and Welsh Coast Railway Act, 1862.*

Shareholder entitled to the Offer, or sent by Post addressed to him according to his Address in the Shareholders Address Book, or left for him at his usual or then last known Place of Abode in *England*; and every such Offer sent by Post shall be considered as made on the Day on which the Letter in due Course of Post ought to be delivered at the Place to which it is addressed.

New Shares to vest in accepting Shareholders.

**56.** The new Shares so offered shall vest in and belong to the ordinary Shareholders who accept them, or their Nominees.

Disposal of new Shares to others.

**57.** Where any such Shareholder fails for One Month after the Offer to him of the new Shares to accept the same, the Company may dispose of the Shares so offered and unaccepted, and to any other Persons.

Enlargement of Time for accepting Shares.

**58.** Provided, That where any such Shareholder, from Absence abroad or other Cause satisfactory to the Directors, omit to signify within the Time by this Act limited his Acceptance of the new Shares offered to him, the Directors, if they think fit, but not otherwise, may permit him to accept them notwithstanding the Time has elapsed.

General Power to dispose of new Shares.

**59.** Except as is by this Act provided with respect to offering new Shares to Shareholders, the Company from Time to Time may dispose of the new Shares to such Persons and on such Terms and Conditions as the Directors think most advantageous to the Company, but only as ordinary Shares: Provided always, that nothing in this Act contained shall authorize the Company to issue any Shares at a Discount.

Votes and Qualifications in respect of new Shares.

**60.** Except as the Company from Time to Time before the Issue of any new Shares created under this Act otherwise determine with respect to the new Shares to be then issued, all new Shares from Time to Time issued under this Act shall, in proportion to the Amount from Time to Time paid up thereon, confer like Right of voting Qualifications and other Privileges as Shares of the Company's original Capital.

Power to borrow on Mortgage.

**61.** The Company from Time to Time may borrow on Mortgage for the Purposes of their Undertaking, and in addition to the other Sums which they are authorized to borrow, any Sums not exceeding in the whole Eighty-three thousand three hundred Pounds: Provided that the Company shall not so borrow any Part of that Sum until the whole of the additional Capital of Two hundred and fifty thousand Pounds by this Act authorized to be raised by them by new Shares is subscribed for or taken, (and the Shares thereof are registered in the Books of the Company in the Names of Holders thereof legally entitled thereto, and legally liable to pay up the Amount thereof from Time to Time unpaid, and One Half of the Amount of that Capital is actually paid up,) and the Justice who certifies in that Behalf shall be satisfied thereof.

Priority of existing Mortgages.

**62.** All Mortgages already granted by the Company and now in force shall during the Continuance thereof respectively have Priority over all Mortgages granted by the Company under this Act.

**63.** The

*Aberystwith and Welsh Coast Railway Act, 1862.*

**63.** The Mortgagees of the Company under this Act may enforce the Payment of 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 Five thousand Pounds.

Arrears may be enforced by Appointment of a Receiver.

**64.** The Company from Time to Time may apply for any of the Purposes of this Act any Monies raised by them by Shares or by borrowing under the "Act of 1861," and not required for Purposes for which by that Act it is made applicable, and may apply for any Purposes of their Undertaking the Monies raised by them by Shares and by borrowing under this Act.

Application of Monies.

**65.** 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 Company or the other Railway Company authorized to be raised by Shares or by borrowing, pay Interest or Dividend to any Shareholder on the Amount of Calls made in respect of his Shares: Provided that the Company or the other Railway Company may pay to any Shareholder such Interest on Money advanced by him beyond the Amount of Calls actually made as is in conformity with the Provision in that Behalf of "The Companies Clauses Consolidation Act, 1845."

Interest not to be paid on Calls paid up.

**66.** 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 Company or the other Railway Company authorized to be raised by Shares or by borrowing, pay or deposit any Sum of Money which, by any Standing Order of either House of Parliament from Time to Time in force, is required to be deposited in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing the Company or the other Railway Company to construct any Railway, or execute any other Work or Undertaking.

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

**67.** Nothing in this Act contained shall exempt any Railway 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 Rates and Charges by this Act or any other Act relating thereto respectively authorized, or the Rates for small Parcels thereby respectively authorized.

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

**68.** Except as is by this Act otherwise expressly provided for, 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 *Great Western* Company, or of the *North-western* Company, or of the *Machynlleth* Company.

Saving Rights of Companies.

**69.** Nothing in this Act contained shall in anywise alter, prejudice, affect, diminish, or take away any of the Rights, Privileges, Powers,

Saving Rights of Newtown or

*Aberystwith and Welsh Coast Railway Act, 1862.*

and Machyn-  
lleth Railway  
Company.

or Authorities of or vested in and belonging to the *Newtown and Machynlleth Railway Company* under and by virtue of "The *Aberystwith and Welsh Coast Railway Act, 1861*," or under the Agreement dated the Fifth Day of *July* One thousand eight hundred and sixty-one between *George Hammond Whalley, David Williams, William Lefeaux, Edmund Cleaton, Jasper Wilson Johns, John Powell Wilding, William Lloyd, and Richard Kyrke Penson*, of the First Part, the *Aberystwith and Welsh Coast Railway Company* of the Second Part, and the *Newtown and Machynlleth Railway Company* of the Third Part.

Saving the  
Rights of the  
Manchester  
and Milford  
Railway  
Company.

70. Provided always, That nothing in this Act contained shall alter or prejudice the Rights (if any) of the *Manchester and Milford Railway Company* under the Agreement dated the Ninth Day of *March* One thousand eight hundred and sixty-one, made between *William Chambers and Thomas Lechmere Marriott, Benjamin Piercy, and Joseph Henry Venables*, or under the Proviso in Section Thirty of the *Aberystwith and Welsh Coast Railway Act, 1861*, inserted in pursuance of such Agreement.

Saving  
Rights of the  
Crown.

71. 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 Foreshore or other 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.

Expenses of  
Act.

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

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