



ANNO DECIMO QUINTO & DECIMO SEXTO

# VICTORIÆ REGINÆ.

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## *Cap. clxvi.*

An Act for making a Railway or Tramroad from the *Aberllefenny* Slate Quarries in the Parish of *Talyllyn* in the County of *Merioneth* to the River *Dovey* in the Parish of *Towyn* in the same County, with Branches therefrom; and for other Purposes. [1st July 1852.]

**W**HEREAS the making of a Railway or Tramroad from the *Aberllefenny* Slate Quarries in the Parish of *Talyllyn* in the County of *Merioneth* to the Point herein-after mentioned on or near to the River *Dovey* in the Parish of *Towyn* in the same County, with Branches therefrom to certain Places known respectively as *Tycam* and *Tyddynyberth*, both in the said Parish of *Talyllyn*, would be of great public Advantage: And whereas the Persons herein-after named, with others, are willing, at their own Expense, to carry such Undertaking into execution; but the same 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,

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mons, in this present Parliament assembled, and by the Authority of the same, as follows ; (that is to say,)

8 & 9 Vict.  
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20. incor-  
porated with  
this Act.

I. That "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," and "The Railway Clauses Consolidation Act, 1845," shall be incorporated with and form Part of this Act, save as to such of the Provisions thereof (if any) as may be altered by or inconsistent with this Act.

Title of Act.

II. That in citing this Act in other Acts of Parliament, and in legal Instruments and Pleadings, it shall be sufficient to use the Expression, "*The Corris Machynlleth and River Dovey Railway Act, 1852.*"

Incorpora-  
tion of  
Company.

III. That Viscount *Seaham*, *Robert Davis Jones*, *John Rowlands* the younger, *Francis Johnson Ford*, *John William Rowlands*, and *David Davis*, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of making and maintaining the Railways or Tramroads herein-after described, with all proper Works and Conveniences, according to the Provisions of this Act and the Acts incorporated herewith, and for other Purposes herein and in the said Acts contained ; and for the Purposes aforesaid such Company shall be incorporated by the Name of "*The Corris Machynlleth and River Dovey Railway or Tramroad Company*," and by that Name shall be a Body Corporate, with perpetual Succession and a Common Seal, and shall have Power to purchase and hold Lands for the Purposes of the Undertaking, within the Restrictions herein and in the said Acts contained.

Capital.

IV. That, subject to the Powers of converting Loans into Capital, the Capital of the Company shall be Twelve thousand Pounds.

Shares.

V. That the Number of Shares into which the said Capital shall be divided shall be Two thousand four hundred, and the Amount of each Share shall be Five Pounds.

Calls.

VI. That One Pound *per* Share shall be the greatest Amount of any One Call which the Company may make on the Shareholders, and Four Pounds *per* Share shall be the utmost aggregate Amount of Calls that may be made in any One Year upon any Share, and Three Months at least shall be the Intervals between successive Calls.

No Interest  
to be paid on  
Calls out of  
Capital.

VII. That it shall not be lawful for the Company, out of any Money by this Act or any other Act relating to the Company authorized



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authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay Interest or Dividend to any Shareholder on the Amount of Calls made in respect of the Shares held by him in the Capital of this Act authorized to be raised: Provided always, that nothing herein-before contained shall be deemed to prevent the said Company from paying to any Shareholder such Interest or Money advanced by him beyond the Amount of the Calls actually made as shall be in conformity with the Provisions in "The Companies Clauses Consolidation Act, 1845," in that Behalf contained.

VIII. That it shall not be lawful for the said Company, out of any Money authorized to be raised for the Purposes of this Act, to deposit any Sum of Money which by any Standing Order of either House of Parliament may be required to be deposited in respect of any Application to Parliament for the Construction of any other Railway.

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

IX. That it shall be lawful for the Company to borrow on Mortgage or Bond any Sums not exceeding in the whole the Sum of Four thousand Pounds, but no Part of such Sum shall be borrowed until the whole of the said Capital shall have been subscribed for, and One Half thereof shall have been actually paid up.

Power to borrow on Bond or Mortgage.

X. That the First Ordinary Meeting of the Company shall be held within Three Months after the passing of this Act.

First Meeting.

XI. That, subject to the Provisions herein-after contained for increasing or reducing the Number of Directors, the Number of Directors shall be Seven, and the Qualification of each Director shall be the Possession in his own Right of One hundred Shares in the Undertaking.

Number and Qualification of Directors.

XII. That the Directors appointed by this Act shall continue in Office until the First Ordinary Meeting to be held after the passing of this Act, and at such Meeting the Shareholders present, personally or by Proxy, may either continue in Office the Directors appointed by this Act or any Number of them, or may elect a new Body of Directors to supply the Places of those not continued in Office, the Directors appointed by this Act being eligible as Members of such new Body.

Election of Directors at First Ordinary Meeting.

XIII. That it shall be lawful for the Company from Time to Time to increase or reduce the Number of Directors, but the whole Number of Directors after any such Increase or Reduction shall not be greater than Twelve nor less than Five.

Power to vary Number of Directors.

XIV. That

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First Directors.

XIV. That Viscount *Seaham*, *Robert Davis Jones*, *John Rowlands* the younger, *Francis Johnson Ford*, *John William Rowlands*, and *David Davis* shall be the First Directors of the Company.

Quorum of Directors.

XV. That the Quorum of a Meeting of Directors shall be Three.

Committees of Directors.

XVI. That the Number of Directors of which Committees appointed by the Directors shall consist shall not be less than Three nor more than Five, and the Quorum of such Committees shall be Two.

Line of Railway.

XVII. That it shall be lawful for the Company to make and maintain the Railways or Tramroads herein-after mentioned, with all proper Works and Conveniences; that is to say, a Railway or Tramroad commencing at or near the Engine House at *Aberllefenny* Slate Quarries in the Parish of *Talylllyn* in the County of *Merioneth*, and terminating at or near a Place known as "*Panteidal*," on or near the River *Dovey* in the Parish of *Towyn* in the same County; also a Branch Railway or Tramroad from the Line of the said intended Railway or Tramroad, commencing at or near a House or Place known as "*Aberllefenny*" in the said Parish of *Talylllyn*, and terminating at or near a House or Place known as "*Tycan*" in the same Parish; and also a Branch Railway or Tramroad from the Line of the said first-mentioned Railway or Tramroad, commencing in the said Parish of *Talylllyn* at or near the Fifth Milestone on the Turnpike Road leading from *Machynlleth* to *Dolgelly*, and terminating at or near a House or Place known as *Tyddynyberth* in the said Parish of *Talylllyn*.

Power to take Lands and make Railway.

XVIII. That, subject to the Provisions of this Act, and to the Powers of Deviation contained in "The Railways Clauses Consolidation Act, 1845," the said Railways or Tramroads shall be made in the Lines or Courses and upon the Lands and according to the Levels delineated upon the Plan and Section of the said Railways or Tramroads and the Book of Reference relating thereto which have been respectively deposited for public Inspection with the Clerk of the Peace for the County of *Merioneth*, and, subject to the Provisions in this and the said recited Acts contained, it shall be lawful for the Company to enter upon, take, and use such of the said Lands as may be necessary for the Purpose thereof.

Company not to deviate their Lines and Levels in passing through certain Lands.

XIX. Provided always, That, notwithstanding anything in this Act or in the Acts incorporated herewith contained, the Company shall not, in constructing the said Railway or Tramroad, Branch Railways or Tramroads, and Works, through any of the Lands of the Right Honourable Viscount and Viscountess *Seaham*, or either  
of



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of them, or in which they or either of them have any Estate of Freehold, deviate from the Lines or Levels of the said Railway or Tramroad, Branch Railways or Tramroads, and Works, as defined upon the Plan and Section deposited as aforesaid, without the Consent in Writing of the said Viscount and Viscountess *Seaham*, or of the Owner for the Time being of the said Lands respectively.

XX. Provided always, That, notwithstanding anything in this Act or in the Acts incorporated herewith contained, the Company shall not, in constructing the said Railway or Tramroad, Branch Railways or Tramroads, and Works, through any of the Lands of which *Rowland Evans* and *John Soden* Esquires are Trustees under the Will of *Athelstan Corbet* Esquire, deceased, deviate from the Lines or Levels of the said Railway or Tramroad, Branch Railways or Tramroads, and Works, as defined upon the Plan and Section deposited as aforesaid, without the Consent in Writing of the said *Rowland Evans* and *John Soden*, or of the Owner for the Time being of the said Lands respectively.

Company not to deviate their Lines and Levels in passing through certain other Lands.

XXI. Provided also, That it shall not be lawful for the Company to construct the said Railway through the Lands of *Charles Thomas Thruston*, forming Parts of the Farms called *Esgair, Issa, Talgarth, Glenmorfa*, and *Ynys*, in the Parishes of *Pennal* and *Towyn*, in the Black Line laid down on the said deposited Plan; but the Company shall in constructing the said Railway through the said Lands make and maintain the same in the altered Line laid down on a Copy of the said deposited Plan signed by the Right Honourable the Speaker of the House of Commons, and deposited in the Private Bill Office of the said House, and shall not, without the previous Consent in Writing of the said *Charles Thomas Thruston*, his Heirs or Assigns, for that Purpose first had and obtained, deviate the Line of the said Railway from the said altered Line or Break or Cut to a further or greater Extent into the inclosed Fields of the said *Charles Thomas Thruston*, his Heirs or Assigns, on the Northern Side of the said altered Line, than is shown on the said altered Line; and the Company shall, at their own Expense, in constructing the said Railway through the said Lands, execute the several Works and observe and perform the several Conditions and Stipulations herein-after mentioned; (that is to say,)

Deviation and Works through the Lands of Charles Thomas Thruston.

The Company shall make a Ditch or Trench of at least Four Feet deep and Six Feet wide on the Northern or upper Side of the said altered Line of Railway through the said before-mentioned Lands, with a sufficient Number of Culverts or large Pipe Drains from that Trench, and passing under the Railway, to carry the Drainage from the upper Lands into another Trench, to be also made by the said Company, along the South Side

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of

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of the said Railway, and to communicate with and carry the Water from the same into the open Ditches now existing in the Marsh Land below, and maintain the same in repair ever afterwards :

That the Company shall not divert or interfere with any of the existing Farm or other Roads traversed by the Line of Railway, except for the Purpose of perfecting their Passage across the Railway, and of constructing Bridges for the same over the Trenches on both Sides of the said Railway, and shall defend such Passage by Gates, and such Crossings and Gates shall be maintained and kept in repair by the Company :

That, unless the Viaduct across the River *Pennal* and the adjoining Lands and Meadows shown as the said deviated Line marked on the said Plan thereof deposited in the Private Bill Office shall be constructed through the said Lands and Meadows upon open Arches of sufficient Height and Span for laden Waggon to pass thereunder, and to afford a free Passage for the Flood Waters from the Mountains, the Company shall make Trenches of not less than Four Feet deep and Six Feet wide on each Side of the said Viaduct, with Culverts or large Pipe Drains underneath the same, such Culverts or Drains being not more than Twelve Yards apart; and the Company shall cause the said Farm Roads traversed by the said Viaduct to be kept open by Arches or Drawbridges sufficiently lofty for the Passage of laden Waggon and Carts, and such Passages shall be defended by Gates, and such Trenches, Drains, Passages, and Gates shall be maintained and kept in repair by the Company :

That the Company shall do all other Works necessary to preserve and protect the Drainage of the said Lands.

Deviations  
and Works  
through the  
Lands of  
Mary Mat-  
thews.

XXII. Provided also, That in constructing the said Railway through the Lands called *Esgair Llevirin* and *Pantlludw*, belonging to *Mary Matthews* of *Aberdovey*, her Heirs or Assigns, the said Company shall execute the several Works and observe and perform the several Conditions and Stipulations herein-after mentioned; (that is to say,)

That the Line of the said Railway in passing through the Lands of the said *Mary Matthews*, her Heirs or Assigns, called *Esgair Llevirin*, shall be carried over the Brook at *Llwydy* numbered 32 on the said Plans in the Parish of *Pennal* at a Distance from the North End of the Bridge on the Turnpike Road of not less than Ninety-six Yards nor more than One hundred and nine Yards, and the Arch for carrying the said Railway over the Carriage Road adjoining and running parallel with the said Brook shall be Sixteen Feet from the Level of the Carriage Road to the Soffit of the Crown of the Arch :

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That from the Turnpike Road near to the private (old) Road leading to *Esgair* the said Railway shall be constructed at a Distance not exceeding Seventy-five Yards through the Field numbered 28 on the said Plan in the said Parish of *Pennal*:

That the Line of Railway through the Field numbered 26 in the Parish of *Pennal* shall not be distant more than Seventy-five Yards from the Centre of the Turnpike Road:

That the Line of Railway shall pass by the Bridge at the *Pandy* not higher up from the South Corner of the said Bridge than One hundred Yards, and shall be carried sufficiently high to allow of an Arch Sixteen Feet high from the Level of the Road to the Soffit of the Crown of the Arch for carrying the said Railway over the private Road numbered 25 on the said Plan leading to *Dramllwydian* and *Hafod Ty* Slate Quarries:

That the Line of Railway, in passing through the Lands of the said *Mary Matthews* at *Pantlludw* in the said Parish of *Pennal*, shall be constructed in the Black Line laid down on the said deposited Plan, and shall not deviate from such Black Line in any Part of the said Lands:

That the Company shall construct a Culvert of not less than Three Feet high and Three Feet wide for the Passage of a Brook intended to be carried by *Hafod Ty Fach* under the said Line of Railway within Fifty Yards on the West Side of the Cottage called *Hafod Ty Fach* in the said Parish of *Pennal*:

That the Company shall, at their own Cost, make good and sufficient Fences on both Sides of the said Railway for the Purpose of preventing Cattle and other Animals feeding in the adjoining Fields from straying on to the said Railway:

That the Company shall make a sufficient Number of Watercourses under the Line, not less than Four Feet deep from the Surface of the Land adjoining, for the Purpose of carrying off the Water and Drainage from the same.

XXIII. That if any Dispute or Difference shall arise between the said *Charles Thomas Thruston*, his Heirs or Assigns, or his or their Engineer, and the said Company or their Engineer, or between the said *Mary Mathews*, her Heirs or Assigns, or her or their Engineer, and the said Company or their Engineer, touching any of the Works, Matters, or Things by this Act required to be executed, performed, or observed by the Company for the Protection or Benefit of the said *Charles Thomas Thruston* and *Mary Mathews*, or either of them, or his or her Heirs or Assigns, or Lands or Property, or as to the Construction of the Provisions of this Act in relation thereto, every such Dispute or Difference shall be settled and determined by Arbitration in the Manner provided by "The Railways Clauses Consolidation

Disputes to  
be settled by  
Arbitration.



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olidation Act, 1845," with respect to the Settlement of Disputes by Arbitration.

Gauge of  
Railway.

XXIV. That the said Railways or Tramroads, being intended for the Conveyance of Slates, Minerals, and Merchandise, and to be worked by Horse-power travelling at low Rates of Speed only, it shall be lawful to construct the same upon a Gauge of Two Feet Two Inches and a Half: Provided always, that it shall not be lawful to use or employ any Steam or Locomotive Engine on the said Railways or Tramroads or any Part thereof; and that the said Company or any other Party using or employing any such Engine on the said Railways or Tramroads or any Part thereof shall forfeit and pay any Sum not exceeding the Sum of Twenty Pounds every Time on which the same shall be so used or employed.

Land for ex-  
traordinary  
Purposes.

XXV. That it shall be lawful for the said Company to purchase for extraordinary Purposes any Quantity of Land not exceeding Twenty Acres.

Limiting  
Time for  
compulsory  
Purchase of  
Lands.

XXVI. That 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 from the passing of this Act.

Limiting  
Time for  
Completion  
of Works.

XXVII. That the said Railways or Tramroads shall be completed within Five Years from the passing of this Act, and on the Expiration of such Period the Powers by this or the said recited Acts granted for executing the same shall cease, except as to so much of the said Railways or Tramroads as shall then be completed.

Tolls.

XXVIII. That the Company may demand and take Tolls for the Use of the Railways or Tramroads not exceeding the following; (that is to say,)

1. In respect of the Tonnage of Articles conveyed upon the said Railways or Tramroads or any Part thereof, as follows:

Class 1. For Manure, undressed Materials for the Repair of Highways, Culm, Ironstone, and Iron Ore, *per Ton per Mile* not exceeding One Penny:

Class 2. For Coal, Coke, Charcoal, Pitwood, Limestone, Stones for building, Slabs, Blocks, and all unmanufactured Bricks, Tiles, Slates, Castings for Machinery, artificial Manures, Lead Ore, Bark, Timber, and Pitwood, *per Ton per Mile* not exceeding Threepence:

Class 3. For Flour, Grocery, Ironmongery, Fire Bricks, Nails, Utensils, or other Articles, and all other Goods, Wares, Merchandise,



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chandise, Matters, or Things (for which no other Payment is herein imposed), *per Ton per Mile* not exceeding Fivepence :

And if any of the foregoing Articles are conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding One Halfpenny :

And if the same be drawn by Horse or other Motive Power provided by the Company, a further additional Sum *per Ton per Mile* not exceeding One Penny :

2. In respect of Animals conveyed in Carriages upon the said Railways or Tramroads, as follows :

For every Calf, Pig, Sheep, Lamb, or other small Animal, *per Mile* not exceeding One Penny each ; and if conveyed in Carriages belonging to the Company, an additional Sum *per Mile* not exceeding One Penny.

XXIX. That the following Provisions and Regulations shall be applicable to the fixing of such Tolls ; (that is to say,) Regulations as to Tolls.

For all Animals, Articles, and Things conveyed on the Railway for a less Distance than Six Miles the said Company may demand Tolls and Charges as for Six Miles :

For a Fraction of a Mile beyond Six Miles, or beyond any greater Number of Miles, the Company may demand Tolls and Charges as for One Mile :

For a Fraction of a Ton the Company may demand Tolls according to the Number of Quarters of a Ton in such Fraction, and if there be a Fraction of a Quarter of a Ton such Fraction shall be deemed a Quarter of a Ton :

With respect to all Articles, except Stone and Timber, the Weight shall be determined according to the usual Avoirdupois Weight :

With respect to Stone and Timber, Fourteen Cubic Feet of Stone, Forty Cubic Feet of Oak, Mahogany, Teak, Beech, or Ash, and Fifty Cubic Feet of any other Timber, shall be deemed One Ton Weight, and so in proportion for any smaller Quantity.

XXX. And with respect to small Packages and single Articles of great Weight, the Company may, notwithstanding the Rates of Tolls prescribed by this Act, lawfully demand the Tolls following ; (that is to say,) Tolls for small Parcels and Articles of great Weight.

For the Carriage of small Parcels (that is to say, Parcels not exceeding Five hundred Pounds Weight each,) the said Company may demand any Sum which they think fit ; provided always, that Articles sent in large aggregate Quantities, although made up of separate Parcels, such as Bags of Sugar, Coffee, Meal, and the like, shall not be deemed small Parcels, but such Term shall apply only to single Parcels in separate Packages :

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For the Carriage of any One Boiler, Cylinder, Bob, or single Piece of Machinery, or single Piece of Timber or Stone, or other single Articles, the Weight of which, including the Carriage, shall exceed Four Tons but shall not exceed Eight Tons, the said Company may demand such Sum as they think fit, not exceeding Sixpence *per Ton per Mile* :

For the Carriage of any single Piece of Timber, Stone, Machinery, or other single Article, the Weight of which, with the Carriage, shall exceed Eight Tons, the said Company may demand such Sum as they think fit.

Maximum  
Charges for  
Cattle and  
Goods.

XXXI. That with respect to the Conveyance of Animals and Goods; the maximum Rate of Charge to be made by the said Company, including the Tolls for the Use of the said Railways or Tramroads and of Waggons or Trucks and Horse or Motive Power, and every Expense incidental to such Conveyance (except the loading and unloading of Goods), and for Delivery and Collection, and every other Services incidental to the Business or Duty of a Carrier, where such Services are performed by the Company, shall not exceed the Sums following ; (that is to say,)

For all Goods and other Articles above :

In Class 1, Twopence *per Ton per Mile* :

In Class 2, Fourpence *per Ton per Mile* :

In Class 3, Sixpence *per Ton per Mile*.

Railway to  
be subject to  
Provisions of  
1 & 2 Vict.  
c. 98.,  
3 & 4 Vict.  
c. 97.,  
5 & 6 Vict.  
c. 55.,  
7 & 8 Vict.  
c. 85., and  
14 & 15 Vict.  
c. 64.

XXXII. And whereas an Act was passed in the Second Year of the Reign of Her present Majesty, intituled *An Act to provide for the Conveyance of the Mails by Railway* ; and another Act was passed in the Fourth Year of the Reign of Her said Majesty, intituled *An Act for regulating Railways* ; and another Act was passed in the Sixth Year of the Reign of Her said Majesty, intituled *An Act for the better Regulation of Railways, and for the Conveyance of Troops* ; and another Act was passed in the Eighth Year of the Reign of Her present Majesty, intituled *An Act to attach certain Conditions to the Construction of future Railways authorized or to be authorized by any Act of the present or succeeding Sessions of Parliament, and for other Purposes in relation to Railways* ; and another Act was passed in the Fourteenth and Fifteenth Years of the Reign of Her said Majesty, intituled *An Act to repeal the Act for constituting Commissioners of Railways* : Be it enacted, That nothing in this Act contained shall exempt the Railway or Tramroad and Branch Railways or Tramroads by this Act authorized to be made, or the said Company, from the Provisions of such Acts, so far as the same shall be applicable thereto.

XXXIII. Pro-



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XXXIII. Provided always, That nothing herein contained shall be deemed to exempt the Railway or Tramroad and Branch Railways or Tramroads by this Act authorized to be made from the Provisions of any General Act relating to this Act, or of any General Act relating to Railways, or to the better and more impartial Audit of the Accounts of Railway Companies, which may hereafter pass during the present or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges authorized by this Act.

Railway to be subject to Provisions of future General Acts.

XXXIV. That nothing whatsoever contained in this Act, or in any of the Acts herein recited or referred to, shall extend to authorize the said Company to purchase, take, use, or otherwise interfere with any Land, Soil, Tenements, or Hereditaments, or any Rights in respect thereof, belonging to Her Majesty in right of Her Crown, without the Consent in Writing of the Commissioners or Commissioner for the Time being of Her Majesty's Woods, Forests, and Land Revenues having the Management and Direction of the same Premises first had and obtained for the Purpose, and which such Commissioners or Commissioner are and is hereby authorized and empowered to give, or to divest, prejudice, diminish, alter, or take away any of the Estates, Rights, Privileges, Powers, or Authorities which now are or hereafter may be, or, but for the Provisions of the same Act or Acts, might have been, vested in or enjoyed by Her Majesty, Her Heirs or Successors.

Saving the Rights of the Crown.

XXXV. That all the Costs and Expenses of and incident to the obtaining and passing of this Act shall be paid by the Company out of the First Monies which shall come to their Hands after the passing of this Act.

Expenses of Act.

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