



ANNO TRICESIMO & TRICESIMO PRIMO

# VICTORIÆ REGINÆ.

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## Cap. clxiv.

An Act to enable the *Mold and Denbigh Junction Railway Company* to run over and use Portions of the Railways of certain other Railway Companies; and to revive and extend the Powers of Purchase over certain Lands; and to extend the Time limited by "The *Mold and Denbigh Junction Railway Act, 1861*," for the Completion of Works; and for other Purposes.

[25th July 1867.]

**W**HEREAS by "The *Mold and Denbigh Junction Railway Act, 1861*," the *Mold and Denbigh Junction Railway Company* (in this Act called "the Company") were incorporated with a Capital of One hundred and twenty-five thousand Pounds in Twenty Pound Shares, and with Power to borrow Forty-one thousand Pounds on Mortgage, and were authorized to make a Railway from the *Mold Branch of the Chester and Holyhead Railway* at *Mold* to the *Vale of Clwyd Railway*: And whereas by "The *Mold and Denbigh Junction Railway (Capital and Deviations, &c.) Act, 1865*,"  
[Local.] 29 N 1865,"

24 & 25 Vict.  
c. ccxlvii.

28 & 29 Vict.  
c. clxxii.

*The Mold and Denbigh Junction Railway Act, 1867.*28 & 29 Vict.  
c. cclxxi.29 & 30 Vict.  
c. ccl.

1865," the Company were authorized to make Deviations from and Alterations in the Railway and Works authorized by "The *Mold and Denbigh Junction Railway Act, 1861*," and to raise One hundred thousand Pounds by Ordinary or Preferential Shares, and to borrow not more than Thirty-three thousand Pounds on Mortgage: And whereas by "The *Mold and Denbigh Junction Railway (Extensions) Act, 1865*," the Company were authorized to make certain new Lines of Railway, and to abandon a Portion of their authorized Railway, and to raise a further Sum of not more than One hundred thousand Pounds by Ordinary Shares, and to borrow not more than Thirty-three thousand Pounds on Mortgage: And whereas by "The *Mold and Denbigh Junction Railway (Branches, Alterations, &c.) Act, 1866*," the Company were authorized to make certain new Railways, and certain Deviations from, and Alterations in, and Abandonments of their authorized Lines of Railway and Works, and to raise a further Sum of not more than One hundred and thirty-four thousand Pounds by Ordinary Shares, and to borrow not more than Forty-four thousand six hundred Pounds on Mortgage: And whereas the herein-before recited Acts relating to the Company are herein-after referred to as "the Company's Acts:" And whereas it is expedient to revive and extend for a further Period the compulsory Powers of Purchase over the Lands herein-after mentioned in that Behalf, and to revive and extend for a further Period the Time limited by "The *Mold and Denbigh Junction Railway Act, 1861*," for the Completion of the Works by that Act authorized: And whereas it is expedient that the Company should be authorized to run over and use the Portions of Railways herein-after in that Behalf named: And whereas the Objects and Purposes 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:

Short Title.

1. This Act may be cited for all Purposes as "The *Mold and Denbigh Junction Railway Act, 1867*."

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

2. "The Lands Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Acts Amendment Act, 1860," "The Railways Clauses Consolidation Act, 1845," Parts I. and II. of "The Railways Clauses Act, 1863," and Part III. of "The Companies Clauses Act, 1863," shall be incorporated with and form Part of this Act.

Interpre-  
tation of  
Terms.

3. In this Act the several Words and Expressions to which Meanings are assigned by any of the Acts wholly or partially incorporated herewith shall have the same respective Meanings, unless there

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there be something in the Subject or Context repugnant to such Construction :

The Expression "the Company" shall mean the *Mold and Denbigh Junction* Railway Company :

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.

4. Subject to the Provisions of this Act the Company, with the Authority of Three Fourths of the Votes of the Shareholders present in person or by proxy at a General Meeting of the Company specially convened for the Purpose, may from Time to Time divide any Share now remaining unissued in their Capital into Half Shares, of which one shall be called "Preferred Half Share," and the other shall be called "Deferred Half Share:" Provided always, that the Company shall not divide any Share under the Authority of this Act unless and until not less than Sixty *per Centum* upon such Share has been paid up; and upon every such Division Fifty *per Centum* upon the entire Share shall be carried to the Credit of the Deferred Half Share (being the whole Amount payable thereon), and the Residue to the Credit of the Preferred Half Share.

Power to divide Shares.

5. The Dividend which would from Time to Time be payable on any divided Share, if the same had continued an entire Share, shall be applied in Payment of Dividends on the Two Half Shares in manner following; (that is to say,) first, in Payment of Dividend after such Rate, not exceeding Five Pounds *per Centum per Annum*, as shall be determined at a General Meeting of the Company specially convened for the Purpose, on the Amount for the Time being paid up on the Preferred Half Share; and the Remainder, if any, in Payment of Dividend on the Deferred Half Share; and the Company shall not pay any greater Amount of Dividend on the Two Half Shares than would have from Time to Time been payable on the entire Share if the same had not been divided.

Dividend on Half Shares.

6. Each Preferred Half Share shall be entitled out of the Profits of each Year to the Dividend which may have been attached to it by the Company as aforesaid in priority to the Deferred Half Share bearing the same Number; but if in any Year ending the Thirty-first Day of *December* there shall not be Profits available for the Payment of the full Amount of Dividend on any Preferred Half Share for that Year, no Part of the Deficiency shall be made good out of the Profits

Dividends on Preferred Shares to be paid out of the Profits of the Year only.

Profits

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Profits of any subsequent Year, or out of any other Funds of the Company.

Half Shares to be registered and Certificates issued.

7. Forthwith, after the Creation of any Half Shares, the same shall be registered by the Directors, and each Half Share shall bear the same Number as the Number of the entire Share Certificate in respect of which it was issued, and the Directors shall issue Certificates of the Half Shares accordingly, and shall cause an Entry to be made in the Register of the entire Shares of the Conversion thereof: Provided always, that the Directors shall not be bound to issue a Certificate of any Half Share until the Certificate of the existing Share shall be delivered to them to be cancelled, unless it be shown to their Satisfaction that the Certificate is destroyed or lost, and on any Certificate being so delivered up the Directors shall cancel it.

Terms of Issue to be stated in Certificates.

8. The Terms and Conditions on which any Preferred Half Share or Deferred Half Share created under this Act is issued shall be stated in the Certificate of each such Half Share.

Forfeiture of Preferred Shares.

9. The Provisions of "The Companies Clauses Act, 1845," with respect to the Forfeiture of Shares for Nonpayment of Calls, shall apply to all Preferred Half Shares to be created under the Authority of this Act; and every such Preferred Half Share shall for that Purpose be considered a whole Share, distinct from the corresponding Deferred Half Share: Provided always, that until any forfeited Preferred Half Share shall be sold by the Directors of the Company, all Dividends which would be payable thereon, if the same had not been forfeited, shall be applied in or towards Payment of any Expenses attending the Declaration of Forfeiture thereof, and of the Arrears of Calls for the Time being due thereon, with Interest.

Preferred Shares not to be cancelled or surrendered.

10. No Preferred Half Share created under the Authority of this Act shall be cancelled or be surrendered to the Company.

Half Shares to be Half Shares and Capital.

11. The several Half Shares under this Act shall be Half Shares in the Capital of the Company, and every Two Preferred or Deferred Half Shares held by the same Person shall confer such Right of voting at Meetings of the Company, and (subject to the Provisions herein-before contained) shall confer and have all such other Rights, Qualifications, Privileges, Liabilities, and Incidents as attach and are incident to an entire Share.

Debenture Stock.

12. The Company may create and issue Debenture Stock.

Extending Time for compulsory

13. The Powers conferred on the Company by "The *Mold and Denbigh Junction Railway Act, 1861*," for the compulsory Purchase for

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for the Purposes of that Act of the Lands numbered 39, 41, 42, and 45 respectively, in the Parish of *Mold*, in the Plans referred to in the last-mentioned Act, are hereby revived, and may be exercised by the Company for any of the Purposes of the *Mold* Acts or this Act during a Period not exceeding One Year from the passing of this Act.

Purchase  
of certain  
Lands.

14. The Period limited by "The *Mold and Denbigh Junction Railway Act, 1861*," for the Completion of the Railway and Works by that Act authorized, is hereby revived and extended for the further Period of One Year from the passing of this Act, and the Company may, for the said Period of One Year from the passing of this Act, exercise all or any of the Powers by the Company's Acts conferred on the Company for executing the last-mentioned Railway and Works, or otherwise in relation thereto, and on the Expiration of such last-mentioned Period the said Powers shall cease to be exercised except as to so much of the said Railway and Works as shall be then completed.

Extending  
Time for  
Completion  
of Works.

15. It shall be lawful for the Company, their Officers, Servants, and Workmen, with Engines and Carriages of every Description, to run over, work, and use so much of the *Vale of Clwyd* Railway as lies between the Junctions of the said Railway with the *Denbigh, Ruthin, and Corwen* Railway, and with the *Mold and Denbigh Junction* Railway, and so much of the *Wrexham, Mold, and Connah's Quay* Railway as lies between the Junction therewith of the Railway No. 2. authorized by "The *Mold and Denbigh Junction Railway (Branches, Alterations, &c.) Act, 1866*," and the *Hope* Station of the said *Wrexham, Mold, and Connah's Quay* Railway; and also to use the *Denbigh* Station, *Hope* Station, and all Booking Offices, Sidings, Works, Warehouses, Wharves, Quays, Cranes, Water Places, and Water Supplies, and all other Conveniences connected with the afore-said Portions of Railways and Stations, upon such Terms, and under such Payments, and upon such Conditions as shall be mutually agreed upon between the Company and the Company owning or working those Portions of Railways, or as in case of Dispute, or in default of Agreement, shall be determined by an Arbitrator to be appointed by the Board of Trade.

Power to  
use certain  
Railways.

16. During the Exercise by the Company of the Running Powers by this Act conferred upon them the Portion of Railway in respect of which those Powers are from Time to Time exercised, and the Railway of the Company, shall, for the Purpose of determining the Amount of Tolls and Charges to be taken and demanded by the Company in respect of Traffic conveyed partly on the one Railway and partly on the other Railway, for a less Distance than Four Miles, be considered as One Railway; and in respect of such Traffic, Tolls

Tolls for  
Traffic con-  
veyed partly  
on the Rail-  
way of the  
Company  
and partly on  
any other  
Railway.

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and Charges may only be charged as for Four Miles; and in respect of Passengers, for every Mile or Fraction of a Mile beyond Four Miles, Tolls and Charges as for One Mile only; and in respect of Animals and Goods, for every Quarter of a Mile or Fraction of a Quarter of a Mile beyond Four Miles, Tolls and Charges as for a Quarter of a Mile only; and no other Short-distance Charge shall be made for the Conveyance of Passengers, Animals, or Goods partly on the one Railway and partly on the other Railway.

As to Increase of Accommodation at Denbigh Station.

17. In the event of the Company using the said *Denbigh* Station, it shall be lawful for the *Vale of Clwyd* Railway Company, if and when they think necessary, to apply to an Arbitrator, to be appointed at their Request by the Board of Trade, to determine and specify what Extension of the *Denbigh* Station is necessary in consequence of the Use thereof by the Company as in this Act provided, and such Arbitrator shall determine and specify the same accordingly; and the Company shall pay annually to the *Vale of Clwyd* Railway Company for the Use of such Extension an Amount equal to Six *per Centum per Annum* upon the Monies actually expended by them in the Acquisition of the Lands and Construction of the Works forming such Extension including the Expense of such Arbitration.

Running Powers to Wrexham, Mold, and Connah's Quay Railway Company.

18. It shall be lawful for the *Wrexham, Mold, and Connah's Quay* Railway Company, their Officers, Servants, and Workmen, to run over and use the Railways No. 1. and No. 2. authorized by the "*Mold and Denbigh Junction Railway (Branches, Alterations, &c.) Act, 1866,*" together with all Stations, Booking Offices, Sidings, Works, Warehouses, Water Places, Water Supplies, and all other Conveniences connected with those Railways, upon such Terms, and under such Payments, and upon such Conditions as shall be mutually agreed upon between the Company and the *Wrexham, Mold, and Connah's Quay* Railway Company, or as in case of Dispute, or in default of Agreement, shall be determined by an Arbitrator to be appointed by the Board of Trade.

Tolls for Traffic conveyed partly on the Railway of Wrexham, Mold, and Connah's Quay Railway Company and partly on the Railway of the Company.

19. During the Exercise by the *Wrexham, Mold, and Connah's Quay* Railway Company of the Running Powers by this Act conferred upon them, the Portion of the Railway of the Company in respect of which those Powers are from Time to Time exercised, and the Railway of the *Wrexham, Mold, and Connah's Quay* Railway Company, shall, for the Purpose of determining the Amount of Tolls and Charges to be taken and demanded by the *Wrexham, Mold, and Connah's Quay* Railway Company in respect of Traffic conveyed partly on the one Railway and partly on the other Railway, for a less Distance than Four Miles, be considered as One Railway; and in respect of such Traffic, Tolls and Charges may only be charged as for Four Miles; and

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and in respect of Passengers, for every Mile or Fraction of a Mile beyond Four Miles, Tolls and Charges as for One Mile only; and in respect of Animals and Goods, for every Quarter of a Mile or Fraction of a Quarter of a Mile beyond Four Miles, Tolls and Charges as for a Quarter of a Mile only; and no other Short-distance Charge shall be made for the Conveyance of Passengers, Animals, and Goods partly on the one Railway and partly on the other Railway.

20. Nothing herein contained shall be deemed or construed to exempt the Railways of the Company 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.

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

21. 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.

Expenses of Act.

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