



### CHAPTER ccvii.

An Act to authorise the construction of a Railway from Bala to Festiniog in the county of Merioneth; and for other purposes. A.D. 1873.  
[28th July 1873.]

**W**HEREAS the making and maintaining of a railway in the county of Merioneth from Bala to Festiniog would be of great public and local advantage :

And whereas the persons in this Act named, with others, are willing at their own expense to construct the railway, and are desirous of being incorporated into a Company for the purpose :

And whereas it is expedient that the Great Western, the Vale of Llangollen, the Llangollen and Corwen, and the Corwen and Bala Railway Companies should be authorised to contribute to the said undertaking, and also to enter into and carry into effect the agreements with the Company by this Act authorised :

And whereas it is also expedient that the Company, or the Company and the said other companies, or any of them, on the one hand, and the Merionethshire Railway Company on the other hand, should be authorised to enter into and carry into effect the agreements by this Act authorised :

And whereas plans and sections of the said intended railway, showing the lines and levels thereof, and also books of reference to the plans, containing the names of the owners and lessees, or reputed owners and lessees, and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act, were duly deposited with the clerk of the peace for the county of Merioneth, and are herein-after respectively referred to as the deposited plans, sections, and books of reference :

And whereas the objects of this Act cannot be effected without the authority of Parliament :

May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal,

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A.D. 1873. 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 Bala and Festiniog Railway Act, 1873."

Provisions of general Acts herein named incorporated. 2. "The Railways Clauses Consolidation Act, 1845," "The Companies Clauses Consolidation Act, 1845," and Part I. (relating to cancellation and surrender of shares) and Part III. (relating to debenture stock) of "The Companies Clauses Act, 1863," "The Lands Clauses Consolidation Acts, 1845, 1860, and 1869," and Part I. (relating to construction of a railway) and Part III. (relating to working agreements) of "The Railways Clauses Act, 1863," are (except where expressly varied by this Act) incorporated with and form part of this Act.

Interpretation of terms. 3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings unless there be something in the subject or context repugnant to such construction; the expression "the Company" means the Company incorporated by this Act; the expression "the railway" means the railway by this Act authorised; 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.

Company incorporated. 4. Henry Robertson, William Wagstaff, John Robertson, Samuel Holland, William Henry Darby, and all other persons and corporations who have already subscribed to or shall hereafter become proprietors in the undertaking, and their executors, administrators, successors, or assigns respectively, shall be and are hereby united into a Company for the purpose of making and maintaining the railway and for other the purposes of this Act, and for those purposes shall be and are hereby incorporated by the name of "the Bala and Festiniog Railway Company," and by that name shall be a body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of lands and other property for the purposes of this Act.

Power to make railway according to deposited plans. 5. Subject to the provisions of this Act, the Company may make and maintain, in the line and according to the levels shown on the deposited plans and sections, the railway herein-after described, with all proper stations, sidings, approaches, works, and conveniences connected therewith, and may enter upon, take, and use

such of the lands delineated on the said plans and described in the deposited books of reference as may be required for that purpose. A.D. 1873.  
The railway herein-before referred to and authorised by this Act is,—

A railway, twenty-two miles one furlong and six chains in length, commencing by a junction with the Corwen and Bala Railway authorised by "The Corwen and Bala Railway Act, 1865," in a field situate in the parish of Llangower, numbered 3 in that parish on the plans of that railway deposited with the clerk of the peace for the county of Merioneth with reference to that Act, and terminating in the parish of Festiniog in the Festiniog station ground of the Festiniog and Blaenau Railway.

6. Provided always, notwithstanding anything in this Act to the contrary,— Provision  
for protec-  
tion of  
Rhiwlas  
estate.

(1.) That between the point where the railway hereby authorised will intersect the turnpike road leading from Bala to Corwen and another point where it will intersect the turnpike road leading from Bala to Festiniog the railway shall not (except with the consent in writing of Richard John Lloyd Price or other the owner or owners of the mansion house of Rhiwlas) be constructed nearer to the river Treweryn than is denoted by the centre line of the railway as shown on the deposited plans :

(2.) That between the points aforesaid the Company shall, if required by the said Richard John Lloyd Price or other the owner or owners of the mansion house of Rhiwlas, plant and keep planted with shrubs and forest trees the slopes of the embankments and other lands of the Company situate on the Treweryn side of the railway :

(3.) That a station for passengers shall be erected and maintained adjoining the said turnpike road leading from Bala to Corwen, the station house and buildings having an ornamental elevation to the reasonable satisfaction, as to its style, of the architect of the said Richard John Lloyd Price or other the owner or owners of the mansion house of Rhiwlas, any difference on the subject to be settled by an architect to be nominated on the application of either party by the President for the time being of the Royal Institute of British Architects, and the costs of the reference shall be in the discretion of such referee :

(4.) That the said station shall not be used for the sale of wine, beer, or spirits, except with the consent of the said Richard John Lloyd Price or other the owner or owners of the mansion house of Rhiwlas :

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(5.) That the said Richard John Lloyd Price or other the owner or owners of the mansion house of Rhiwlas shall be entitled, on giving reasonable notice to the proper officer of the Company, to require all passenger trains to stop at such station for taking up and setting down passengers travelling to or from Rhiwlas :

(6.) That at the station so to be constructed at Bala, or between that station and Rhiwlas House, there shall be no goods or cattle station, or wharves or buildings, or shunting sidings for goods or cattle trains :

(7.) That in the construction of the railway hereby authorised the Company shall leave waterway for the river Dee and the flood waters thereof, and the accumulations of the same, at least equal to the waterway which now exists.

Capital.

7. The capital of the Company shall be one hundred and ninety thousand pounds, in nineteen thousand shares of ten pounds each.

Shares not to issue until one fifth paid up.

8. The Company shall not issue any share created under the authority of this Act, nor shall any such share vest in the person accepting the same, unless and until a sum not being less than one fifth of the amount of such share is paid in respect thereof.

Calls.

9. One fifth of the amount of a share shall be the greatest amount of a call, and two months at least shall be the interval between successive calls, and three fourths of the amount of a share shall be the utmost aggregate amount of the calls made in any year upon any share.

Receipt clause in case of persons not sui juris.

10. If any money is payable to a shareholder being a minor, idiot, or lunatic, the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Company.

Power to Great Western and other Companies to subscribe.

11. The Great Western Railway Company, the Vale of Llangollen Railway Company, the Llangollen and Corwen Railway Company, and the Corwen and Bala Railway Company (which four companies are herein-after called "the contributing companies") may, with the authority of three fourths of the votes of their shareholders respectively present in person or by proxy at a general meeting specially convened for the purpose, from time to time subscribe any sum which they think fit towards the undertaking, not exceeding in the whole the respective sums following ; (that is to say,) one hundred thousand pounds by the Great Western Railway Company, twelve thousand pounds by the Vale of Llangollen Railway Company, twenty thousand pounds by the Llangollen and Corwen Railway Company, and twenty-four thousand pounds by the Corwen and Bala Railway Company ; and any of the contributing

companies may, with the like authority, contribute and apply in or towards payment of the said subscription any moneys which they are already authorised to raise and which may not be required by them for the purposes of their respective undertakings, and also any moneys which they are by this Act authorised to raise; and any of the contributing companies shall, in respect of the sums to be subscribed and the corresponding shares in the Company to be held by them, have all the powers, rights, and privileges (except in regard to voting at general meetings, which shall be as herein-after provided), and be subject to all the obligations and liabilities of proprietors of shares in the Company: Provided always, that the contributing companies shall not sell, dispose of, or transfer any of the shares in the Company for which they may respectively subscribe.

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12. The Company may from time to time borrow on mortgage any sum not exceeding in the whole sixty-three thousand three hundred pounds, but no part thereof shall be borrowed until the whole capital of one hundred and ninety thousand pounds is issued and accepted and one half thereof is paid up, and the Company have proved to the justice who is to certify under the fortieth section of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that the whole of the capital has been issued and accepted and that one half thereof has been paid up, and that not less than one fifth part of the amount of each separate share in such capital has been paid on account thereof before or at the time of the issue or acceptance thereof, and that such capital was issued bonâ fide and is held by the persons or corporations to whom the same was issued, or their executors, administrators, successors, or assigns, and that such persons or corporations, their executors, administrators, successors, or assigns, are legally liable for the same; and upon production to such justice of the books of the Company, and of such other evidence as he shall think sufficient, he shall grant a certificate that the proof aforesaid has been given, which shall be sufficient evidence thereof.

Power to borrow on mortgage.

13. The mortgagees of the Company may enforce payment of arrears of interest or principal, or principal and interest, due on their mortgages by the appointment of a receiver; in order to authorise the appointment of a receiver in respect of arrears of principal, the amount owing to the mortgagees by whom the application for a receiver is made shall be not less than six thousand pounds in the whole.

Arrears may be enforced by appointment of a receiver.

14. The Company may create and issue debenture stock subject to the provisions of Part III. of "The Companies Clauses Act,

Debenture stock.

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1863," but notwithstanding anything therein contained the interest of all debenture stock at any time created and issued by the Company shall rank *pari passu* with the interest of all mortgages at any time granted by the Company, and shall have priority over all principal moneys secured by such mortgages.

Application of moneys.

**15.** All moneys raised under this Act, whether by shares, debenture stock, or borrowing, shall be applied for the purpose of this Act and of the Company's undertaking only.

First ordinary meeting.

**16.** The first ordinary meeting of the Company shall be held within three months after the passing of this Act.

Number of directors.

**17.** The number of directors shall be eight, but the Company may from time to time reduce the number, provided that the number be not less than three.

Qualification of directors.

**18.** The qualification of a director shall be the possession in his own right of not less than fifty shares.

Quorum of directors.

**19.** The quorum of a meeting of directors shall be three, and if the number of directors is reduced to three the quorum shall be two.

First directors.

**20.** Sir Watkin Williams Wynn, Sir Daniel Gooch, Samuel Holland, William Wagstaff, William Henry Darby, and John Robertson, and two other persons to be nominated by them and consenting to such nomination, shall be the first directors of the Company and shall continue in office until the first ordinary meeting held after the passing of this Act; at that meeting the shareholders present in person or by proxy may either continue in office the directors appointed by this Act, or any of them, or may elect a new body of directors, or directors to supply the places of those not continued in office, the directors appointed by this Act or nominated as aforesaid being, if qualified, eligible for re-election; and at the first ordinary meeting to be held in every year after the first ordinary meeting the shareholders present in person or by proxy shall (subject to the power herein-before contained for reducing the number of directors) elect persons to supply the places of the directors then retiring from office, agreeably to the provisions of "The Companies Clauses Consolidation Act, 1845;" and the several persons elected at any such meeting, being neither removed nor disqualified nor having resigned, shall continue to be directors until others are elected in their stead in manner provided by the same Act.

Lands for extraordinary purposes.

**21.** The quantity of land to be taken by the Company by agreement for the extraordinary purposes mentioned in "The Railways Clauses Consolidation Act, 1845," shall not exceed three acres.

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**22.** The powers of the Company for the compulsory purchase of lands for the purposes of this Act shall not be exercised after the period of three years from the passing of this Act. Powers for compulsory purchases limited.

**23.** Subject to the provisions in "The Railways Clauses Consolidation Act, 1845," and in Part I. (relating to the construction of a railway) of "The Railways Clauses Act, 1863," contained in reference to the crossing of roads on the level, the Company may, in the construction of the railway hereby authorised, carry the same with a single line only whilst the railway so crossing shall consist of a single line, and afterwards with a double line only, across and on the level of the road next herein-after mentioned; (that is to say,) Power to cross a certain road on the level.

| No. on deposited Plan. | Parish.      | Description of Road. |
|------------------------|--------------|----------------------|
| 338                    | Llanycil - - | Public road.         |

**24.** In altering for the purposes of this Act the roads next herein-after mentioned the Company may make the same of any inclinations not steeper than the inclinations herein-after mentioned in connexion therewith respectively; (that is to say,) Inclinations of roads.

| No. on deposited Plan. | Parish.       | Description of Road. | Intended Inclination.                       |
|------------------------|---------------|----------------------|---|
| 15a                    | Llanfor - -   | Turnpike - -         | 1 in 25                                     |
| 12                     | Llanycil - -  | Turnpike - -         | 1 in 25                                     |
| 218                    | Llanycil - -  | Public - -           | 1 in 10                                     |
| 73                     | Maentwrog - - | Public - -           | 1 in 8 on one side, and level on the other. |
| 89                     | Maentwrog - - | Turnpike - -         | 1 in 20                                     |
| 133                    | Maentwrog - - | Public - -           | 1 in 15                                     |
| 56                     | Festiniog - - | Turnpike - -         | 1 in 8½                                     |

**25.** The Company may make the arches of the bridges for carrying the railway over the roads next herein-after mentioned of any heights and spans not less than the heights and spans herein-after mentioned in connexion therewith respectively; (that is to say,) Heights and spans of bridges.

| No. on deposited Plan. | Parish.       | Description of Road. | Height. | Span.    |
|------------------------|---------------|----------------------|---------|----------|
| 39                     | Llanycil - -  | Turnpike - -         | 16 feet | 30 feet. |
| 218                    | Llanycil - -  | Public - -           | 14 feet | 15 feet. |
| 56                     | Festiniog - - | Turnpike - -         | 14 feet | 30 feet. |

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Deposit  
money not  
to be repaid  
until line  
opened or  
half the  
capital paid  
up and  
expended.

**26.** Whereas pursuant to the standing orders of both Houses of Parliament and to an Act of the ninth year of Her present Majesty, chapter twenty, the sum of thirteen thousand five hundred and fifty pounds two shillings and eightpence consolidated three pounds per centum annuities, being equal in value to the sum of twelve thousand five hundred pounds, being five per centum upon the amount of the estimate in respect of the railways originally applied for, has been transferred to the account of the Paymaster-General on account of the Court of Chancery in England in respect of the application to Parliament for this Act; and whereas the application for two of the railways originally applied for has not been proceeded with, and the estimate of the expense of the railway by this Act authorised amounts to one hundred and eighty-seven thousand seven hundred and sixty-five pounds thirteen shillings and fivepence, and five per centum thereon would amount to the sum of nine thousand three hundred and eighty-eight pounds, being equal in value to the sum of ten thousand one hundred and seventy-six pounds consolidated three pounds per centum annuities: Be it enacted, that notwithstanding anything contained in the said Act the sum of ten thousand one hundred and seventy-six pounds, part of the said stock so transferred as aforesaid in respect of the application for this Act, shall not be paid or transferred to or on the application of the person or persons, or the majority of the persons, named in the warrant or order issued in pursuance of the said Act, or the survivors or survivor of them, unless the Company shall, previously to the expiration of the period limited by this Act for completion of the railway, either open the railway by this Act authorised 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 authorised to be raised by means of shares, and have expended for the purposes of this Act a sum equal in amount to such one half of the said capital; and if the said period shall expire before the Company shall either have opened the railway for the public conveyance of passengers or have given such proof as aforesaid to the satisfaction of the Board of Trade, the said sum of ten thousand one hundred and seventy-six pounds of stock transferred as aforesaid shall be applied in the manner herein-after specified; and the certificate of the Board of Trade that such proof has been given to their satisfaction as aforesaid shall be sufficient evidence of the fact so certified, and it shall not be necessary to produce any certificate of this Act having passed, anything in the said recited Act to the contrary notwithstanding.

Providing  
for appli-  
cation of  
deposit.

**27.** The said sum of ten thousand one hundred and seventy-six pounds of stock transferred as aforesaid shall be applicable, and



after due notice in the London Gazette shall be applied, towards compensating any landowners or other persons whose property may have been interfered with or otherwise rendered less valuable by the commencement, construction, or abandonment of the railway or any portion thereof, or who may have been subjected to injury or loss in consequence of the compulsory powers of taking property conferred upon the Company by this Act and for which injury or loss no compensation or inadequate compensation shall have been paid, and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the Court of Chancery in England may seem fit; and if no such compensation shall be payable, or if a portion of the said stock shall have been found sufficient to satisfy all just claims in respect of such compensation, then the said stock, or such portion thereof as may not be required as aforesaid, shall either be forfeited to Her Majesty and accordingly be paid or transferred to or for the account of Her Majesty's Exchequer in such manner as the Court of Chancery in England thinks fit to order on the application of the solicitor of Her Majesty's Treasury, and shall be carried to and form part of the Consolidated Fund of the United Kingdom, or, in the discretion of the Court, if the Company is insolvent and has been ordered to be wound up, or a receiver has been appointed, shall wholly or in part be paid or transferred to such receiver or to the liquidator or liquidators of the Company, or be otherwise applied as part of the assets of the Company for the benefit of the creditors thereof; provided that until the said stock has been re-transferred to the depositors, or has become otherwise applicable as herein-before mentioned, any interest or dividends accruing thereon shall from time to time and as often as the same shall become payable be paid to or on the application of the person or persons, or the majority of the persons, named in such warrant or order as aforesaid, or the survivors or survivor of them.

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**28.** On the application of the person or persons, or the majority of the persons, named in the warrant or order issued in pursuance of the said recited Act of the ninth year of Her present Majesty, chapter twenty, or the survivors or survivor of them, to the Court of Chancery in England, that court may and shall order that the sum of three thousand three hundred and seventy-four pounds two shillings and eightpence consolidated three pounds per centum annuities, being the balance of the said sum of thirteen thousand five hundred and fifty pounds two shillings and eightpence consolidated three pounds per centum annuities after deducting therefrom the said sum of ten thousand one hundred and seventy-six pounds,

Release of  
portion of  
stock.

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Not to take lands of Corwen and Bala Railway Company except for the purpose of a junction.

**29.** Notwithstanding anything herein contained it shall not be lawful for the Company or any person acting under or in execution of this Act to enter upon, occupy, or use, either permanently or temporarily, any of the lands, works, or property of the Corwen and Bala Railway Company, or in any manner to alter, vary, or interfere with their railway or works, without the consent of the Corwen and Bala Railway Company under their common seal, save only for the purpose of effecting the junction and intercommunication by this Act authorised.

Period for completion of works.

**30.** If the railway is not completed within five years from the passing of this Act then on the expiration of that period the powers by this Act granted to the Company for making and completing the railway, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as is then completed.

Tolls.

**31.** The Company may demand and take in respect of the use of the railway any tolls not exceeding the following; (that is to say,)

In respect of passengers and animals conveyed in carriages upon the railway, or any part thereof, as follows :

Passengers.

For every person conveyed in or upon any such carriage, per mile twopence; and if conveyed in or upon any carriage belonging to the Company an additional sum per mile of one penny :

Animals.

**Class I.**—For every horse, mule, ass, or other beast of draught or burden, and for every ox, cow, bull, or neat cattle conveyed in or upon such carriage, per mile threepence; and if conveyed in or upon any carriage belonging to the Company an additional sum per mile of one penny :

**Class II.**—For every calf or pig conveyed in or upon any such carriage, per mile twopence; and if conveyed in or upon any carriage belonging to the Company an additional sum per mile of one halfpenny :

**Class III.**—For every sheep or lamb or other small animal conveyed in or upon any such carriage, per mile one penny; and if conveyed in or upon any carriage belonging to the Company an additional sum per mile of one halfpenny :

Goods.

In respect of goods conveyed on the railway :

**Class IV.**—For all dung, compost, and all sorts of manure, lime and limestone, and all undressed materials for the repair of public roads or highways, and for all coal, coke, culm,

charcoal, and cinders, all stones for building, pitching, and paving, all bricks, tiles, clay, sand, ironstone, iron ore, and pig iron, per ton per mile one penny farthing; and if conveyed in carriages belonging to the Company an additional sum per ton per mile not exceeding one farthing:

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Class V.—For sheet iron, bar iron, rod iron, hoop iron, and all other similar descriptions of wrought iron, and iron castings not manufactured into utensils or other articles of merchandise, and for slates and slabs, per ton per mile twopence; and if conveyed in carriages belonging to the Company an additional sum per ton per mile not exceeding one halfpenny:

Class VI.—For sugar, grain, corn, flour, hides, dyewoods, earthenware, timber, staves, and deals, nails, anvils, vices, and chains, per ton per mile twopence halfpenny; and if conveyed in carriages belonging to the Company an additional sum per ton per mile not exceeding one halfpenny:

Class VII.—For cotton and other wools, drugs, manufactured goods, and metals (except iron and tin), and all other wares, merchandise, fish, articles, matters, or things, per ton per mile threepence; and if conveyed in carriages belonging to the Company an additional sum per ton per mile not exceeding one halfpenny:

Class VIII.—And for every carriage of whatever description, not being a carriage adapted and used for travelling on a railway, and not weighing more than one ton, carried or conveyed on a truck or platform belonging to the Company, per mile sixpence; and a sum of one penny halfpenny per mile for every additional quarter of a ton or fractional part of a quarter of a ton which any such carriage may weigh.

**32.** The toll which the Company may demand for the use of engines for propelling carriages on the railway shall not exceed one penny per mile for each passenger or animal or for each ton of goods or other articles in addition to the several other tolls or sums by this Act authorised to be taken.

Limiting charges for propelling power.

**33.** The following provisions and regulations shall apply to the fixing of the tolls and charges payable under this Act; (that is to say,)

Regulations as to tolls.

For all passengers, animals, minerals, or goods conveyed on the railway for a less distance than six miles the Company may demand and receive the before-mentioned tolls 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 on animals and goods for such fraction in proportion to the

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number of quarters of a mile contained therein, and if there be a fraction of a quarter of a mile such fraction shall be deemed a quarter of a mile; and in respect of passengers every fraction of a mile beyond an integral number of miles shall be deemed a mile :

For a fraction of a ton the Company may demand toll 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.

Tolls for  
small parcels  
and single  
articles of  
great weight.

**34.** With respect to small parcels not exceeding five hundred pounds in weight and single articles of great weight, notwithstanding anything in this Act the Company may demand and take any tolls not exceeding the following ; (that is to say,)

For the carriage of small parcels on the railway :

For any parcel not exceeding seven pounds in weight, three-pence ;

For any parcel exceeding seven pounds and not exceeding fourteen pounds in weight, fivepence ;

For any parcel exceeding fourteen pounds and not exceeding twenty-eight pounds in weight, sevenpence ;

For any parcel exceeding twenty-eight pounds and not exceeding fifty-six pounds in weight, ninepence ;

And for any parcel exceeding fifty-six pounds and not exceeding five hundred pounds in weight, the Company may demand any sum they think fit :

Provided always, that articles sent in large aggregate quantities, although made up in separate parcels, such as bags of sugar, coffee, meal, and the like, shall not be deemed small parcels, but that term shall apply only to single parcels in separate packages.

For the carriage of single articles of great weight :

For the carriage of any single article the weight of which, including the carriage, exceeds four tons but does not exceed eight tons, the Company may demand any sum not exceeding sixpence a ton a mile :

For the carriage of any single article the weight of which, including the carriage, exceeds eight tons, the Company may demand and take any sum they think fit.

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**35.** The maximum rate of charge to be made by the Company for the conveyance of passengers upon the railway, including the tolls for the use of the railway and of carriages and for locomotive power and every other expense incidental to such conveyance, shall not exceed the following; (that is to say,)

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Maximum  
rates for  
passengers.

For every passenger conveyed in a first-class carriage, threepence a mile :

For every passenger conveyed in a second-class carriage, twopence a mile :

For every passenger conveyed in a third-class carriage one penny halfpenny a mile.

**36.** The maximum rate of charge to be made by the Company for the conveyance of animals and goods (except such small parcels and single articles of great weight as aforesaid) on the railway, including the tolls for the use of the railway and for waggons or trucks and locomotive power and for every other expense incidental to the conveyance, except a reasonable charge for loading and unloading of goods at any terminal station in respect of such goods, and for delivery and collection, and any other services incidental to the business or duty of a carrier, where any such service is performed by the Company, shall not exceed the following sums; (that is to say,)

Maximum  
rates for  
animals and  
goods.

For every animal mentioned in class I., per mile fourpence :

For every animal mentioned in class II., per mile twopence :

For every animal mentioned in class III., per mile one penny halfpenny :

For the articles and goods mentioned in class IV., per ton per mile one penny halfpenny :

For the articles and goods mentioned in class V., per ton per mile twopence halfpenny :

For the articles and goods mentioned in class VI., per ton per mile threepence halfpenny :

For the articles and goods mentioned in class VII., per ton per mile fourpence :

For any carriage mentioned under class VIII., not weighing more than one ton, sixpence per mile; and if weighing more than one ton one penny halfpenny per mile for every quarter of a ton or fractional part of a quarter of a ton.

**37.** Every passenger travelling upon the railway may take with him his ordinary luggage, not exceeding one hundred and twenty pounds in weight for first-class passengers, one hundred pounds in weight for second-class passengers, and sixty pounds in weight for

Passengers  
luggage.

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Terminal station.

**38.** No station shall be considered a terminal station in regard to any goods conveyed on the railway unless such goods have been received thereat direct from the consignor or are directed to be delivered thereat to the consignee.

Restrictions as to charges not to apply to special trains.

**39.** The restrictions as to the charges to be made for passengers shall not extend to any special train run upon the railway, in respect of which the Company may make such charges as they think fit, but shall apply only to the ordinary and express trains appointed from time to time by the Company for the conveyance of passengers and goods upon the railway.

Company may take increased charges by agreement.

**40.** Nothing in this Act shall prevent the Company from taking any increased charges over and above the charges by this Act limited for the conveyance of animals or goods of any description by agreement with the owners or persons in charge thereof, either by reason of any special service performed by the Company in relation thereto, or in respect to the conveyance of animals or goods (other than small parcels) by passenger trains.

Working and traffic arrangements with Great Western Company and other companies.

**41.** The Company on the one hand, and the contributing companies, or any one or more of those companies, on the other hand, may, subject to the provisions of Part III. of "The Railways Clauses Act, 1863," from time to time enter into agreements with respect to the following purposes, or any of them; (that is to say,)

The maintenance and management by the contributing companies, or any of them, of the railway of the Company or any part thereof, and of the works connected therewith, or any of them :

The use or working of the railway or of any part thereof, and the conveyance of traffic thereon :

The supply of any rolling or working stock and machinery, and the employment of officers and servants :

The fixing and collection and apportionment of the tolls, rates, charges, receipts, and revenues levied, taken, or arising in respect of traffic :

The payments and allowances to be made and the conditions to be performed with respect to the matters aforesaid.

Tolls on traffic conveyed partly on the railway and partly on the railway of

**42.** During the continuance of any agreement to be entered into under the provisions of this Act for the working and use of the railway by the Corwen and Bala Railway Company, the railways of the Company and of that company shall, for the purposes of short-distance tolls and charges, be considered as one railway; and in

estimating the amount of tolls and charges in respect of traffic conveyed partly on the railway and partly on the railway of the Corwen and Bala Railway Company, for a less distance than four miles tolls 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 railway and partly on the Corwen and Bala Railway.

A.D. 1873.  
the Corwen  
and Bala  
Railway  
Company.

**43.** The Company, or the Company and the contributing companies, or any of them, on the one part, and the Merionethshire Railway Company on the other part, may from time to time enter into contracts or agreements with respect to the following purposes, or any of them; (that is to say,)

Power to  
make work-  
ing and  
traffic ar-  
rangements  
with the  
Merioneth-  
shire Rail-  
way Com-  
pany.

The maintenance, management, use, and working of the railway of the Merionethshire Railway Company, or any part or parts thereof;

The interchange, accommodation, conveyance, and delivery of traffic coming from or destined for the undertakings of the companies parties to such contracts or agreements, and the levying, paying, and collecting, division, and apportionment, of the receipts arising in respect of such traffic;

The supply of any rolling or working stock, and of officers and servants for the conduct of such traffic; and

The payments and allowances to be made and the conditions to be performed with respect to the matters aforesaid.

**44.** During the continuance of any such contract or agreement as aforesaid, the railway of the Company and of the other companies or company parties thereto shall, for the purposes of short-distance tolls and charges, be considered as one railway; and in estimating the amount of tolls and charges in respect of traffic conveyed partly on the railway and partly on the railway of the Merionethshire Railway Company, for a less distance than four miles tolls 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 railway and partly on the railway of the Merionethshire Railway Company.

Tolls on  
traffic con-  
veyed partly  
on the rail-  
way and  
partly on the  
Merioneth-  
shire Rail-  
way.

A.D. 1873.

Reciprocal  
running  
powers to  
Company  
and Merio-  
nethshire  
Railway  
Company.

45. The Company may run over and use with their engines and carriages of every description, and with their clerks, officers, and servants, the railways of the Merionethshire Railway Company, together with the stations, watering places, booking offices, warehouses, landing-places, sidings, works, and conveniences connected therewith respectively, and the Merionethshire Railway Company may in like manner run over and use so much of the railway hereby authorised as shall occupy the site of the Railway Number 1 described in and authorised by "The Merionethshire Railway Act, 1871," together with the stations, watering places, booking offices, warehouses, landing-places, sidings, works, and conveniences connected with such portion of railway.

Terms of  
such use.

46. The terms, conditions, and regulations to which the Company and the Merionethshire Railway Company shall be respectively subject in respect of the said use, and the tolls or other consideration to be paid by them for the same, shall, if not agreed upon between them, be from time to time determined by an arbitrator to be appointed by their common consent, or, in default of such consent, to be appointed by the Board of Trade on the application of either company, and the decisions of such arbitrator shall be binding and conclusive on the said companies, and the costs and expenses of such arbitration shall be defrayed as the arbitrator shall direct; and either of the said companies who shall refuse or neglect to perform, observe, and conform to any decision given or regulation made by any such arbitrator in the premises shall forfeit and pay to the other company any sum not exceeding fifty pounds for every such offence and twenty pounds for every day during which such offence shall continue.

As to ser-  
vices at  
stations.

47. The Company and the Merionethshire Railway Company shall perform upon the railways belonging to them respectively, and at the stations thereon, all such services and duties as may be necessary or reasonable for the convenient conduct of the traffic of the other company upon payment of such charges for the same as may be agreed upon between the companies, and if any difference shall arise between the companies as to the amount of such payments, or as to the nature, extent, or sufficiency of the services and duties so to be performed, such difference shall from time to time be settled by an arbitrator to be appointed as aforesaid, and the arbitrator to whom the matter may be referred may determine the amount of such payments and prescribe what duties and services shall be so performed.

Byelaws to  
be observed.

48. The Company and the Merionethshire Railway Company in using or traversing the said railways respectively and in using the



stations and conveniences thereof, in accordance with the provisions herein-before mentioned, shall at all times observe the regulations and byelaws for the time being in force on the undertaking so used, so far as such byelaws shall be applicable to the Company exercising the said powers.

A.D. 1873.

49. Provided always, notwithstanding anything herein contained, that the Company shall not, with reference to so much of the railway hereby authorised as is parallel to the Railway No. 1 authorised by "The Merionethshire Railway Act, 1871," exercise the powers to purchase land or construct works hereby given to them in any manner which will prevent or impede the Merionethshire Railway Company from acquiring the lands or constructing the works necessary for the completion of their said Railway No. 1, and that nothing herein contained shall relieve the Merionethshire Railway Company from any obligation to which they are by law now liable to construct and open for traffic simultaneously Railways Nos. 1 and 2 authorised by "The Merionethshire Railway Act, 1871;" and provided also that the Merionethshire Railway Company shall not be entitled to exercise the running powers by this Act granted to them until they shall have completed and opened for traffic the Railway No. 2 by their said Act authorised.

Provision as to Merionethshire Railway.

50. The contributing companies may from time to time raise, for the purposes of their subscription to the undertaking hereby authorised, any capital not exceeding in amount the amount which the said companies respectively may as aforesaid agree to subscribe, by the issue at their option of new ordinary shares or stock or new preference shares or stock, or wholly or partially by any one or more of those modes respectively; and the clauses and provisions of "The Companies Clauses Consolidation Act, 1845," with respect to the following matters; namely,

Power to Great Western Railway Company and other companies to raise money by the creation of shares or stock.

The distribution of the capital of the Company into shares;

The transfer or transmission of shares;

The payment of the subscriptions and the means of enforcing the payment of calls;

The forfeiture of shares for non-payment of calls;

The remedies of creditors of the Company against the shareholders;

The consolidation of the shares into stock;

The general meetings of the Company, and the exercise of the right of voting by the shareholders;

The making of dividends;

The giving of notices; and

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The provision to be made for affording access to the special Act by all parties interested; and

Part I. (relating to cancellation and surrender of shares); and

Part II. (relating to additional capital) of "The Companies Clauses Act, 1863;"

shall extend and apply to the contributing companies and to the additional capital which they are respectively by this Act authorised to raise.

Shares of contributing companies not to issue until one fifth paid up.

**51.** The contributing companies shall not issue any share under the authority of this Act of less nominal value than ten pounds, nor shall any share vest in the person accepting the same unless and until a sum not being less than one fifth of the amount of such share shall have been paid in respect thereof.

Application of moneys raised by the contributing companies.

**52.** All moneys which the contributing companies, or any of them, may raise under the powers of this Act shall be applied for the purposes of the before-mentioned subscription only.

Votes of contributing companies at general meetings.

**53.** Each of the contributing companies whilst shareholders of the Company may, by writing under their common seal, from time to time appoint some person to attend any meeting of the Company, and such person shall have all the privileges and powers attaching to a shareholder of the Company at such meetings, and may vote thereat in respect of the capital held by the contributing company by whom he is appointed.

Saving rights of the Crown.

**54.** Nothing contained in this Act shall authorise the Company to take, use, or in any manner interfere with any land or hereditaments, or any rights of whatsoever description, belonging to the Queen's most Excellent Majesty in right of her Crown, and under the management of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or either of them, without the consent in writing of the same Commissioners, or one of them, on behalf of Her Majesty, first had and obtained for that purpose (which consent such Commissioners are hereby respectively authorised to give), neither shall anything in this Act contained extend to take away, diminish, or alter any of the estates, rights, privileges, powers, or authorities vested in or enjoyed or exerciseable by the Queen's Majesty, her heirs or successors.

Interest not to be paid out of capital.

**55.** The Company shall not, out of any money by this Act authorised to be raised, pay interest or dividend to any shareholder on the amount of calls paid in respect of the shares held by him; but nothing in this Act shall prevent the Company from paying to any

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*Act, 1873.*

shareholder such interest on money advanced by him beyond the amount of the calls actually made as is in conformity with "The Companies Clauses Consolidation Act, 1845." A.D. 1873.

**56.** The Company shall not, out of any money by this Act authorised to be raised, pay or deposit any sum which, by any standing order of either House of Parliament now or hereafter in force, may be required to be deposited in respect of any application to Parliament for the purpose of obtaining an Act authorising the Company to construct any other railway or to execute any other work or undertaking. Deposits for future Bills not to be paid out of Company's capital.

**57.** Nothing in this Act contained shall exempt the railway from the provisions of any general Act relating to railways, or the better and more impartial audit of the accounts of railway companies, now in force or which may hereafter pass during this or any future session of Parliament, or from any future revision or alteration, under the authority of Parliament, of the maximum rates of fares and charges or of the rates for small parcels authorised by this Act. Railway not exempt from provisions of general railway Acts.

**58.** All the 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.