CHAPTER ccxlviii.

An Act to authorise the construction of a Railway from Pwllheli to Porthdinlleyn in the county of Carnarvon; and for other purposes. [7th August 1884.]

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WHEREAS the construction of the railway herein-after described in the county of Carnarvon would be of public and local advantage:

And whereas the persons herein-after named with others are willing at their own expense to construct the said railway and it is expedient that they should be incorporated into a company and that the powers herein-after contained should be conferred upon them for that purpose:

And whereas plans and sections showing the lines and levels of the railway authorised by this Act and also a book of reference 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 Carnarvon and are herein-after respectively referred to as "the deposited plans sections and book of reference":

And whereas the purposes 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 and Commons in this present Parliament assembled and by the authority of the same as follows:—

Short title.

1. This Act may be cited as the Porthdinlleyn Railway Act 1884.

Incorporation of general Acts.

2. The Companies Clauses Consolidation Act 1845 Parts I and III of the Companies Clauses Act 1863 (relating respectively to cancellation and surrender of shares and to debenture stock) as amended by the Companies Clauses Act 1869 the Lands Clauses

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Consolidation Acts 1845 1860 and 1869 as amended by the Lands Clauses (Umpire) Act 1883 the Railways Clauses Consolidation Act 1845 and Part I (relating to the construction of a railway) of the Railways Clauses Act 1863 are (except where expressly varied by or inconsistent with this Act) hereby incorporated with and form part of this Act.

Interpretation.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings unless there be something in the subject or context repugnant to such construction the expression "The Company" means the Company incorporated by this Act The expressions "the railway" and "the undertaking" mean respectively the railway and the undertaking by this Act authorised and for the purposes of this Act 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 simple contract debt and not a debt or demand created by statute.

Company incorporated.

4. William Rathbone, Love Jones Parry, John Marshall Dugdale, Robert Pughe-Jones, Edmund Bowen Bernard, and all other persons and corporations who have already subscribed to or shall hereafter become proprietors in the undertaking and their executors administrators successors and 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 Porthdinlleyn 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 and their undertaking shall be called "The Porthdinlleyn Railway."

Power to make railway.

5. Subject to the provisions of this Act the Company may make and maintain in the lines 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 book of reference as may be required for that purpose. The railway herein-before referred to and authorised by this Act is:—

A railway nine miles one furlong and five chains in length commencing in the parish of Abereirch in the county of Carnarvon

by a junction with the Cambrian Railways at a point one hundred and forty yards or thereabouts measured along that railway in a north-easterly direction from the north-east corner of the Cambrian Railways Company's station at Pwllheli and terminating in the parish of Edeyrn in the said county of Carnarvon at or near a point forty-eight yards measured in a north-easterly direction from the east corner of a warehouse near the Whitehall public-house or inn at Porthdinlleyn numbered 24 on the deposited plan belonging or reputed to belong to William Corbett Yale and in the occupation of Richard Hughes:

together with all necessary and convenient stations gates approaches transit-sheds bonding or other warehouses sheds quays wharves wharf walls embankments staiths stairs stages sidings junctions machinery cranes drops and other works and conveniences Officers of the revenue in the execution of their duty shall at all times have full access without let or hindrance to the works in this section lastly mentioned.

Terminus of railway.

6. Whereas it was at one time intended to provide by this Act for making the railway to a point west of the point above mentioned as the terminus in the parish of Edeyrn and the same is so shown on the deposited plans and sections Be it enacted that it shall not be lawful for the Company notwithstanding anything shown on such deposited plans and sections to make and maintain the railway beyond the western terminus as herein described.

Board of Trade provisions as to Pwllheli Harbour.

7. So much of the railway as crosses the harbour of Pwllheli shall be constructed upon an open viaduct of piles or pillars And the Company shall at such place or places therein as may be indicated by the Board of Trade to the satisfaction of that Board dredge the bed of the harbour to such an extent as will by deepening give an equivalent space for the space occupied by the piles or pillars of such open viaduct so that the quantity of water in the harbour may not be diminished or lessened thereby.

For protection of the mayor aldermen and burgesses of the borough of Pwllheli.

8. In carrying the railway over the River Erch (otherwise Eirch) in the borough and harbour of Pwllheli the Company shall at their own expense and in accordance with plans to be approved by the borough engineer for the time being or in case of dispute by an engineer to be nominated by the President for the time being of the Institution of Civil Engineers at the request of either party construct an opening bridge not less than thirty feet wide in the clear so as to provide for the passage of vessels into and from the said harbour and shall for ever thereafter at the like expense keep

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and maintain such bridge in good repair and efficient working order and cause the same to be opened for the passage of vessels at all times (except when a train is approaching or crossing the bridge) when required by the harbour-master or his deputy or any other person or persons to whom authority for that purpose may from time to time be given by the mayor aldermen and burgesses of the said borough:

And shall also at the like expense for ever maintain and keep all the openings or arches between the piles or pillars on which the railway shall be carried across the harbour as provided by the last preceding section clear and open so as to permit a free and uninterrupted flow of water through the same:

In carrying the railway across the said town embankment the works shall be constructed so that the extreme height of the surface of the rails shall not exceed three feet above the present level of the embankment and the Company shall at their own expense and subject to approval as aforesaid construct and for ever maintain a good sufficient and commodious bridge for foot passengers over the railway where it crosses that embankment:

In carrying the railway across the market place in the town of Pwllheli the Company shall construct it (subject to approval as aforesaid) upon arches or piles and not upon an embankment as shown on the deposited plans:

The Company shall provide and for ever maintain in the town of Pwllheli a good and sufficient station with all usual and proper conveniences.

Diversion of roads.

9. The Company may divert alter or stop up any roads and footpaths within the limits of deviation delineated on the deposited plans and described in the deposited book of reference in the manner shown on the deposited plans and sections.

Power to take easements &c. by agreement.

10. Persons empowered by the Lands Clauses Consolidation Act 1845 to sell and convey or release lands may if they think fit subject to the provisions of that Act and of the Lands Clauses Consolidation Acts Amendment Act 1860 and of this Act grant to the Company any easement right or privilege not being an easement of water required for the purposes of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

Capital.

11. The capital of the Company shall be one hundred and twenty thousand pounds in twelve thousand shares of ten pounds each.

Shares not to be issued until one-fifth paid.

12. The Company shall not issue any share created under the authority of this Act nor shall any such share vest in the person

or corporation 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.

13. 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-fifths of the amount of a share shall be the utmost aggregate amount of the calls made in any year upon any share.

Receipt in case of person not sui juris.

14. 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 divide shares.

15. 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 in their capital into half-shares of which one shall be called "preferred half-share" and the other shall be called "deferred half-share" but the Company shall not so 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.

Dividends on half-shares.

16. 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 six per centum per annum as shall be determined once for all 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.

Dividends on preferred half-shares to be paid out of profits of the year only.

17. 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

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year no part of the deficiency shall be made good out of the profits of any subsequent year or out of any other funds of the Company.

Half-shares to be registered and certificates issued.

18. 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 but the directors shall not be bound to issue a certificate of any half-share until the certificate of the existing entire share be delivered to them to be cancelled unless it be showed to their satisfaction that such certificate is destroyed or lost and on any certificate being so delivered up the directors shall cancel it.

Terms of issue to be stated on certificate.

19. The terms and conditions on which any preferred half-share or deferred half-share created under this Act is issued shall be stated on the certificate of each such half-share.

Forfeiture of preferred half-shares.

20. The provisions of the Companies Clauses Consolidation Act 1845 with respect to the forfeiture of shares for non-payment of calls shall apply to all preferred half-shares created under the authority of this Act and every such preferred half-share shall for that purpose be considered an entire share distinct from the corresponding deferred half-share and until any forfeited preferred half-share shall be sold by the directors 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 half-shares not to be cancelled or surrendered.

21. 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 in capital.

22. The several half-shares under this Act shall be half-shares in the capital of the Company and every two half-shares (whether preferred or deferred or one of each) 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.

Power to borrow.

23. The Company may from time to time borrow on mortgage of the undertaking any sum not exceeding in the whole forty thousand pounds but no part thereof shall be borrowed until the whole capital of one hundred and twenty 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 such 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 certificate shall be sufficient evidence thereof.

For appointment of a receiver.

24. 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 not be less than one thousand pounds in the whole.

Debenture stock.

25. The Company may create and issue debenture stock subject to the provisions of Part III of the Companies Clauses Act 1863 but notwithstanding anything therein contained the interest of all debenture stock and of all mortgages at any time created and issued or granted by the Company under this or any subsequent Act shall (subject to the provisions of any subsequent Act) rank pari passu without respect to the dates of the securities or of the Acts of Parliament or resolutions by which the stock and mortgages were authorised and shall have priority over all principal moneys secured by such mortgages.

Application of moneys.

26. All moneys raised under this Act whether by shares debenture stock or borrowing shall be applied for the purposes of this Act only.

First ordinary meeting.

27. The first ordinary meeting of the Company shall be held within six months after the passing of this Act.

Quorum of meeting of Company.

28. The quorum of meetings of the Company shall be ten shareholders present in person or by proxy holding in the aggregate not less than ten thousand pounds in the capital of the Company.

Number of directors.

29. The number of directors shall be three but the Company may from time to time increase that number provided it be not more than five.

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Qualification of directors.

30. The qualification of a director shall be the possession in his own right of not less than thirty shares.

Quorum.

31. The quorum of a meeting of directors shall be two so long as their number is three or four and three when it is five.

First directors.

32. Robert Pughe-Jones, Edmund Bowen Bernard and three others 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 nominated as aforesaid or any of them or may elect a new body of directors or directors to supply the place 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 increasing or 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 died or resigned shall continue to be directors until others are elected in their stead in manner provided by the same Act.

Election of directors.

Lands for extraordinary purposes.

33. 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 two acres.

Period for compulsory purchase of lands.

34. 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.

Height and span of bridges.

35. 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 :—

No. on deposited Plan.	Parish.	Description of Road.	Height.	Span.
17	Denio - -	Public - -	16 feet	35 feet.
8	Penrhos - -	Public - -	16 feet	50 feet.
43	Llanor - -	Public - -	15 feet	20 feet.
3	Edeyrn - -	Public - -	16 feet	35 feet.

Deposit fund not to be repaid except so far as railway opened.

36. Whereas pursuant to the standing orders of both Houses of Parliament and to an Act of the ninth year of the reign of Her present Majesty chapter twenty a sum of five thousand five hundred and forty-seven pounds fourteen shillings and fourpence Consolidated Three per Centum Annuities equal to five pounds per centum upon the amount of the estimate in respect of the railway has been transferred into the Chancery Division of the High Court of Justice in England in respect of the application to Parliament for this Act And whereas since the said annuities were transferred as aforesaid the estimate of expense of the railway authorised by this Act has by the abandonment of a portion thereof comprised in the Bill for this Act been reduced to one hundred and four thousand nine hundred and sixty-eight pounds eleven shillings and fivepence five per centum upon which at the price at which the annuities were purchased is equal to five thousand one hundred and ninety-six pounds nine shillings and fourpence which sum is referred to in this Act as the deposit fund Be it enacted that notwithstanding anything contained in the said Act the said deposit fund 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 which persons survivors or survivor are or is in this Act referred to as "the depositors" unless the Company shall previously to the expiration of the period limited by this Act for completion of the railway open the same for the public conveyance of passengers Provided that if within such period as aforesaid the Company open any portion of the railway for the public conveyance of passengers then on the production of a certificate of the Board of Trade specifying the length of the portion of the railway opened as aforesaid and the portion of the deposit fund which bears to the whole of the deposit fund the same proportion as the length of the railway so opened bears to the entire length of the railway the Chancery Division shall on the application of the depositors or the majority of them order the portion of the deposit fund specified in the certificate to be paid or transferred to them or as they shall direct and the certificate of the Board of Trade shall be sufficient evidence of the facts therein certified and it shall not be necessary to produce any certificate of this Act having passed anything in the above-mentioned Act to the contrary notwithstanding.

Application of deposit.

37. If the Company do not previously to the expiration of the period limited for the completion of the railway complete and open the same for the public conveyance of passengers then and in every such case the deposit fund or so much thereof as shall not have been paid to the depositors shall be applicable and after due notice

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in the "London Gazette" shall be applied towards compensating any landowners or other persons whose property has been interfered with or otherwise rendered less valuable by the commencement construction or abandonment of the railway in respect of which the default is made or any portion thereof or who 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 has been paid and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the Chancery Division of the High Court of Justice in England may seem fit and if no such compensation is payable or if a portion of the deposit fund has been found sufficient to satisfy all just claims in respect of such compensation then the deposit fund 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 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 Chancery Division 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 deposit fund has been repaid 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 depositors.

Application of balance of deposit.

38. On the application of the depositors by petition or summons in a summary way at any time after the passing of this Act the court may and shall order that three hundred and fifty-one pounds five shillings Consolidated Three Pounds per Centum Annuities (being the balance of the said five thousand five hundred and forty-seven pounds fourteen shillings and fourpence like annuities after deducting therefrom the said five thousand one hundred and ninety-six pounds nine shillings and fourpence like annuities) and the interest and dividends thereon shall be transferred to the depositors or to any other person or persons whom the depositors may appoint in that behalf.

Period for completion of railway.

39. 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 shall then be completed. A.D. 1884.

40. The Company may demand and take in respect of the use of the railway any tolls not exceeding the following (that is to say) :— Tolls.

In respect of passengers and animals conveyed on the railway or any part thereof :

Class 1. For every person conveyed in a first class carriage per mile twopence ;

Class 2. For every person conveyed in a second class carriage per mile one penny halfpenny ;

Class 3. For every person conveyed in a third class carriage per mile one penny ;

Class 4. For every horse mule or ass or other beast of draught or burden conveyed in or upon any carriage per mile threepence ;

Class 5. For every ox cow bull or neat cattle conveyed in or upon any carriage per mile twopence ;

Class 6. For every calf pig sheep or lamb or other small animal conveyed in or upon any carriage per mile one penny :

In respect of goods conveyed on the railway :

Class 7. For all coals coke culm slack cinders lime limestone sand and clay except fire-clay chalk dung compost and all sorts of common manure and salt for agricultural purposes and all undressed materials for the repair of highways clay ironstone and iron ore per ton per mile one penny ;

Class 8. For all pig iron bar iron and all other similar descriptions of iron and iron castings not manufactured into utensils or other articles of merchandise guano and artificial manures undressed stones for building pitching and paving bricks tiles common slates fire-clay charcoal bats copper tin lead and other ores per ton per mile one penny halfpenny ;

Class 9. For all sugar grain salt for domestic purposes corn flour potatoes hides (dried and salted) dyewoods timber staves and deals metals (except iron) tinned plates nails anvils vices hoop iron sheet iron and chains per ton per mile twopence ;

Class 10. For lace furs silk drapery millinery china glass cotton wool manufactured goods drugs and all other wares merchandise fish articles matters or things per ton per mile threepence :

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In respect of carriages conveyed on the railway:

Class 11. 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 if having more than two wheels per mile fourpence and if having only two wheels per mile threepence and for every additional quarter of a ton up to four tons which any such carriage weighs one penny per mile in addition if such carriage have more than two wheels and three farthings per mile in addition if the same have only two wheels.

Tolls for carriages, &c.

41. For carriages and trucks supplied by the Company the Company may (in addition to the other tolls by this Act authorised) demand or take for or in respect of goods articles matters or things persons or animals comprised in either of the classes herein-before specified any tolls not exceeding the tolls next herein-after mentioned in connexion with the class in which such goods articles matters or things persons or animals are respectively comprised (to wit):—

For Class 1 for each person per mile one penny;
For Class 2 for each person per mile three farthings;
For Class 3 for each person per mile one halfpenny;
For Class 4 for each animal per mile one penny;
For Class 5 for each animal per mile one penny;
For Class 6 for each animal per mile one halfpenny;
For Class 7 per ton per mile one halfpenny;
For Class 8 per ton per mile one halfpenny;
For Class 9 per ton per mile three farthings;
For Class 10 per ton per mile one penny;
For Class 11 for each carriage per mile twopence.

Tolls for propelling power.

42. The tolls which the Company may demand for the use of engines for propelling carriages on the railway shall not exceed one halfpenny per ton per mile for coals iron ore and iron or one penny per mile for each passenger or animal or for each ton of goods other than coals iron ore and iron in addition to the several other tolls or sums by this Act authorised to be taken.

Regulations as to tolls.

43. The following provisions and regulations shall apply to the fixing of all tolls and charges payable under this Act (that is to say):

For all passengers animals or goods conveyed on the railway for a less distance than three miles the Company may demand tolls and charges as for three miles. For a fraction of a mile

beyond three 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 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 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.

Tolls for small parcels and articles of great weight.

44. 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 threepence;

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

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

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

For any parcel exceeding fifty-six pounds and not exceeding one hundredweight one shilling and sixpence and for every additional one hundredweight beyond one hundredweight up to five hundredweight ninepence:

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 any single thing the weight of which including the carriage exceeds four tons but does not exceed eight tons the Company may demand and take any sum not exceeding sixpence a ton per mile:

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

Maximum rates for passengers.

45. 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 for carriages and locomotive power and every other expense incidental to such conveyance shall not exceed the following (that is to say) :—

For every passenger conveyed in a first class carriage the sum of threepence per mile :

For every passenger conveyed in a second class carriage the sum of twopence per mile :

For every passenger conveyed in a third class carriage the sum of one penny per mile.

Maximum rates for animals and goods.

46. 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 service 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) :—

Class 4. For each animal fourpence per mile :

Class 5. For each animal twopence per mile :

Class 6. For every calf or pig one penny per mile and for every other small animal one halfpenny per mile :

Class 7. One penny halfpenny per ton per mile :

Class 8. Twopence halfpenny per ton per mile :

Class 9. Threepence per ton per mile :

Class 10. Fourpence per ton per mile :

Class 11. For every carriage if having more than two wheels and not weighing more than one ton and a half sixpence and one penny halfpenny for every additional quarter of a ton and if having only two wheels fourpence per mile and one penny for every additional quarter of a ton.

Passengers luggage.

47. 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

third class passengers without any charge being made for the carriage thereof.

Foregoing charges not to apply to special trains.

48. The restrictions as to the tolls and charges to be made for passengers and articles herein-before mentioned 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.

Terminal station.

49. No station is to be considered a terminal station in regard to any goods conveyed on the railway which have not been received thereat direct from the consignor of such traffic or are not directed to be delivered thereat to the consignee.

Company may take increased charges by agreement.

50. 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 of 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 or other trains.

Classification table to be open for inspection. Copies to be sold.

51. The book tables or other document in use for the time being containing the general classification of goods carried by goods or merchandise train on the railway of the Company shall during all reasonable hours be open to the inspection of any person without the payment of any fee at every station at which goods or merchandise are received for transmission and such book tables or other document as annually revised shall be kept on sale at the principal office of the Company at a price not exceeding one shilling:

Terminal charges (if any) to be specified on application.

The Company shall within one week after application in writing made to the secretary of the Company by any person interested in the carriage of any goods which have been or are intended to be carried over the railway render an account to the person so applying in which the charge made or claimed by the Company for the carriage of such goods shall be divided and the charge for conveyance over the railway shall be distinguished from the terminal charges (if any) and if any terminal charge is included in such account the nature and detail of the terminal expenses in respect of which it is made shall be specified:

Penalty.

If the Company fail to comply with the provisions of this section they shall for each offence and in the case of a continuing offence for every day during which the offence continues be liable to a penalty not exceeding five pounds which penalty shall be recovered

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and applied in the same manner as penalties imposed by the Regulation of Railways Act 1873 section fourteen.

Saving rights of the Crown in the foreshore.

52. Nothing contained in this Act shall authorise the Company to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any right in respect thereof belonging to the Queen's most Excellent Majesty in right of Her Crown and under the management of the Board of Trade without the previous consent in writing of the Board of Trade on behalf of Her Majesty (which consent the Board of Trade may give) neither shall anything in this Act contained extend to take away prejudice 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.

Saving rights as to future accretions.

53. Whereas all tidal lands to the seaward of the lands by this Act authorised to be acquired now are below the line of ordinary high-water mark therefore if any land to the seaward of the lands by this Act authorised to be acquired shall at any time after the execution of any works under the authority of this Act become raised in height or reclaimed whether gradually or imperceptibly or otherwise so as to be above instead of below such line of ordinary high-water mark the Company shall not by virtue of the ownership of any lands which they are by this Act empowered to acquire have any estate right or interest in or to the lands so raised in height or reclaimed by reason that such raising or reclamation has been gradual or imperceptible or has been either wholly or partially caused by the works by this Act authorised or otherwise but the right and title to the soil and freehold of such land when so raised or reclaimed shall continue vested in the Queen's Majesty or such other corporation or person or persons as is or are at the time of the passing of this Act entitled to the same and as if the same had continued as the same now is subject to the flow and reflow of the ordinary tides.

Any land reclaimed by the works not to be taken without the consent of the Board of Trade.

54. If in the course or by means of the execution of any of the works by this Act authorised any part of the shores or bed of Pwllheli Harbour or of the sea beyond the mouth thereof belonging to Her Majesty shall be inned gained or reclaimed from the water the said Company shall not have or exercise any right upon the same or in respect thereof and shall not enter upon take use or interfere with the land so inned gained or reclaimed for any purpose whatsoever without the consent in writing of the Board of Trade on behalf of Her Majesty but such inning gaining or reclamation shall enure absolutely for the benefit of the Queen's Majesty Her heirs and successors.

Saving rights of Porthdinlleyn Harbour Company.

55. Nothing in this Act contained shall authorise the Company to take use or in any manner interfere with the lands works rights or property of the Porthdinlleyn Harbour Company without their previous consent in writing for that purpose first had and obtained.

Interest not to be paid on calls paid up.

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

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

57. 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.

Provision as to general Railway Acts.

58. Nothing in this Act contained shall exempt the Company or 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.

Costs of Act.

59. All costs charges and expenses of and incidental to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company.

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