



## CHAPTER liv.

An Act to revive and extend the powers of the Porthdinlleyn Railway Company for the acquisition of lands for and the completion of their authorised Railway and for other purposes. A.D. 1888.  
[28th June 1888.]

**W**HEREAS by the Porthdinlleyn Railway Act 1884 (in this Act called “the Act of 1884”) the Porthdinlleyn Railway Company (in this Act called “the Company”) were incorporated and were authorised to make and maintain the railway in that Act described :

And whereas it is expedient that the powers for the compulsory purchase of lands granted by the Act of 1884 should be revived and continued and that the period for the completion of the railway authorised by that Act (herein-after called “the railway”) should be extended as by this Act provided :

And whereas it is expedient that the Company be empowered to pay interest out of capital at the rate herein-after mentioned during the construction of the works by the Act of 1884 authorised :

And whereas it is expedient that the Company and the Cambrian Railways Company be authorised to enter into working and other agreements as by this Act provided :

And whereas the objects aforesaid cannot be attained without the authority of Parliament :

May it therefore please Your Majesty that it may be enacted and be it enacted by the Queen’s most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows :—

1. This Act may be cited for all purposes as the Porthdinlleyn Short title. Railway Act 1888.

2. Part II. (relating to extension of time) of the Railways Clauses Act 1863 is except where expressly varied by this Act incorporated with and forms part of this Act. Incorporation of part of general Act.

A.D. 1888.

Interpretation.

3. In this Act the several words and expressions to which meanings are assigned by the Act of 1884 and the Act partially incorporated herewith shall have the same respective meanings unless there be something in the subject or context repugnant to such construction.

Powers for compulsory purchase of lands revived.

4. The powers conferred upon the Company by the Act of 1884 for the compulsory purchase of the lands for the purposes of that Act are hereby revived and extended and shall continue in force and may be exercised until but not after the expiration of three years from the seventh day of August one thousand eight hundred and eighty-seven.

Extension of time for construction of railway.

5. The powers granted by the Act of 1884 for the construction of the railway by that Act authorised are extended and may be exercised by the Company for the period of three years from the seventh day of August one thousand eight hundred and eighty-nine and on the expiration of that period those powers shall cease except as to so much of the said railway as is then completed and sections 36 and 37 of the Act of 1884 respectively shall be read and construed as if the period limited by this Act for the completion of the railway had been the period limited by the Act of 1884 for the completion thereof.

If the said railway be not completed within the said extended period of three years then on the expiration of that period the powers by this Act granted for making and completing the same or otherwise relating thereto shall cease to be exercised except as to so much thereof as shall then be completed.

Restriction on displacing persons of labouring class.

6. The Company shall not under the extended powers by this Act granted without the consent of the Local Government Board purchase or acquire in any city borough or other urban sanitary district or in any parish or part of a parish not being within an urban sanitary district ten or more houses which after the passing of this Act have been or on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers.

For the purposes of this section the expression "labouring class" includes mechanics artizans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any of such persons who may be residing with them.



7. The Company and the Cambrian Railways Company may subject to the provisions of Part III. of the Railways Clauses Act 1863 as amended or varied by the Regulation of Railways Act 1873 from time to time enter into and carry into effect agreements with respect to the following purposes or any of them (that is to say) :—

A.D. 1888.  
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Agreements  
with  
Cambrian  
Railways  
Company.

The maintaining working using and managing by the Cambrian Railways Company of the railway or any part thereof :

The supply and maintenance under any agreement for the working of the railway or any part thereof by the Cambrian Railways Company of rolling or working stock and of machinery officers and servants for any of the purposes of any such agreement :

The interchange accommodation conveyance and delivery of the traffic coming from or destined for the respective undertakings of the contracting companies :

The levying fixing collection division and apportionment of the tolls rates fares charges receipts and revenues levied taken or arising from such traffic :

The payments allowances rebates and drawbacks to be paid made or allowed by either of the contracting companies to the other of them for or on account of any of the matters to which the respective agreement relates.

8. During the continuance of any agreement to be entered into under the provisions of this Act for the working of the railway by the Cambrian Railways Company the railway of the Company and the railway of the Cambrian Railways 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 Cambrian Railways Company for a less distance than three miles tolls and charges may only be charged as for three miles and in respect of passengers for every mile or fraction of a mile beyond three 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 three 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 Cambrian Railways Company.

Tolls on  
traffic con-  
veyed partly  
on railway of  
Company  
and partly  
on railway  
of Cambrian  
Railways  
Company.

9. Section 56 of the Act of 1884 is hereby repealed.

Repealing  
section 56 of  
existing Act.

10. Notwithstanding anything in the said Act of 1884 or in any Act or Acts incorporated therewith contained it shall be lawful for

Power for  
Company to



A.D. 1888.  
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pay interest  
out of  
capital.

the Company out of any moneys by the said Act of 1884 authorised to be raised to pay interest at such rate not exceeding four pounds per centum per annum as the directors may determine to any shareholder on the amount from time to time paid up on the shares held by him from the respective times of such payments until the expiration of the time limited by the said Act of 1884 as extended by this Act for the completion of the works by that Act authorised or such less period as the directors may determine but subject always to the conditions herein-after stated (that is to say) :—

- (A.) No such interest shall begin to accrue until the Company shall have obtained a certificate from the Board of Trade that two thirds at least of the share capital authorised by the said Act of 1884 in respect of which such interest may be paid has been actually issued and accepted and is held by shareholders who or whose executors administrators or assigns are legally liable for the same ;
- (B.) No such interest shall accrue in favour of any shareholder for any time during which any call on any of his shares is in arrear ;
- (C.) The aggregate amount to be so paid for interest shall not exceed ten thousand pounds and the amount so paid shall not be deemed share capital in respect of which the borrowing powers of the Company may be exercised but such borrowing powers shall be reduced to the extent of one third of the amount paid for interest as aforesaid ;
- (D.) Notice that the Company has power so to pay interest out of capital shall be given in every prospectus advertisement or other document of the Company inviting subscriptions for shares and in every certificate of shares ;
- (E.) The half-yearly accounts of the Company shall show the amount of capital on which and the rate at which interest has been paid in pursuance of this section :

Save as herein-before set forth no interest or dividend shall be paid out of any share or loan capital which the Company are by any 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.

Provision as  
to general  
railway Acts.

**11.** Nothing in this Act shall exempt the Company or their 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 to be taken by the Company. A.D. 1888.  
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**12.** Nothing contained in this Act or to be done under the authority thereof shall in any manner affect the title to any of the subjects or any rights powers or authorities mentioned in or reserved by sections twenty-one and twenty-two of the Crown Lands Act 1866 and belonging to or exerciseable on behalf of Her Majesty Her heirs or successors. Saving  
rights of  
Crown under  
Crown  
Lands Act.

**13.** All costs charges and expenses of and incident to the preparing and applying for and the obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company. Costs of Act.

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