



## CHAPTER cix.

An Act to extend the time for the Purchase of Lands for and for the Completion of the Mumbles Railway and Pier. A.D. 1892.  
[20th June 1892.]

WHEREAS by the Mumbles Railway and Pier Act 1889. (in this Act referred to as "the Act of 1889") the Mumbles Railway and Pier Company (in this Act called "the Company") were incorporated and authorised to make a railway from the Oystermouth railway or tramroad in the parish of Oystermouth in the county of Glamorgan to the Mumbles Head with a pier in connexion therewith :

And whereas by the Act of 1889 the time for the compulsory purchase of lands was limited to three years and the time for the completion of the railway and pier was limited to five years from the passing of that Act which received the Royal Assent on the twenty-sixth day of August one thousand eight hundred and eighty-nine :

And whereas it is expedient that the powers of the Company for the compulsory purchase of lands should be extended and that the time for completing the railway and pier should also be extended as herein-after provided :

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 :—

1. This Act may be cited for all purposes as the Mumbles Railway and Pier Act 1892. Short title.

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. Part II. of Railways Clauses Act 1863 incorporated.

[Price 3d.]

A.D. 1892.

Interpretation.

3. In this Act the words and expressions to which meanings are assigned by the Act of 1889 and the Act partially incorporated herewith have the same respective meanings unless there be something in the subject or context repugnant to such construction.

Extension of powers for purchase of lands.

4. The powers of the Act of 1889 with respect to the compulsory purchase of lands for the purposes of the railway and pier authorised by that Act are hereby extended and shall continue in force for and during a period of two years from the twenty-sixth day of August one thousand eight hundred and ninety-two.

Extension of time for completing railway and pier.

5. The time limited by the Act of 1889 for the completion of the railway and pier is hereby extended for a period of three years from the twenty-sixth day of August one thousand eight hundred and ninety-four.

If railway and pier not completed within extended period powers to cease.

6. If the railway and pier shall not be completed within the extended period granted by this Act then on the expiration of such period the powers by the Act of 1889 and this Act conferred on the Company for making and completing the same or otherwise in relation thereto shall cease except as to so much thereof as shall then be completed.

Restriction on taking houses of labouring class.

7. The Company shall not under the powers of the Act of 1889 as extended by this Act 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 next before the passing of this Act or of the Act of 1889 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 artisans 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 such persons who may be residing with them.

As to repayment of deposit money.

8. Section thirty of the Act of 1889 is hereby repealed and in lieu thereof it is enacted as follows viz. :—

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 one thousand one hundred and twenty pounds nine shillings and sixpence two and three-quarters per centum consolidated stock being equal to five per centum on the amount of the estimate in respect of the railway has been deposited with the Paymaster-

General for and on behalf of the Supreme Court in respect of the application to Parliament for the Act of 1889 which sum is referred to in this Act as the deposit fund Be it enacted that notwithstanding anything contained in the said Act of the ninth year of the reign of Her present Majesty the 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 last-mentioned 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 the completion of the railway open the same for the public conveyance of passengers and if the Company shall make default in so opening the railway the deposit fund shall be applicable and shall be applied as provided by the next following section 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 that the length of the railway so opened bears to the entire length of the railway the High Court shall on the application of the depositors 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 said Act of the ninth year of the reign of Her present Majesty to the contrary notwithstanding.

9. Section thirty-one of the Act of 1889 is hereby repealed and in lieu thereof it is enacted as follows viz. :—

Providing  
for release  
of deposit  
fund.

If the Company do not previously to the expiration of the period limited by this Act for the completion of the railway authorised by the Act of 1889 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 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 or any portion thereof or who have been subjected to injury or loss in con-

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sequence of the compulsory powers of taking property conferred upon the Company by the Act of 1889 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 High Court 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 if a receiver has been appointed or the Company is insolvent or the undertaking has been abandoned be paid or transferred to such receiver or be applied in the discretion of the Court as part of the assets of the Company for the benefit of the creditors thereof and subject to such application shall be repaid or retransferred to the depositors :

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.

Provision as  
to general  
railway  
Acts.

**10.** 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 the Act of 1889.

Costs of Act.

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

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