ANNO VICESIMO OCTAVO

VICTORIÆ REGINÆ.

****

Cap. lxxxi.

An Act for authorizing an Extension of the *Corwen and Bala* Railway; for abandoning Portions of the *Corwen and Bala* and *Bala and Dolgelly* Railways; and for other Purposes.

[19th *June* 1865.]

WHEREAS by "The *Corwen and Bala* Railway Act, 1862," 25 & 26 Vict.
the *Corwen and Bala* Railway Company (in this Act c. cx.
called "the Company") were incorporated, and were authorized to make and maintain a Railway from *Corwen* to *Bala:* And whereas the Company are proceeding to put that Act into execution: And whereas by "The *Bala and Dolgelly* Railway Act, 1862," the 25 & 26 Vict.
Bala and Dolgelly Railway Company were authorized to make a c. cix.
Railway from *Bala* to *Dolgelly:* And whereas the Railways authorized by the said recited Act form Part of a continuous Line of Communication, and the same may be worked with greater Convenience to the Public and Advantage to the Companies if the Extension of the *Corwen and Bala* Railway herein-after authorized shall be made, and the Companies shall be authorized to construct a joint Station at *Bala*, and to abandon such Portions of their respective Railways as herein-after provided: And whereas Plans and Sections of the said intended Extension Railway showing the

Lines and Levels thereof, and also a Book of Reference containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the Lands through which the same are intended to pass, or which may be required for the Purposes of the Undertaking, have been deposited with the Clerk of the Peace for the County of *Merioneth:* And whereas it is expedient that some of the Powers and Provisions of the recited Acts respectively be amended, extended, and enlarged as herein-after mentioned; but the Objects aforesaid 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 of the Commons, in this present Parliament assembled, and by Authority of the same, as follows:

Short Title.

1. In citing this Act for any Purpose it shall be sufficient to use the Expression "The *Corwen and Bala* Railway Act, 1865."

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

2. "The Lands Clauses Consolidation Act, 1845," "The Railways Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Acts Amendment Act, 1860," and Part I. and Part III. of "The Railways Clauses Act, 1863," shall, excepting in so far as expressly varied or altered by this Act, be incorporated with this Act.

Same Meanings to Words in incorporated Acts as in this Act.

3. The several Words and Expressions to which by the Acts wholly or in part incorporated with this Act Meanings are assigned have in this Act the same respective Meanings, unless excluded by the Subject or Context.

Description of Line of Railway.

4. It shall be lawful for the Company to make and maintain the Extension Railway herein-after described, with all proper Works, Approaches, Stations, and Conveniences connected therewith, and for the Purposes thereof the Company may from Time to Time enter upon, take, use, and appropriate all or any of the Lands defined on the deposited Plans and described in the deposited Book of Reference; (that is to say,)

A Railway commencing by a Junction with the *Corwen and Bala* Railway in the Parish of *Llanfor* or *Llanfawr*, and terminating by a Junction with the *Bala and Dolgelly* Railway in the Parish of *Llangower*, all in the County of *Merioneth*.

Regulating Inclination of Turnpike Road.

5. It shall be lawful for the Company to make the Inclination of the Turnpike Road in the Parish of *Llangower*, numbered 26 on the said deposited Plans, when altered for the Purposes of this Act, not steeper than 1 in 20.

6. The

Company and Bala and Dolgelly Railway Company may agree as to Construction of Extension Railway.

6. The Company and the *Bala and Dolgelly* Railway Company may make and carry into effect Arrangements and Agreements with reference to the Construction and Maintenance of the said Extension Railway: Provided always, that such Arrangements and Agreements shall not involve any larger Expenditure of Money by the last-named Company upon that Railway than would have been required to construct so much of their Railway as is hereby authorized to be abandoned.

Powers for compulsory Purchases limited.

7. The Powers for the compulsory Purchase of Lands by this Act conferred upon the Company shall not be exercised after the Expiration of Two Years from the passing of this Act.

Lands for extraordinary Purposes.

8. The Company may purchase by Agreement and hold any Quantity of Land for the extraordinary Purposes mentioned in "The Lands Clauses Consolidation Act, 1845," not exceeding in the whole Four Acres.

Period for Completion of Works.

9. The said Extension Railway shall be completed by the Thirtieth Day of *June* One thousand eight hundred and sixty-seven, and on the Expiration of that Period the Powers by this Act or the Acts incorporated herewith granted to the Company for executing the Railway, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the Railway as shall then be completed.

Power to agree with Bala and Dolgelly Railway Company as to joint Station at Bala.

10. The Company and the *Bala and Dolgelly* Railway Company may make and carry into effect all such Agreements as they think fit with regard to the Construction, Arrangement, Management, and Use of a joint Station at *Bala* for the Accommodation of the Traffic, whether in Passengers or in Goods, Animals, Minerals, or other Matters and Things carried upon the Railways of those Companies, and it may, by any Agreement as aforesaid, be determined whether the Station shall be constructed and maintained at the joint Expense of the Two Companies, and in that Case whether in equal or unequal Proportions, or at the sole Expense of One of the Two Companies, and to be used by the other of the Two Companies, as the Case may be, upon Terms and Conditions to be mutually agreed on, and whether the Station shall be a joint Station and used in common by both Companies, or be so divided that a Part or Parts thereof may be devoted to the exclusive Use of each Company, and also whether the Station shall be constructed on Lands to be purchased or provided wholly by One Company or by both Companies; and it shall be lawful for the Two Companies, in pursuance of any Agreement as aforesaid, to hold Lands for their joint Use and at their joint Disposal, and to appoint a Joint Committee, composed of such Numbers of their Directors as they may think fit, for the Regulation and Management

of

of the Station, and to agree on Regulations as to the Appointment and Duties of the Committee, and to depute to that Joint Committee Powers to agree to and from Time to Time to vary or rescind Regulations respecting the Management and Use of the joint Station; and in case either of the Companies shall have purchased or acquired Land for the joint Station, that Company shall hold such Land as shall have been so acquired and as shall be used for that Station, in trust for the joint Use of both Companies, upon such Terms as may be agreed upon, and the Company who shall not have purchased the same shall contribute and pay to the Company who purchased the Land such Portion of the Purchase or Consideration Money and other Expenses incurred in acquiring the same as has been or shall be agreed upon.

Differences to be settled by Arbitration.

11. If any Questions, Disputes, or Differences shall arise between the Company and the *Bala and Dolgelly* Railway Company in regard to the Matters embraced in the immediately preceding Enactment, or any of them, or in regard to any Agreement relative thereto, the same shall, so often as they shall arise, be settled by Arbitration in manner provided by the "Railway Companies Arbitration Act, 1859."

Company not to interfere with Sluices at Bala Pool.

12. The Company shall not, in constructing the Railway and Works hereby authorized, take, use, or in any way interfere with the Weirs, Embankments, Sluices, Floodgates, and other Works of the *Shropshire Union* Railways and Canal Company at or near to *Bala Pool* in the County of *Merioneth*.

Powers of Shropshire Union Company as to Pounding and taking Water in and from Bala Pool not to be interfered with.

13. Nothing in this Act contained shall in any way take away, lessen, or interfere with any Rights, Powers, or Privileges of the said *Shropshire Union* Railways and Canal Company of pounding, keeping up, retaining, and drawing off the Water in and from *Bala Pool* aforesaid; and the *Shropshire Union* Railways and Canal Company shall not be liable for any Damage or Injury which may, by the Exercise of such Powers, or any of them, be occasioned to the said Railway and Works by this Act authorized.

Power to Corwen and Bala Company to abandon Portion of their authorized Line.

14. It shall be lawful for the Company to abandon that Portion of their authorized Main Line of Railway which is situate between a Point thereon, in the Parish of *Llanfor* otherwise *Llanfawr*, marked Ten Miles and One Furlong on the deposited Plans of that Railway and the *Bala* Terminus of the same Railway.

Power to Bala and Dolgelly Company to

15. It shall be lawful for the *Bala and Dolgelly* Railway Company to abandon the Formation of so much of their Main Line of Railway authorized by the *Bala and Dolgelly* Railway Act, 1862,

as

as is situate between a Point thereon, in the Parish of *Llangower*, marked Seventeen Miles One Furlong on the deposited Plans and the *Bala* Terminus of the same Railway, and for the same Company to abandon the Formation of their Railway No. 2, authorized by the last-mentioned Act.

abandon Portion of their authorized Line.

16. Where before the passing of this Act any Contract was entered into or Notice given by the Company, or the *Bala and Dolgelly* Railway Company, for purchasing any Land which those Companies were authorized to purchase for the Purpose of making any Part of the Lines of Railway which they are by this Act required to abandon, those Companies respectively shall make to the Owners or Occupiers of or other Persons interested in those Lands full Compensation for all Damage or Injury sustained by them respectively by reason of the Purchase not being completed pursuant to the Contract or Notice, and the Amount and Application of the Compensation shall be determined in manner by "The Lands Clauses Consolidation Act, 1845," incorporated with the recited Acts and this Act respectively, provided for determining the Amount and Application of Compensation paid for Lands taken under the Provisions thereof.

Compensation to be made in respect of Lines abandoned.

17. Provided that the Obligation of the Company and the *Bala and Dolgelly* Railway Company under this Act to abandon Parts of their authorized Lines of Railway shall not prejudice nor affect the Right of the Owner or Occupier of any Lands which those Companies were by the recited Acts authorized to take to receive from them Compensation for any Damage or Injury occasioned by their entering on the Lands for the Purpose of surveying and taking Levels, and of probing or boring to ascertain the Nature of the Soil, or of setting out the Lines of Railway, pursuant to the Provisions in that Behalf of "The Lands Clauses Consolidation Act, 1845," incorporated with the recited Acts and this Act respectively.

Act not to prejudice Right of Owner of Lands to Compensation for Entry upon such Lands.

18. The Provisions of Section Seventy-two of the *Corwen and Bala* Railway Act, 1862, with respect to the Deposit and Bond for securing the Completion of the Railway by that Act authorized, shall be read and have effect as if the Line of Railway by this Act authorized had originally been Part of the Line of Railway by that Act authorized, and as if the Portion of the *Corwen and Bala* Railway by this Act required to be abandoned had not originally been Part of the Line of Railway by the last-mentioned Act authorized.

Provision for securing Completion of Railway.

19. The Lands and Property from Time to Time acquired by the Company under this Act, and the Line of Railway and Works by this Act authorized, shall, for all Purposes of Tolls, Rates, and Charges,

New Line of Railway to be Part of the Company's Undertaking.

Charges, and for all other Purposes whatsoever, be Part of the Undertaking, Railway, Works, and Property of the Company, as if the Company had by the *Corwen and Bala* Railway Act, 1862, been authorized to acquire, make, and maintain the same.

Company may apply their Funds towards Purposes of Act.

20. It shall be lawful for the Company to apply towards the Purposes of this Act any of the Monies which by "The *Corwen and Bala* Railway Act, 1862," they are authorized to raise.

Saving Rights of the Crown.

21. Nothing contained in this Act or in any of the Acts herein referred to shall authorize the Company to take, use, or in any Manner interfere with any Land, Soil, Tenements, or Hereditaments, or any Rights of whatsoever Nature, belonging to or enjoyed or exerciseable by the Queen's most Excellent Majesty in right of Her Crown, without the previous Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or One of them, on behalf of Her Majesty, first had and obtained for that Purpose (which Consent such Commissioners are hereby respectively authorized to give); and nothing in the said Act or Acts contained shall divest, take away, prejudice, diminish, or alter any Estate, Right, Privilege, Power, or Authority now or from Time to Time vested in or enjoyed or exerciseable by the Queen's Majesty, Her Heirs or Successors.

Interest not to be paid on Calls paid up.

22. The Company shall not, out of any Money by any Act relating to the Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, pay Interest or Dividends to any Shareholder on the Amount of Calls made in respect of the Shares held by them in the Capital of the Company: Provided always, that the Company may pay to any Shareholder such Interest on Money advanced by him beyond the Amount of Calls actually made as shall be in conformity with the Provisions in "The Companies Clauses Consolidation Act, 1845," in that Behalf contained.

Deposits on future Bills not to be paid out of Capital.

23. The Company shall not, out of any Money by any Act relating to the Company authorized to be raised for the Purpose of such Act or Acts, pay or deposit any Sum of Money which, by any Standing Order of either House of Parliament for the Time being in force, may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing the Company to construct any other Railway, or execute any other Work or Undertaking.

Railway not exempt from Provisions

24. Nothing in this Act contained shall be deemed or construed to exempt the Railway from the Provisions of any General Act relating

relating to Railways, or to the better or more impartial Audit of the Accounts of Railway Companies, now in force or which may hereafter pass during the present or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges, or of the Rates for small Parcels. of present and future General Acts.

25. The Expenses, Costs, and Charges of obtaining and passing of this Act, and incidental and preparatory thereto, shall be paid by the Company and the *Bala and Dolgelly* Railway Company in such Proportions as have been or may be agreed upon. Expenses of Act.

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