ANNO VICESIMO OCTAVO & VICESIMO NONO

VICTORIÆ REGINÆ.

* *

Cap. cccv.

An Act to authorize the *Manchester and Milford* Railway Company to make certain new Railways in substitution for Part of their authorized Railway and *Aberystwith* Branch, and to extend the Time for the Purchase of Lands and Completion of Part of their authorized Line, and to give various other Powers to the said Company and to other Railway Companies; and for other Purposes. [5th *July* 1865.]

WHEREAS by "The *Manchester and Milford* Railway Act, 1860," in this Act called "the Act of 1860," the *Manchester and Milford* Railway Company (in this Act called "the Company") were incorporated, and authorized to make a Railway from the *Carmarthen and Cardigan* Railway at *Pencader* in the County of *Carmarthen* to the *Llanidloes and Newtown* (now *Cambrian*) Railway, at *Llanidloes:* And whereas by "The *Manchester and Milford* (*Aberystwith Branch*) Act, 1861," (in this Act called "the Act of 1861,") the Company were authorized to make a Branch from their Railway in the Parish of *Llanfihangel-y-Croyddin* to *Aberystwith:* And whereas it is expedient that the Time limited by the

23 & 24 Vict. c. clxxv.

24 & 25 Vict. c. cl.

the *Manchester and Milford* Railway Act, 1860, for the compulsory Purchase of Lands, should with respect to certain Lands be revived and extended, and that the Time limited for the Completion of the Works thereby authorized should be extended: And whereas it is expedient that the Company should be authorized to make Railways from their authorized Line near *Alltddu* to near *Yspytty Ystwith* in the County of *Cardigan*, and to form a Junction there with an intended Railway of the *Mid-Wales* Railway Company, also Railways to connect the intended Railways with the *Aberystwith Harbour* Line of the *Aberystwith and Welsh Coast* Railway (in this Act called "the Coast Railway,") and also, with the Consent of the *Aberystwith and Welsh Coast* Railway Company, in this Act called "the Coast Company," a Railway from the said Harbour Line of the Coast Railway to another Part of that Railway, in the Parish of *Llanbadarnfawr* in the County of *Cardigan*; also to divert a certain public Carriage Road or Highway, in the Parish of *Tregaron* in the County of *Cardigan*, and to widen and enlarge a certain public Carriage Road, in the Parish of *Llanllwni* in the County of *Carmarthen*, and to stop up a certain other Road in that Parish, and to acquire certain Lands in the Parish of *Llandewibrefi* for the Purposes of their authorized Railway: And whereas it is expedient that the Company should be authorized to abandon Part of their Railway between *Llangurig* and *Alltddu* and their *Aberystwith* Branch: And whereas it is expedient that Provision should be made for laying down another Line of Rails so as to form a Mixed Gauge on the *Carmarthen and Cardigan* Railway, or Part thereof, and that the Company should have Running Powers over that Part, and should also be enabled to use the *Pencader* and *Carmarthen* Stations on that Railway: And whereas it is expedient that the Company should be empowered, with the Consent of the Coast Company, to construct or complete Part of the Harbour Line of the Coast Railway, and that the Company and the Coast Company should have Powers to make and maintain a Joint Station at *Aberystwith*, and Running Powers, with Use of Stations, over Parts of the Coast Line: And whereas the *Mid-Wales* Railway Company are Promoters of a Bill in Parliament for Powers to construct a Railway from the *Mid-Wales* Railway in the Parish of *Saint Harmon* in the County of *Radnor* to near a Farmhouse called *Hendre Rhys* in the Parish of *Llanilar* in the County of *Cardigan* (in this Act called "the *Mid-Wales* Company's proposed Main Line"), and a Railway therefrom to the Company's Railway in the Parish of *Llangurig* in the County of *Montgomery* (in this Act called "the *Mid-Wales* Company's proposed *Llangurig* Branch"), and which intended Railways are in this Act called "The *Mid-Wales* Railway Company's proposed Railways;" and it has been agreed that the *Mid-Wales* Railway Company and the *Swansea and Aberystwith* Railway Company (in this Act called "the *Swansea* Company") should have Running Powers over the Railways by this Act authorized, and

certain

certain other Parts of the Company's Undertaking, subject to certain Conditions, and it is expedient that such Powers should be granted: And whereas it is expedient that the Company on the one hand, and the *Carmarthen and Cardigan* Railway Company, the Coast Company, the *Cambrian* Railways Company, the *Mid-Wales* Railway Company, and the *Swansea and Aberystwith Junction* Railway Company, should be authorized to make, maintain, and use Joint Statiocs at or near the Points of Junction of the intended or authorized Lines of the Company with the Railways of those other Companies respectively, and to make Working and Traffic Agreements: And whereas the Company were authorized to raise Seven hundred and forty thousand Pounds by the Act of 1860, namely, Five hundred and fifty-five thousand Pounds by Shares and One hundred and eighty-five thousand Pounds by Mortgage, and they were also authorized to raise further Capital by the Act of 1861, but the said Sum of Seven hundred and forty thousand Pounds will be more than sufficient for the Completion of the Works authorized by the Act of 1860, and not by this Act authorized to be abandoned, and also for the Construction of the Railways authorized by this Act, and it is expedient that the Company should be authorized to apply Part of that Sum to the Purposes of this Act, and should have further Powers for raising Part of the said Capital of Five hundred and fifty-five thousand Pounds: And whereas 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 the Authority of the same, as follows:

8 & 9 Vict. cc. 16., 18., & 20., 23 & 24 Vict. c. 106., and 26 & 27 Vict. cc. 92. & 118. incorporated.

1. "The Lands Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Acts Amendment Act, 1860," "The Railways Clauses Consolidation Act, 1845," Parts I., II., and III. of "The Railways Clauses Act, 1863," relating respectively to the Construction of a Railway, Extension of Time, and Working Agreements, the Provisions of "The Companies Clauses Consolidation Act, 1845," with respect to the several Matters following; (that is to say,) the Distribution of the Capital of the Company into Shares, the Transfer or Transmission of Shares, the Payment of Subscriptions, and the Means of enforcing the Payment of Calls, the Forfeiture of Shares for Nonpayment of Calls, the Remedies of Creditors of the Company against the Shareholders, the borrowing of Money by the Company on Mortgage or Bond, the Conversion of the borrowed Money into Capital, the Consolidation of the Shares into Stock, and the Provision to be made for affording Access to the "Special Act," and Parts I., II., and III. of "The Companies Clauses Act, 1863," relating respectively to Cancellation and Surrender of Shares to additional Capital, and to Debenture Stock, are hereby incorporated with this Act.

2. In

Interpretation of Terms.

2. In construing the incorporated Acts for the Purposes of this Act, and in construing this Act, the Words and Expressions herein mentioned or referred to shall have the Meanings hereby assigned to them respectively, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

The Expression "the Special Act" shall mean this Act:

The Expression "the Company" or the "Promoters of the Undertaking" shall mean the *Manchester and Milford* Railway Company:

The Expression "Superior Courts," or "Court of competent Jurisdiction," or any other like Expression, 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:

Other Expressions and Words to which in the incorporated Acts Meanings are assigned shall respectively have the same Meanings in this Act.

Application of Capital authorized by Act of 1860.

3. The Company may appropriate and apply to the Purposes of this Act any Monies which they are authorized to raise by the Act of 1860, and which are not required for the Purposes of that Act.

Certain Shares may be forfeited, &c. and re-issued.

4. And whereas Part of the Capital which the Company were authorized to raise by the Act of 1860 consists of a Sum of One hundred and seventy-five thousand Pounds, the Shares representing which have either been forfeited or are liable to Forfeiture, or have not been issued: Therefore the Provisions of Part I. of "The Companies Clauses Act, 1863," relating to Cancellation and Surrender of Shares, shall apply as well to all such of the said Shares as have been forfeited by the Company prior to the passing of this Act, as to such of the said Shares as may be forfeited by the Company after the passing of this Act, and the Company may cancel all such of the said Shares as have been created but not issued, and may issue new Ordinary or Preference Shares or Stock, not exceeding in the whole One hundred and seventy-five thousand Pounds, for raising the Amount of such unissued, cancelled, or forfeited Shares, and all such new Shares shall be of such Amount respectively as will allow the same to be conveniently apportioned or disposed of according to the Resolution of any Ordinary or Extraordinary Meeting of the Company, and the Company may from Time to Time fix the Amounts and Times of Payment of the Calls on any such new Shares, and may dispose thereof on such Terms and Conditions as may be so resolved upon; but the aggregate nominal Amount of the new Shares or Stock shall not exceed the aggregate nominal Amount of the Shares in lieu of which the new Shares or Stock are issued, after deducting the Amount actually paid up in respect of the Shares cancelled or surrendered.

5. The

Power to Company to raise Capital by Shares or Stock.

5. The Company, with the Consent of Three Fifths of the Votes of the Shareholders present in person or by proxy at any General Meeting or General Meetings convened with special Notice of the Purpose, may raise by the Creation of new Ordinary or Preference Shares or Stock such additional Capital beyond the Five hundred and fifty-five thousand Pounds authorized by the Act of 1860 and this Act, as they think fit, not exceeding in the whole Fifteen thousand three hundred Pounds.

Shares, &c. form Part of general Capital.

6. All Shares or Stock to be created by the Company under the Authority of this Act shall, subject to the Provisions of this Act, form Part of the general Capital of the Company.

Shares not to issue until One Fifth paid up.

7. It shall not be lawful for the Company to issue any Share or Stock to be created under the Powers of this Act, nor shall any such Share or Stock vest in the Person accepting the same, unless and until a Sum not being less than One Fifth Part of the Amount of such Share or Stock shall have been paid up in respect thereof.

Power to borrow on Mortgage.

8. The Company, in addition to the Sum which they are authorized to borrow under the Act of 1860, may from Time to Time borrow on Mortgage such Sums as they think fit, not exceeding in the whole Five thousand one hundred Pounds; but no Part of that Money shall be borrowed until the whole of the said additional Capital of Fifteen thousand three hundred Pounds shall have been *bonâ fide* subscribed and issued, and One Half of that Amount shall have been actually paid up, nor until the Company shall 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 all the said additional Capital of Fifteen thousand three hundred Pounds has been subscribed for *bonâ fide* and issued, and that One Half thereof has been paid up, and that not less than One Fifth of the Amount of each Share or Sum of Stock was paid on Issue of the same, and that such Shares or Stock are held by the Subscribers or their Assigns, and that such Subscribers, or their Assigns, are legally liable for the same, of which Proof having been given, the Certificate of such Justice under that Section shall be sufficient Evidence.

Debenture Stock.

9. The Company may create and issue Debenture Stock.

Application of Money raised under Act.

10. All Money raised under the Powers of this Act by the Creation of new Shares or Stock, or on Mortgage, shall be applied only to the Purposes by this Act authorized.

Extending Time for purchase of

11. The Powers conferred by "The *Manchester and Milford* Railway Act, 1860," for the compulsory Purchase and taking of Lands

certain Lands.

Lands for the Purposes of such Act, shall, so far as relates to the Lands on the Part of the Company's Railway between *Alltddu* and *Pencader*, be revived, and the Time for the Exercise of such Powers shall be prolonged and extended to the Period of One Year from the passing of this Act, but so that such Powers shall not be exercised after the Expiration of One Year from the passing of this Act.

Extending Time for completing Works.

12. The Time limited by "The *Manchester and Milford* Railway Act, 1860," for the Completion of the Railways and Works thereby authorized, shall, so far as relates to such of the said Railways and Works as are not by this Act authorized to be abandoned, be extended for a Period of Two Years from the Expiration of the Time so limited by the said Act; and if, on the Expiration of such extended Period, the said Railways and Works shall not be completed, the Powers by the recited Act or this Act granted for making the same, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall then be completed.

Power to make Railways and Works.

13. The Company may make and maintain the following Railways, with all proper Stations, Approaches, Works, and Conveniences connected therewith respectively, and also the following Diversion, widening, and Enlargement of Roads, that is to say,

1. A Railway (in this Act called "Railway No. 1.") from the Company's authorized Line near *Alltddu* to a Field in the Parish of *Ystrad Meyric* in the County of *Cardigan*:
2. A Railway (in this Act called Railway No. 2.) from Railway No. 1., at the Termination thereof, to a Field at *Yspytty Ystwith* in the same County, and to form a Junction there with a projected Railway of the *Mid-Wales* Railway Company, if the same shall be authorized by Parliament in the present Session:
4. A Railway (in this Act called Railway No. 4.) from Railway No. 2. at the Termination thereof, to the authorized Harbour Line of the Coast Railway, in the Parish of *Llanbadarn-fawr* in the same County:
5. A Railway (in this Act called Railway No. 5.) in the said Parish of *Ystrad Meyric*, from Railway No. 4. to Railway No. 1.:
6. A Railway (in this Act called Railway No. 6.) in the said Parish of *Llanbadarn-fawr*, and the Town, Borough, and Liberties of *Aberystwith*, or One of them, from the said Harbour Line of the Coast Railway to the Coast Railway:
7. The Diversion of the Road numbered 14., in the Parish of *Caron-ys-Clawdd*, otherwise *Tregaron*, in the same County, on the Plans referred to in the Act of 1860, from the Road leading from *Llangeitho* to *Tregaron*, to the Road leading from *Lampeter* through *Bettws Bledrws* to *Tregaron*:

8. The

8. The widening and Enlargement of a Road in the Parish of *Llanllwni*, in the County of *Carmarthen*, from where such Road is crossed by the Company's Railway to the public Highway leading from *Felindref* to *Llanllwni Bridge*.

Railways Part of Company's Undertaking.

14. The Railways by this Act authorized shall form Part of the Undertaking of the Company.

Company not to make Railway No. 6. without Consent of the Coast Company.

15. Notwithstanding anything in this Act contained, the Company shall not make Railway No. 6. by this Act authorized, nor any Part thereof, without the previous Consent in Writing of the Coast Company under their Common Seal, and upon such Consent being given that Railway and the Junctions thereof with the Railway of the Coast Company shall be made in such Manner only as the Coast Company shall approve, and to the Satisfaction of that Company's Engineer for the Time being.

Railways, &c. to be made according to deposited Plans and Sections.

16. And whereas Plans and Sections of the proposed Railways, and Diversion and Enlargement of Roads, showing the Lines and Levels thereof respectively, and the Lands required for the Purposes of the Undertaking, and also Plans of the Lands required for the Purposes of the Company's authorized Railway in the Parish of *Llandewi-brefi* and for the Joint Station at *Aberystwith*, and also Books of Reference to all such Plans, have been deposited with the respective Clerks of the Peace for the Counties of *Cardigan* and *Carmarthen*: Therefore, subject to the Provisions and Powers of Deviation in this Act and the Acts incorporated herewith contained, the said Railways and Works shall be made in the Line and upon the Lands delineated on the said Plans, and described in the said Books of Reference, and according to the Levels defined on the said Sections, and it shall be lawful for the Company to enter upon, take, and use all or any of the said Lands which they may require for the Purposes of the Undertaking, or any of the special Purposes herein-before mentioned.

Company not to take Lands of Coast Company without their Consent.

17. The Company shall not, except for the Purpose of making a Junction between Railway No. 4., and the Harbour Line of the Coast Company, enter upon, take, or use or purchase or take any Easement over or Right of using any Land or Property belonging to the Coast Company, or which the Coast Company may, at the Time of the passing of this Act be empowered by any Act of Parliament to purchase, without the previous Consent in Writing of the Coast Company under their Common Seal, and every Junction by this Act authorized with any existing or authorized Railway of the Coast Company, shall be subject to the Provisions as to Junctions of the "Railways Clauses Act, 1863."

18. The

Powers for compulsory Purchases limited.

18. 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.

Lands for extraordinary Purposes.

19. The Company may from Time to Time purchase by Agreement such Lands as they may require for any of the extraordinary Purposes specified in "The Railways Clauses Consolidation Act, 1845," in connexion with the Railways by this Act authorized, not exceeding in the whole Five Acres, and the Company and the Coast Company, or either of them, may from Time to Time purchase by Agreement such Lands as they may require for the Purposes of the Joint Station at *Aberystwith*, not exceeding in the whole Two Acres.

Power to stop up a certain Road.

20. The Company may stop up and cause to be discontinued as a public Highway, the Road or Highway numbered 21 in the Parish of *Llanwni*, in the County of *Carmarthen*, on the Plans referred to in the Act of 1860.

Period for Completion of Works.

21. The Railways and Works hereby authorized shall be completed within Four Years from the passing of this Act, and on the Expiration of such Period the Powers by this Act granted to the Company for making the said Railways and Works, or otherwise in relation thereto, shall cease to be exercised except as to so much thereof as shall then be completed.

If Railways not completed, &c. within a limited Period Company to be liable to a Penalty.

22. If the Railways (the Time for completing which is by this Act extended for Two Years) shall not within such extended Period of Two Years be completed and opened for public Traffic, or if the Railways by this Act authorized to be constructed shall not be completed and opened for public Traffic within the Period of Four Years from the passing of this Act, then in either or both of such Cases, and from thenceforth the Company shall be liable to a Penalty of Fifty Pounds *per* Day, to be recoverable as a Debt due to the Crown, for every Day thereafter until the Railways respectively shall be completed and opened for public Traffic; but no Penalty shall accrue in respect of any Time during which it shall appear, by a Certificate to be obtained from the Board of Trade, that the Company were prevented from completing or opening the Railway by unforeseen Accident, or Circumstances beyond their Control; but the Want of sufficient Funds shall not be held to be a Circumstance beyond the Control of the Company: Provided always that the Company shall not be liable to any Penalty in respect of the Non-construction or Non-completion of Railway No. 6. by this Act authorized, or any Part thereof, unless the Coast Company shall, not later than Three Months after Railway No. 4. shall have been opened for public Traffic, have given their Consent to the Construction thereof by this Company, as in this Act provided.

23. The

Railway Tolls.

23. The Company may demand and take, in respect of the Railways by this Act authorized, such Tolls and Charges as they think fit, not exceeding the Rates of Tolls and Charges authorized to be taken on the Railway authorized by the Act of 1860, as if the Railways by this Act authorized had been authorized by the Act of 1860; and in estimating the Amount of Toll or Charge in respect of any Traffic conveyed partly on the Railways by this Act authorized, and partly on any other Railway of the Company, the Railways by this Act authorized and such other Railway shall be deemed One Railway.

Part of Railway authorized by Act of 1860 and the Railway authorized by Act of 1861 to be abandoned.

24. The Railway authorized by the Act of 1860, from the Road numbered 199. in the Parish of *Llangurig* in the County of *Montgomery* on the Plans referred to in that Act to the Point of Junction of Railway No. 1. with the Company's authorized Line at *Alltddu* and the Railway authorized by the Act of 1861 shall be abandoned, and the Acts of 1860 and 1861, so far as they respectively relate to the Railway and Part of Railway to be so abandoned, are hereby repealed; and any Bond for securing the Construction of the Railway authorized by the Act of 1861 shall be deemed to have been satisfied, and shall forthwith after the passing of this Act be cancelled and delivered up to the Company.

Compensation to be made where Contracts have been entered into and Notices given.

25. If in any Case before the passing of this Act any Contract had been entered into or Notice given by the Company for purchasing any Lands which the Company were empowered to purchase for the Purpose of constructing the Railway or Part of Railway by this Act authorized to be abandoned, the Company shall make to the Owners or Occupiers of and other Parties interested in such Lands, full Compensation for all Injury or Damage sustained by such Owners, Occupiers, and other Parties, by reason of such Purchase not being completed pursuant to such Contract or pursuant to such Notice; and the Amount and Application of such Compensation shall be settled in the Manner provided by "The Lands Clauses Consolidation Act, 1845," for determining the Amount and Application of the Compensation to be paid for Lands taken under the Provisions thereof: Provided always, that nothing herein contained shall prejudice or affect the Right of the Owner or Occupier of any Lands which the Company were so empowered to purchase as aforesaid, to receive from the Company Compensation for any Damage that may have been occasioned by the Entry of the Company upon such 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 Line of the Railway, pursuant to the Provisions for that Purpose in "The Lands Clauses Consolidation Act, 1845," contained.

Company to sell Lands not required

26. The Company shall sell all Lands purchased by them for the Purposes of the Railway and Part of Railway by this Act authorized to

for their Undertaking.

to be abandoned, and which they may not require for the Purposes of their Undertaking, and shall apply the Principal Monies received as the Price or Consideration for the Lands to the Purposes to which the Capital by this Act authorized to be created is directed to be applied.

Providing for Mixed Gauge on Carmarthen and Cardigan Railway.

27. And for the Purpose of laying down upon so much of the *Carmarthen and Cardigan* Railway as lies between the Point of Junction therewith of the Company's Railway, in the Parish of *Llanfihangel-ar-arth* and the *Carmarthen* Station Rails on the Narrow Gauge, be it enacted as follows:

If within Six Months after the passing of this Act the Company shall give to the *Carmarthen and Cardigan* Railway Company Notice in Writing under the Seal of the Company of their Desire that the *Carmarthen and Cardigan* Railway Company should lay down upon their Railway between the Points aforesaid additional Rails upon the Narrow Gauge, and execute all such other Works upon their Railway as may be necessary for the Use of a Railway upon a Mixed Gauge between the said Points, and if the Company shall in the said Notice undertake that they will pay all the Expenses of and connected with the Works so required, as the same Expenses shall be certified to be due by the Engineer of the *Carmarthen and Cardigan* Railway Company, or if the Amount so certified shall be disputed by the Company, as the same shall be settled by Arbitration as hereinafter provided, then the *Carmarthen and Cardigan* Railway Company shall, with all due Dispatch after the Receipt of such Notice, proceed in the Execution of the said Works: Provided always, that if it shall be so agreed upon between the Two Companies, the Company may themselves lay down the said additional Line of Rails and execute the Works connected theerwith:

If the *Carmarthen and Cardigan* Railway Company do not with all convenient Dispatch proceed in laying down the said additional Rails, and in executing the said Works, then it shall be lawful for the Company to enter upon the Railway and Land of the *Carmarthen and Cardigan* Railway Company for the Purpose of laying down such Rails, and executing such Works, interfering as little as need be with the Works of the same Company or with the Use of their Railway or the Traffic conveyed thereon, and paying to the *Carmarthen and Cardigan* Railway Company Compensation for any such Interference:

The Rails and Works so laid down and executed on the Land of the *Carmarthen and Cardigan* Railway Company, whether by themselves at the Expense of the Company or by the Company, shall belong to the *Carmarthen and Cardigan* Railway Company

as

as fully as though they had been laid down and executed at their own Expense, and the same Rails and Works shall be for ever thereafter maintained by them at their own Expense:

If any Difference arises between the Two Companies as to the Nature of the Works required for the Use by the Company of a Line of Rails on the Narrow Gauge between the Points aforesaid, or as to the Expense incurred by the *Carmarthen and Cardigan* Railway Company in or with relation to the same, or as to the Right of the Company to execute or as to the Mode of Execution by the Company of the Powers granted to them by this Enactment of executing the said Works in case of the Default of the *Carmarthen and Cardigan* Railway Company, or as to the Compensation to be paid by the Company, in that Case for their Interference with the Works of the *Carmarthen and Cardigan* Railway, or with the Use thereof or with the Conveyance of Traffic thereon, every such Difference shall be settled from Time to Time by an Arbitrator to be nominated by the Engineers of the Two Companies, or, if they cannot agree upon an Arbitrator, then by an Arbitrator to be nominated upon the Application of either Company by the Board of Trade.

Power to Company to run over Carmarthen and Cardigan Railway and have Use of Pencader and Carmarthen Stations.

28. The Company may run over and use with their Engines and Carriages, and for the Purposes of their Traffic, the *Carmarthen and Cardigan* Railway or any Part thereof, upon which the Mixed Gauge shall have been constructed, and the *Carmarthen* and *Pencader* Stations thereon, and may have the Use of such Stations jointly with the *Carmarthen and Cardigan* Railway Company, or the separate Use of a Portion thereof respectively, and the Booking and other Offices, Buildings, Works, and Conveniences connected therewith, upon such Terms as to Tolls, Rates, Duties, and Charges so far as relates to the Railway or Part thereof to be run over, and upon such Terms and Conditions, so far as relates to the said Stations, as may be agreed upon between the said Two Companies, or, failing Agreement, as may be settled by Arbitration in manner provided by "The Railway Companies Arbitration Act, 1859;" but it shall not be lawful for the Company to take up Passengers, Goods, or Minerals at any Station upon the Portion of the *Carmarthen and Cardigan* Railway which they are so empowered to use and deliver the same upon another Station of the same Railway.

Power to Company to complete the Harbour Line of the Coast Company.

29. The Company, with the Consent in Writing of the Coast Company under their Common Seal, but not otherwise, may make, complete, and maintain that Part of the Harbour Line of the Coast Company which intervenes between the Termination of Railway No. 4. and the Commencement of Railway No. 6., or so much thereof as at the Time of the passing of this Act is not completed by the Coast

Coast Company, and for that Purpose and subject to such Consent as aforesaid, may have and exercise all the Powers granted by "The *Aberystwith and Welsh Coast* Railway Act, 1863," to the Coast Company, for making and maintaining that Part of the Harbour Line.

Connexion between Portions of Harbour Line to be under Superintendence of Engineer of Coast Company.

30. The Works for connecting any Portion of the said Harbour Line which may be made by the Company with the Portion of that Line made or to be made by the Coast Company shall be executed under the Superintendence and to the Satisfaction of the Engineer for the Time being of the Coast Company.

Company to maintain Part of Harbour Line made by them.

31. If the Company, with such Consent as aforesaid, make or complete any Part of the Harbour Line, the Company shall for ever thereafter maintain that Part of the said Line, and all Works and Conveniences connected therewith, in substantial Repair, and good and efficient Working Order to the Satisfaction in all respects of the Engineer of the Coast Company, and if and whenever the Company fail so to do, the Coast Company may, upon Default of the Company in that Behalf, for Fourteen Days after Notice to them by the Coast Company, specifying the Repairs or Works which the last mentioned Company consider to be necessary for such Maintenance, or without Notice on urgent Occasions (of which Urgency such Engineer of that Company shall be the sole Judge), make and do in and upon as well the Lands of the Company as their own Lands, all such Works and Things as the Coast Company think requisite in that Behalf, and the Expenditure in that Behalf of the Coast Company (to be certified by the Engineer for the Time being of the Coast Company, whose Certificate shall be final) shall be repaid to them by the Company, and in default of Repayment may be recovered by the Coast Company from the Company, with full Costs, in any Court of competent Jurisdiction.

Coast Company may use Part of Harbour Line made by the Company.

32. If the Company, with such Consent as aforesaid, make or complete any Part of the Harbour Line, the Coast Company may at all Times thereafter run over, work, and use with their Engines and Carriages, and for the Purposes of Traffic of every Description, and as freely and beneficially in all respects as if the said Part of the Harbour Line were Part of their own Railway, the said Part of that Line so to be made or completed by the Company, and all Stations, Junctions, Sidings, Platforms, Booking and other Offices, Wharves, Yards, Warehouses, Watering Places, and Supplies of Water, Approaches, Signals, Signal Posts, Telegraphs, Turn-tables, Works, and Conveniences necessary for such Traffic in, upon, or connected with the said Part of the Harbour Line; and as regards Traffic conveyed by them, the Coast Company may demand and take the same Tolls and Charges upon and in respect of the said Part of the Harbour Line,

Line, as if the same had been made by them and were Part of the Railways of the Coast Company; and the Coast Company may, if they think fit, have and employ at any Station on the said Part of the Harbour Line their own Booking and Invoice Clerks, Carting and other Agents, Porters, and Servants.

Terms of such User.

33. The Receipts from all Traffic conveyed by the Coast Company partly over any Part of the Harbour Line which may, with such Consent as aforesaid, be made or completed by the Company, and partly on the Railways, or any Part of the Railways of the Coast Company, shall be divided between the Company and the Coast Company in Mileage Proportion, and the Conditions and Regulations to be observed and fulfilled by the Coast Company in respect of the Use of the said Part of the Harbour Line, and the Stations, Works, and Conveniences connected therewith shall be such as are from Time to Time agreed upon between the Two Companies, or, failing such Agreement, as may from Time to Time be determined by an Arbitrator to be appointed by the Board of Trade upon the Application of either Company, and the Cost of the Arbitration shall be in the Discretion of the Arbitrator, and his Decision shall be final and binding on both Parties.

Interpreting Sect. 30. of 26 & 27 Vict. c. cxli.

34. The opening by the Company for the public Conveyance of Passengers of any Part of the Harbour Line which may, with such Consent as aforesaid, be made or completed by them, shall be deemed to be for the Purposes and within the Meaning of the Thirtieth Section of the *Aberystwith and Welsh Coast* Railway Act, 1863, the opening of so much of the Harbour Line by the Coast Company, and that Section shall be had and have Effect as if with respect to that Portion of the Harbour Line the Company had been named in that Section instead of the Coast Company.

Running Powers over the Harbour Line.

35. The Company may run over and use with their Engines and Carriages of every Description, and for the Purposes of their Traffic, the Coast Railway, from the Commencement thereof at *Aberystwith* to a Point Five Furlongs from such Commencement, including the *Aberystwith* Station, and so much of the said Harbour Line as intervenes between the Termination of Railway No. 4. and the Commencement of Railway No. 6., and has been constructed by the Coast Company, and the Approaches, Stations, Works, and Conveniences connected therewith respectively, upon such Terms and Conditions as may be agreed upon between those Two Companies, or, failing Agreement, as may be settled by Arbitration in manner provided by "The Railway Companies Arbitration Act, 1859."

Power for Mid-Wales and Swansea

36. The *Mid-Wales* Railway Company and the *Swansea* Company may respectively run over and use with their Engines and Carriages of

Railway Companies to run over Part of Company's Undertaking.

of every Description, and for the Purposes of their Traffic (except as herein-after mentioned), the Railways of the Company by this Act authorized, and also the Company's existing or authorized Railway from the Junction therewith of the *Swansea and Aberystwith Junction* Railway to *Alltddu* aforesaid, and from *Llangurig* to the Terminus of the Company's Railway at *Llanidloes*, and the Stations thereon respectively, and the Buildings, Works, and Conveniences, at or belonging to or connected with such Stations, or the Railways to be so run over respectively, upon Payment of such Tolls or other Remuneration, and upon such Terms and Conditions, and subject to such Restrictions as may have been or may be mutually agreed upon between the said Companies, or, failing Agreement, as may be settled by Arbitration in manner provided by the Railway Companies Arbitration Act, 1859; but in the event of the *Mid-Wales* Railway Company failing to complete and open for Traffic their proposed *Llangurig* Branch within Twelve Months from the Time of the opening for public Traffic of the Remainder of their proposed Railways, the Powers by this Provision conferred upon the *Mid-Wales* Railway Company shall be suspended until their proposed *Llangurig* Branch shall be open for public Traffic, and the Powers by this Provision conferred upon the *Swansea* Company shall not be exercised in respect of any Traffic of any Description arising West of the *Abergwily* Station on the *Llanelly* Railway and Dock Company's *Carmarthen* Line Undertaking, or passing over such Line to any Station West of the *Abergwily* Station, nor shall the Powers conferred by this Provision on the *Swansea* Company be exercised until the whole of the *Mid-Wales* Railway Company's proposed Railways shall be completed and open for public Traffic.

As to Construction of Joint Stations.

37. The Company on the one hand, and the *Carmarthen and Cardigan* Railway Company, the Coast Company, the *Cambrian* Railways Company, the *Mid-Wales* Railway Company, and the *Swansea* Company respectively, so far as regards their respective Railways on the other hand, may, at or near any Point of Junction of a Railway of the Company with a Railway of any of the said other Companies, and also as regards the Coast Company at *Aberystwith*, subject to the Provisions of this Act, and on Land belonging to them, or either of them, or which they or either of them may acquire and lawfully appropriate to the Purpose, construct or join in the Construction of a Station for the joint Use of the Company and of such other Company, and may make such Arrangements as to the vesting of the Land upon which such Station shall be built, or as to the vesting of the Land upon which any similar Station now being built by any of the said Companies shall stand, in both the Companies, or in One of them only, and as to the Cost of any such Satiton and the Arrangement of the several Parts thereof, and as to the Use, Maintenance, and

Management

Management thereof, and otherwise in relation thereto, as they may think fit.

Working and Traffic Agreements.

38. The Company on the one hand, and the *Carmarthen and Cardigan* Railway Company, the Coast Company, the *Cambrian* Railways Company, the *Swansea* Company, and the *Mid-Wales* Railway Company, or any One or more of them, on the other hand, may from Time to Time enter into Agreements with respect to the Maintenance, working, and Use by the Companies, Parties to the Agreement, or any of them, of the Railways and Works of those Companies, or any of them, or any Part of such Railways or Works, and with respect to the Regulation, Management, and Transmission of the Traffic on such Railways or Works, or any of them, the Supply and Maintenance of Engines, Stock, and Plant, the fixing, Collection, Payment, Division, Appropriation, and Distribution of the Tolls and other Income arising therefrom, and the Employment of Officers and Servants, and all such Agreements shall be Working Agreements within the Meaning of "The Railways Clauses Act, 1863," and Part III. of that Act shall be applicable thereto accordingly.

Interest not to be paid on Calls paid up.

39. It shall not be lawful for the Company, out of any Money by this Act or any other Acts relating to the Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay to any Shareholder any Interest or Dividend on the Amount of the Calls made in respect of the Shares held by him in the Capital by this Act authorized to be raised: Provided, that nothing herein contained shall be deemed to prevent the Company from paying to any Shareholder such Interest on Money advanced by him beyond the Amount of the Calls actually made as shall be in conformity with the Provisions in "The Companies Clauses Consolidation Act, 1845," in that Behalf contained.

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

40. It shall not be lawful for the Company, out of any Money by this Act or any other Acts relating to the Company authorized to be raised for the Purposes of such Act or Acts, to pay or deposit any Sum of Money which, by any Standing Order of either House of Parliament in force for the Time being, 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 Railway, or execute any other Work or Undertaking.

Saving Rights of the Crown.

41. 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

out 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.

Railways not exempt from Provisions of present and future General Acts.

42. Nothing herein contained shall be deemed or construed to exempt the Railways by this or the recited Acts authorized to be made from the Provisions of any General Act relating to Railways now in force, or which may hereafter pass during this 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, and of the Rates for small Parcels, authorized by the recited Acts or this Act.

Expenses of Act.

43. The Costs and Charges of applying for and obtaining this Act, and incidental thereto, shall be paid by the Company.

Short Title.

44. This Act may be cited for any Purpose as "The *Manchester and Milford* Railway Act, 1865."

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