ANNO VICESIMO OCTAVO & VICESIMO NONO

VICTORIÆ REGINÆ.

Cap. clix.

An Act to enable the *Mid-Wales* Railway Company to make a Railway to join the *Central Wales* Railway; and for other Purposes.

[29th *June* 1865.]

WHEREAS the following Acts relating to the *Mid-Wales* Railway Company, herein called "the Company," have passed, namely, "The *Mid-Wales* Railway Act, 1859," "The *Mid-Wales* Railway (Extensions) Act, 1860," "The *Mid-Wales* Railway Act, 1861," "The *Mid-Wales* Railway (Deviations, &c.) Act, 1862," "The *Llanidloes and Newtown* (*Mid-Wales, Manchester, and Milford*) Railway Act, 1862," "The *Mid-Wales* Railway (Capital) Act, 1863," "The *Mid-Wales* (*Llangurig* Branch) Act, 1863," and "The *Mid-Wales* Railway Act, 1864:" And whereas the said Acts are in this Act called "the Company's Acts:" And whereas it is expedient that the Company should be authorized to make and maintain the Railway herein-after described, for the Purpose of connecting their Railway with the *Central Wales* Railway: And whereas by the Company's Acts the following Sums have been authorized to be raised:—By Ordinary Shares, Four hundred and eighty-five thousand Pounds; by Preference Shares, Two hundred and ninety thousand Pounds; by borrowing, Two hundred

and fifty-seven thousand Pounds: And whereas it is expedient that the Company should be authorized to raise further Sums for the Purposes of this Act: And whereas the Objects of this Act 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):

Short Title.

1. This Act may be cited for any Purpose as "The *Mid-Wales* Railway (Eastern Extension) Act, 1865."

Interpretation.

2. In this Act the Expression "the Company" means the *Mid-Wales* Railway Company, and the Expressions "Superior Court" or "Court of competent Jurisdiction," or any other like Expression in this Act or in the Acts incorporated herewith, shall be read and have effect as if the Debt or Demand in respect of which the Expression is used were a Simple Contract Debt, and not a Debt or Demand created by Statute.

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

3. "The Lands Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Acts Amendment Act, 1860," "The Railways Clauses Consolidation Act, 1845," Part I. of "The Railways Clauses Act, 1863," the Provisions of "The Companies Clauses Consolidation Act, 1845," with respect to the following Matters; (that is to say,)

With respect to the Distribution of the Capital of the Company into Shares;

With respect to the Transfer and Transmission of Shares;

With respect to the Payment of Subscriptions and the Means of enforcing the Payment of Calls;

With respect to the Forfeiture of Shares for Nonpayment of Calls;

With respect to the Remedies of Creditors of this Company against the Shareholders;

With respect to the Consolidation of Shares into Stock;

With respect to the making of Dividends;

With respect to the borrowing of Money on Mortgage or Bond;

With respect to the Conversion of the borrowed Money into Capital;

And with respect to the Provisions to be made for affording Access to the Special Act;

And Part II. of "The Companies Clauses Act, 1863," shall be incorporated with and form Part of this Act.

4. The

Power to raise additional Capital.

4. The Company from Time to Time, with the Consent of an Extraordinary General Meeting, may create and issue additional Capital, not exceeding in the whole the Sum of One hundred and twenty thousand Pounds, by the Creation and Issue of new Ordinary or Preference Shares or Stock.

Shares not to issue until One Fifth Part paid up.

5. It shall not be lawful for the Company to issue any Share to be created under the Powers of this Act, nor shall any such Share 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 shall have been paid up in respect thereof.

Power to borrow on Mortgage.

6. It shall be lawful for the Company from Time to Time to borrow on Mortgage, in addition to the Sums which the Company have been already authorized to borrow, a Sum not exceeding Forty thousand Pounds in the whole: Provided always, that until Shares to the Extent of One hundred and twenty thousand Pounds shall, under the Authority of this Act, have been subscribed for and issued, and One Half thereof shall have been actually paid up, and 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 the said Sum of One hundred and twenty thousand Pounds has been subscribed for *bonâ fide* and issued, and that not less than One Fifth of the Amount of each Share was paid on Issue of the same, and that One Half of the said Sum of One hundred and twenty thousand Pounds is paid up, and that all such Shares are held by Subscribers or their Assigns and for which such Subscribers or their Assigns are legally liable, the Company shall not borrow any Sums under the Provisions of this Act.

Priority of existing Mortgages.

7. All Mortgages or Bonds granted by the Company before the passing of this Act, and which may be still in force at the Time of the passing of this Act, shall, during their Continuance, and until they shall have been paid off or renewed, have Priority over all Mortgages granted under the Authority of this Act.

Application of Money.

8. All and every Part of the Money raised under the Authority of this Act shall be applied only to Purposes authorized by this Act.

Power to make Railway.

9. It shall be lawful for the Company to make and maintain a Railway, with all proper Works and Conveniences connected therewith, commencing in the Parish of *Llansaintffraid-Cwmdauddwr* in the County of *Radnor*, by a Junction with the *Mid-Wales* Railway near the Bridge which carries that Railway over the public Road leading from *Rhayader* to *Nantgwilt*, and terminating in the Parish of *Llanbadarn-fawr* in the County of *Radnor*, by a Junction with the *Central Wales*

Wales Railway near the Point where that Railway crosses on the Level the Road leading from the *Rhayader and Kington* Turnpike Road to *Llywnmelin* Farm.

Railway to be made according to deposited Plans.

10. Whereas a Plan and Section of the Railway, showing the Line and Levels thereof, 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 which may be required to be taken for the Purposes thereof, have been deposited for public Inspection with the Clerk of the Peace for the County of *Radnor:* Therefore, subject to the Provisions and Powers of Deviation in this Act and in the Acts incorporated herewith contained, the Railway shall be made and maintained in the Line or Course and upon the Lands delineated upon the said Plan, and described in the said Book of Reference, and according to the Levels defined on the said Section, and subject to the Provisions in this and the incorporated Acts contained, it shall be lawful for the Company to enter upon, take, and use such of the said Lands as may be necessary for the Purposes of the Railway, and the Works connected therewith, or for any Purpose by this Act authorized.

Inclination of Roads.

11. In carrying the Roads numbered as herein-after mentioned on the Plans deposited as aforesaid under, over, or across the Railway, the Company may make the Inclinations of such Roads respectively as steep but not steeper than such as are herein-after specified; (that is to say,)

No. on Plan.	Parish.	Description of Road.	Inclination.
6	Nantmel -	Turnpike Road -	1 Foot in 20 Feet on one Side of the Railway.
23	Nantmel -	Turnpike Road -	1 Foot in 20 Feet on one Side of the Railway, level on the other Side.

Span of Arches.

12. It shall be lawful for the Company to construct and maintain the Bridges or Arches for carrying the Railway over the Roads numbered as herein-after mentioned on the Plans deposited as aforesaid of such Dimensions as they think fit, not being less than the following; (that is to say,)

No. on Plan.	Parish.	Span of Arch.	Description of Road.
37	Llansaintffraid Cwmdauddwr	15 Feet Span -	Public Road.
6	Nantmel - -	30 Feet Span -	Turnpike Road.
187	Nantmel - -	20 Feet Span -	Public Road.

13. The

Powers for compulsory Purchases limited.

13. 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 after the passing of this Act.

Period for Completion of Railways.

14. The Railway by this Act authorized shall be completed in Five Years from the passing of this Act, and on the Expiration of such Period the Powers by this Act granted to the Company for executing the Railway shall cease.

Railway to form Part of the Undertaking of the Company.

15. The Railway shall be and be deemed for the Purposes of Tolls and Charges, and for all Purposes whatsoever, Part of the Undertaking of the Company, in the same Manner and to the same Extent as if the same had been authorized to be made by the first-recited Act.

Certain Sections of 27 & 28 Vict. c. clxii. incorporated with this Act.

16. The Sections of the Act of 1864 with respect to leasing, which Sections are in the Act of 1864 numbered from 15 to 21, inclusive of both Numbers, shall form Part of this Act, and shall apply to the Railway in the same Manner and to the same Extent as if the same had formed Part of the Undertaking of the Company before and at the Time of the passing of the Act of 1864.

Penalty if Railways not completed within Time limited.

17. After the Expiration of the Period by this Act limited for the Completion of the Railway, if the same be not then completed, the Company shall be liable to a Penalty of Fifty Pounds *per* Day, to be recovered as a Debt due to the Crown, for every Day after the Period so limited until the Railway 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 was prevented from completing or opening the Railway by unforeseen Accident or Circumstance beyond their Control, but the Want of sufficient Funds shall not be held to be a Circumstance beyond the Control of the Company.

Interest on Calls not to be paid out of Capital.

18. The Company shall not, out of any Money by this Act or any other 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 to any Shareholder Interest or Dividend on the Amount of Calls made in respect of the Shares held by him: Provided always, that the Company may pay to any Shareholder such Interest on Money advanced by him beyond the Amount of the Calls actually made as may be in conformity with the Provisions of "The Companies Clauses Consolidation Act, 1845."

Deposit for future Bills not to be paid out of Company's Capital.

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

Railway not exempt from Provisions of present and future for General Acts.

20. Nothing in this Act contained shall be deemed or construed to exempt the *Mid-Wales* Railway from the Provisions of any General Act relating to Railways, or to the better and 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 Rates for small Parcels and the maximum Rates of Fares and Charges authorized by the recited Acts.

Expenses of Act.

21. All the Costs, Charges, and Expenses of and incidental to the passing of this Act shall be paid by the Company.

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