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1886

CHAPTER lxxiii.

An Act to revive the powers and extend the periods for the compulsory Purchase of Lands for and the Construction of the Oswestry and Llangynog Railway. A.D. 1886.

[25th June 1886.]

WHEREAS by the Oswestry and Llangynog Railway Act 1882 (in this Act referred to as "the Act of 1882"), the Oswestry and Llangynog Railway Company (in this Act called "the Company") were incorporated and authorised to make a railway from the Cambrian and the Potteries, Shrewsbury and North Wales Railways, in the parish of Llanyblodwel in the county of Salop, to Llangynog in the county of Montgomery :

And whereas by the Act of 1882 the time for the compulsory purchase of lands was limited to two years, and the time for the completion of the railway was limited to four years from the passing of that Act which received the Royal Assent on the tenth day of August, one thousand eight hundred and eighty-two :

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

And whereas plans and sections showing the line and levels of the railway, and books of reference to the plans, containing the names of the owners and lessees, or reputed owners and lessees, and of the occupiers of the lands required or which might have been taken for the purposes or under the powers of the Act of 1882, were deposited with reference to the application to Parliament for that Act with the clerks of the peace for the counties of Salop, Denbigh and Montgomery, which plans, sections and books of reference are therein and herein-after referred to as the deposited plans, sections and books of reference :

And whereas the purposes of this Act cannot be effected without the authority of Parliament :

[Local.-73.]

A.D. 1886. — 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 all purposes as the Oswestry and Llangynog Railway Act 1886.

Part II. of Railways Clauses Act 1863, incorporated. **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.

Interpretation. **3.** In this Act the words and expressions to which meanings are assigned by the Act of 1882, and the Act partially incorporated herewith, have the same respective meanings unless there be something in the subject or context repugnant to such construction.

Revival of powers for purchase of lands. **4.** The powers of the Act of 1882, with respect to the compulsory purchase or taking of and entry upon the lands delineated on the deposited plans, and described in the deposited books of reference, are hereby revived and shall continue in force till the tenth day of August, one thousand eight hundred and eighty-eight.

Contracts and notices to take land not to be affected. **5.** Nothing in this Act shall release the Company from liability to purchase or to complete the purchase of any lands in respect of which any contract may have been entered into, or notice given by the Company under the powers of the Act of 1882, for the purposes of or in relation to any portion of the railway or works authorised by that Act; but, notwithstanding the cesser of such powers between the tenth day of August, one thousand eight hundred and eighty-four, and the revival thereof by this Act, every such contract or notice shall as against the Company be construed and take effect, and the same proceedings may be had thereunder, and all parties thereto, other than the Company, and trustees and agents for the Company, shall be entitled to the same rights and remedies in respect thereof, at law and in equity, as if the powers for purchasing land conferred by the Act of 1882, and this Act, had been continuous, and had not ceased as aforesaid.

Extension of time for completing railway. **6.** The time limited by the Act of 1882 for the completion of the railway is hereby extended until the tenth day of August, one thousand eight hundred and eighty-nine. And section thirty-seven of the Act of 1882 shall be read as if the period therein referred to for the completion of the railway was the extended time limited by this Act.

If railway not completed within **7.** If the railway shall not be completed within the period limited by this Act, then, on the expiration of such period, the powers by

the Act of 1882, and this Act, granted to the Company for making and completing the railway, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall then be completed.

A.D. 1886.
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extended
period,
powers to
cease.

8. The Company shall not, under the powers of this Act, or the Act of 1882, 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.

Restrictions
as to dis-
placing
persons
belonging to
labouring
class.

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.

9. 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 1882.

Provision as
to general
railway
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10. 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.

Costs of Act.