CHAPTER ccviii.

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An Act for empowering the Great Western Railway Company to make new Railways, Roads, and other Works; for extending the time for the completion of authorised Railways and for the purchase of lands for the same; for empowering the Great Western Railway Company to abandon the construction of certain authorised Railways; for vesting in the Great Western Railway Company and the Severn Navigation Commissioners the undertakings of the Gloucester and Worcester Horse Towing-path Company and the River Severn Horse Towing-path Extension Company; for vesting in the Great Western Railway Company and the Stratford-upon-Avon Railway Company the undertaking of the Alcester Railway Company; for conferring further powers upon the Great Western Railway Company and other Companies in relation to their respective undertakings; for empowering the Great Western Railway Company to subscribe towards the capital and debenture debt of the Worcester, Bromyard, and Leominster, the Mitcheldean Road and Forest of Dean Junction, the Malmesbury, and the Llynvi and Ogmore Railway Companies; and for other purposes.

[22d July 1878.]

Railways and other works.

WHEREAS it is expedient that the Great Western Railway Company (in this Act called "the Company") should be empowered to make and maintain the railways, and to exercise the other powers by this Act respectively authorised, and to acquire for the general purposes of their undertaking and works connected therewith, and for providing increased accommodation, certain lands, houses, and buildings in this Act described or referred to:

And whereas it is expedient that the Company and the Cornwall Railway Company jointly should be empowered to acquire the lands,

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houses, and buildings in the county of Cornwall herein-after described or referred to:

And whereas the railways of the South Devon Railway Company are worked and used by the Company, and it is expedient that those two Companies, or either of them, should be empowered to execute the work and acquire the lands herein-after mentioned or referred to in that behalf:

Joint lands—Llynvi and Ogmore.

And whereas the railways of the Llynvi and Ogmore Railway Company are worked and used by the Company, and it is expedient that the two Companies jointly, or either of them with the consent of the other, should be empowered to acquire the lands, houses, and buildings in the county of Glamorgan herein-after described or referred to:

Deposit of plans, &c.

And whereas plans and sections showing the lines and levels of the railways and other works by this Act authorised to be constructed, and the lands by this Act authorised to be acquired, and also books of reference containing the names of the owners and lessees, or reputed owners and lessees, and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act, were duly deposited with the clerks of the peace for the several counties within which those railways and works will be constructed, and those lands are situated and are herein-after respectively referred to as the deposited plans, sections, and books of reference:

Superfluous lands.

And whereas it is expedient that the time limited for the sale by the Company of certain lands acquired by them for the purposes of their undertaking should be extended, and that further powers should be conferred upon the Company in respect of the sale, lease, or other disposal of those lands:

Extension of time—Embankment at Stourbridge. 36 & 37 Vict. c. cxc.

And whereas it is expedient that the extended period limited by the Great Western Railway Act, 1873 (in this Act called the Company's Act of 1873), for the compulsory purchase of certain lands authorised to be acquired for the construction of embankments in lieu of viaducts at Stourbridge, Blakedown, and Kidderminster should be further extended:

Extension of time—Bristol and North Somerset Railway. 36 & 37 Vict. c. clxviii. 39 & 40 Vict. c. cxliii.

And whereas under the authority of Parliament the railways of the Bristol and North Somerset Railway Company are worked and used by the Company, and the Company are authorised to subscribe capital for the construction of the Camerton branch of the Bristol and North Somerset Railway as by the Bristol and North Somerset Railway Act, 1873, authorised to be constructed and as by the Great Western Railway Act, 1876 (in this Act called the Company's Act of 1876), authorised to be deviated, and it is expedient that the period now limited for the construction and completion of the said branch railway should be extended:

Extension of time—Swansea Lines, 1872. 35 & 36 Vict. c. clii.

And whereas it is expedient that the extended period limited by the Company's Act of 1876 for the completion of the railways No. 1 and No. 2, authorised by the Great Western Railway Swansea Canal Act, 1872 (in this Act called the Company's Swansea Canal Act of 1872), should be further extended:

Extension of time—Railways of Company's Act of 1873.

And whereas it is expedient that the powers granted by the Company's Act of 1873 for the purchase of lands required for the railway No. 2 and the railway No. 3 authorised by that Act should, as regards a portion of railway No. 2 and as regards railway No. 3, be revived, and that the extended period limited by the Company's Act of 1876 for the completion of those two railways should be further extended:

Vesting—Towing-path companies.

And whereas the Company are largely interested in the navigation of the River Severn, and it is expedient that provision should be made for the vesting of the respective undertakings of the Company of Proprietors of the Gloucester and Worcester Horse Towing-path (in this Act called the Gloucester and Worcester Towing-path Company), and of the Company of Proprietors of the River Severn Horse Towing-path Extension (in this Act called the River Severn Towing-path Company), in the Company and the Severn Navigation Commissioners (in this Act called the Severn Commissioners), jointly, or in one of them, and that the Company and the said Commissioners should be empowered to appoint a joint committee for the management of the undertakings so vested:

Vesting—Alcester Railway.

And whereas the railways of the Alcester Railway Company and the Stratford-upon-Avon Railway Company (herein-after called the Stratford Company) are worked and used by the Company, and it is expedient that the undertaking of the Alcester Railway Company should be transferred to and vested in the Company and the Stratford Company jointly, and that those two Companies should be empowered to appoint a joint committee for the management of the vested undertaking:

Subscriptions, &c. to other companies.

And whereas the Company have under the authority of Parliament made traffic and working agreements with the Worcester, Bromyard, and Leominster Railway Company, the Mitcheldean Road and Forest of Dean Junction Railway Company, the Malmesbury Railway Company, and the Llynvi and Ogmore Railway Company respectively, with a view to the interchange of traffic between the respective railways of those companies and the Company's railways, and it is expedient that the Company should be empowered to contribute funds towards the completion of the authorised undertakings of those other companies respectively as in this Act provided:

Agreements—Witney and East

And whereas the railways of the Witney Railway Company and the East Gloucestershire Railway Company respectively join the railways

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Gloucestershire Railway Companies.

of the Company and are worked and used by the Company, and there is a considerable interchange of traffic between them, and it is expedient that the Company and each of the said two other companies should be empowered to make and carry into effect agreements with respect to the matters in this Act mentioned in that behalf:

Additional capital.

And whereas it is expedient that the Company should be empowered to raise a further sum of money for the purposes of this Act and for the general purposes of their undertaking:

And whereas the objects aforesaid 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 all purposes as the Great Western Railway Act, 1878.

Incorporation of general Acts.

2. The following Acts and parts of Acts are, except where expressly varied by this Act, incorporated with and form part of this Act; (that is to say,)

8 & 9 Vict. c. 18.
23 & 24 Vict. c. 106.
32 & 33 Vict. c. 18.

The Lands Clauses Consolidation Acts, 1845, 1860, and 1869;

The Railways Clauses Consolidation Act, 1845;

Part I. (relating to the construction of a railway), Part II. (relating to extension of time), and Part V. (relating to amalgamation) of the Railways Clauses Act, 1863;

8 & 9 Vict. c. 20.

The provisions of the Companies Clauses Consolidation Act, 1845, with respect to the following matters; (namely,)

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;

The conversion of the borrowed money into capital; and

The consolidation of shares into stock;

Part I. (relating to cancellation and surrender of shares), Part II. (relating to additional capital), and Part III. (relating to debenture stock) of the Companies Clauses Act, 1863.

26 & 27 Vict. c. 118.

Interpretation of terms.

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

The expression "the railways" means the new railways by this Act authorised:

The expression "superior courts" or "court of competent jurisdiction," or any other like expression in this Act or any Act wholly or partially incorporated herewith, shall for the purposes of this Act be read and have effect as if the debt or demand with respect to which the expression is used were a simple contract debt, and not a debt or demand created by statute:

The expression "parish clerks" and "clerks of the several parishes" in sections seven, eight, and nine of the Railways Clauses Consolidation Act, 1845, shall, with reference to the Company, and as regards those parishes or extra-parochial places in which by the standing orders of either House of Parliament plans, sections, and other documents are required to be deposited with the clerk of the vestry of the parish, or with the clerk of the district board for the district in which the parish or extra-parochial place is included, mean in the first case the vestry clerks of those parishes, and in the second case the clerks of those district boards respectively. 8 & 9 Vict. c. 20.

Power to make railways according to deposited plans.

4. Subject to the provisions of this Act, the Company may make and maintain, in the lines and according to the levels shown on the deposited plans and sections relating thereto, the railways hereinafter described, with all proper stations, sidings, approaches, roads, works, and conveniences connected therewith, and may enter upon, take, and use such of the lands delineated on the deposited plans thereof and described in the deposited books of reference relating thereto as may be required for those purposes.

The railways herein-before referred to and authorised by this Act are—

No. 1. A railway (distinguished on the deposited plans and sections as railway No. 2 (2 miles 4·80 chains in length), to be wholly situate in the parish of Tiverton in the county of Devon, commencing by a junction with the existing Tiverton branch of the Great Western Railway, and terminating by a junction with the authorised line of the Tiverton and North Devon Railway:

No. 2. A railway (3 furlongs and 10 links in length), commencing in the parish of St. Blazey in the county of Cornwall, by a junction with the Cornwall Minerals Railway near the Cornwall Minerals Railway Company's booking office at their station at Par, and terminating in the parish of Tywardreath in the same county near the Cornwall Railway Company's goods shed at that company's station at Par.

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Railways to be part of Company's undertaking.

5. The railways above described shall for all purposes, including the demanding and recovering of tolls, rates, and charges, be deemed to be part of the Company's undertaking:

And the tolls, rates, and charges to be demanded and recovered in respect of the railways and the traffic thereon shall not exceed —

37 & 38 Vict. c. liii.

As respects railway No. 1, the tolls, rates, and charges prescribed by the Exe Valley Railway Act, 1874:

36 & 37 Vict. c. clxii.

As respects railway No. 2, the tolls, rates, and charges prescribed by the Cornwall Minerals Railway Act, 1873.

Period for completion of railways.

6. If the railways are not completed within five years from the passing of this Act, then on the expiration of that period the powers by this Act granted to the Company for making and completing the railways, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as is then completed.

Company liable to penalty unless railways opened within time limited.

7. If the Company fail within the period limited by this Act to complete the railways respectively, the Company shall be liable to a penalty of fifty pounds a day for every day after the expiration of the period so limited until the uncompleted railway or railways is or are completed and opened for public traffic, or until the sum received in respect of such penalty shall amount to five per centum on the estimated cost of the uncompleted railway or railways:

The said penalty may be applied for by any landowner or other person claiming to be compensated in respect of the railway or railways in reference to which the penalty has been incurred in accordance with the provisions of the next following section of this Act, or by the Solicitor of Her Majesty's Treasury, and in the same manner as the penalty provided in section three of the Railway and

17 & 18 Vict. c. 31.

Canal Traffic Act, 1854:

Every sum of money recovered by way of such penalty as aforesaid shall be paid under the warrant or order of such court or judge as is specified in that section to an account opened or to be opened in the name and with the privity of Her Majesty's Paymaster General on behalf of the Chancery Division of the High Court of Justice in the bank and to the credit specified in such warrant or order, and shall not be paid thereout except as herein-after provided:

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 uncompleted railway or railways by unforeseen accident or circumstances beyond their control; provided that want of sufficient funds shall not be held to be a circumstance beyond their control.

Application of penalty.

8. Every sum of money so recovered by way of penalty as aforesaid shall be applicable, and after due notice in the London Gazette

shall be applied, towards compensating any landowners or other persons whose property may have been interfered with or otherwise rendered less valuable by the commencement, construction, or abandonment of the railway or railways in respect of which the penalty has been incurred, or any portion thereof, or who may have been subjected to injury or loss in consequence of the compulsory powers of taking property conferred upon the Company by this Act, and for which injury or loss no compensation or inadequate compensation shall have been paid, and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the Chancery Division of the High Court of Justice may seem fit:

If no such compensation shall be payable, or if a portion of the sum or sums of money so recovered by way of penalty as aforesaid shall have been found sufficient to satisfy all just claims in respect of such compensation, then the said sum or sums of money recovered by way of penalty, or such portion thereof as may not be required as aforesaid, shall either be forfeited to Her Majesty and accordingly be paid to or for the account of Her Majesty's Exchequer in such manner as the said Chancery Division thinks fit to order on the application of the Solicitor to Her Majesty's Treasury, and shall be carried to and form part of the Consolidated Fund of the United Kingdom, or, in the discretion of the said Chancery Division, if the Company is insolvent and has been ordered to be wound up, or a receiver has been appointed, shall wholly or in part be paid to such receiver, or to the liquidator or liquidators of the Company, or be otherwise applied as part of the assets of the Company for the benefit of the creditors thereof.

Lands for extraordinary purposes. 8 & 9 Vict. c. 20.

9. The further quantity of land to be taken by the Company for the extraordinary purposes mentioned in the Railways Clauses Consolidation Act, 1845, shall not exceed two acres.

Power to Company to acquire additional lands for general purposes.

10. Subject to the provisions of this Act, and in addition to the other lands which they are by this Act authorised to acquire, the Company may from time to time enter upon, take, use, and appropriate for the general purposes of their undertaking and works connected therewith, and for providing increased accommodation, all or any of the lands, houses, and buildings following, delineated on the deposited plans thereof, and described in the deposited books of reference relating thereto respectively; (that is to say,)

Certain lands, houses, and buildings on the northern side of the Company's railway, and adjoining thereto, in the parish of Paddington in the county of Middlesex, and lying near to the westerly ends of Waverley Road and Hampden Street:

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Certain lands, houses, and buildings on the northern side of the Company's railway, and adjoining thereto, in the said parish of Paddington, and in the parish of Kensington, otherwise St. Mary Abbotts, Kensington, in the county of Middlesex, and lying between the Company's railway and Southam Street, Kensal Green :

Certain lands, houses, and buildings on the southern side of the Company's railway, and adjoining thereto, in the parishes of Kensington, otherwise St. Mary Abbotts, Kensington, and Hammersmith, in the county of Middlesex, lying between Ladbroke Grove Road and the West London Railway near to the North Pole Junction :

Certain lands, houses, and buildings on both sides of the Company's railway, and adjoining thereto, in the precinct of Norwood, in the parish of Hayes, and also in the parish of Hayes in the county of Middlesex, and lying between the Paddington branch of the Grand Junction Canal and the main line of that canal :

Certain lands, houses, and buildings on the northern side of the Company's railway, and adjoining thereto, in the parishes of West Drayton and Hillingdon in the county of Middlesex, and lying between the Grand Junction Canal and the road from West Drayton to Uxbridge :

Certain lands, houses, and buildings on the eastern side of the Company's branch railway to Uxbridge, and adjoining thereto, in the said parish of Hillingdon in the county of Middlesex, and near to the junction of that branch with the main line of the Great Western Railway :

Certain lands, houses, and buildings on both sides of the Company's railway, and adjoining thereto, in the parishes of White Waltham and Shottesbrook in the county of Berks, and extending from near the post on the said railway indicating twenty-six miles from London to near the post thereon indicating twenty-eight miles from London :

Certain lands, houses, and buildings on both sides of the Company's railway, and adjoining thereto, in the parish of Waltham St. Lawrence in the county of Berks, and extending from near the post on the said railway indicating twenty-eight miles from London to near the post thereon indicating twenty-nine miles from London :

Certain lands, houses, and buildings on the western side of the Company's railway leading from Kidderminster to the Severn Valley Railway, and adjoining thereto, in the parish of Kidderminster in the county of Worcester, and lying near to the

junction of that railway with the Company's main line of railway from Worcester to Kidderminster:

Certain lands, houses, and buildings on the western side of the Company's railway, and adjoining thereto, in the parish of Old Swinford in the county of Worcester, and lying near to the road which passes under that railway about twenty-two chains southward of the booking office at the Stourbridge station:

Certain lands, houses, and buildings on the southern side of the Company's authorised branch railway to Stourbridge, and adjoining thereto, in the parish of Old Swinford in the county of Worcester, and lying between the commencement of that railway near the Stourbridge Station on the main line of railway, and the point indicating three furlongs on the plans deposited in respect of the said branch railway, with the clerk of the peace for the county of Worcester, in November one thousand eight hundred and seventy-three, and also certain other lands, houses, and buildings numbered on the plans above referred to 31, and 224 to 247 inclusive, in the said parish and county:

Certain lands, houses, and buildings on both sides of the Company's railway leading from Worcester to Dudley and adjoining the new station at Netherton in the parish of Dudley in the county of Worcester;

Provided always, that nothing in this Act contained shall authorise the Company, without the previous consent in writing of the town of Dudley Gaslight Company under their corporate seal, to enter upon, take, or use the properties numbered on the deposited plan of the said lands 1 and 2 in the said parish of Dudley:

Certain lands, houses, and buildings, on the north-eastern side of and adjoining the Company's railway leading from Worcester to Dudley, in the parish of Old Swinford in the county of Stafford, and lying between the junction of the branch railway with the said main line of railway (which branch leads by an incline to Stourbridge), and the road at Amblecote Hall leading from the Delph to Stourbridge:

Certain lands, houses, and buildings in the parish of Mynyddyslwyn in the county of Monmouth, and lying on the southern side of the Company's railway and partly over the tunnel on Hall's tramway, called the Pennar tunnel, and partly adjoining the said tunnel on both sides thereof.

Extending to this Act s. 23 of 39 & 40 Vict. c. cxliii.

11. Section 23 of the Great Western Railway Act, 1876 (for protection of sewers of Metropolitan Board of Works, vestries, and district boards), shall, so far as the same is or may become applicable,

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extend and apply to this Act, and to the lands which the Company are hereby authorised to acquire within the metropolis in as full and complete a manner as if that section were re-enacted in this Act with reference to the said lands and any powers to be exercised by the Company in and over the same.

For protection of streets under the jurisdiction of the vestry of the parish of Paddington. 8 & 9 Vict. c. 20.

12. For the protection of the vestry of the parish of Paddington, in this section called the said vestry, and notwithstanding anything in the Railways Clauses Consolidation Act, 1845, contained, be it enacted as follows:

(*a.*) Before the Company shall under the powers of this Act break up any public road or street in the district or within the jurisdiction of the said vestry they shall give to the said vestry notice thereof in writing, and such notice shall be delivered at the Vestry Hall, Paddington, not less than twenty-one days before commencing the works:

(*b.*) Before the Company shall under the powers of this Act commence any works in the district or within the jurisdiction of the said vestry, which works shall cause any temporary diversion of any public foot or carriage way, or which shall cause any obstruction or inconvenience to traffic, the Company shall, before commencing any such works at their own expense, make such arrangements for the passage of traffic as the said vestry shall reasonably require:

(*c.*) The Company shall, within three months after any part of any public road or street in the district or within the jurisdiction of the said vestry shall have been part taken up under any of the powers of this Act, fill up and restore in a well rammed and workmanlike manner, and to the reasonable satisfaction of the surveyor for the time being of the said vestry, the roadway of such portions of the said roads or streets as shall be so broken up and the footways thereof to a good state and condition, and shall within the said period of three months reinstate and perfect to the satisfaction of the said surveyor all drains and gullies in the roads and streets which shall be broken up, disturbed, or damaged, or provide new or other drains or gullies to the satisfaction of the said surveyor; and the Company shall also at their own expense keep and maintain the said roads, streets, and footways in good and substantial repair in every respect to the reasonable satisfaction of the said surveyor for one year next after the same shall have been so restored as aforesaid. If the Company shall not within the said period of three months next after any road or street shall have been part taken up or disturbed repair

or restore such road or street as aforesaid, the Company shall for each and every such neglect forfeit and pay to the said vestry for the use of the said vestry a sum of twenty pounds for each and every day after the expiration of the said three calendar months during which the said road or street shall remain unpaved and unrestored as aforesaid :

(*d.*) The Company shall at their own expense during the construction of any works under the powers of this Act at all times fence and guard, and at night cause to be lighted and watched, any public road or street, or any sewers or drains formed or broken up by them for the purpose of such construction in the district or within the jurisdiction of the said vestry :

(*e.*) And the flanks or parts of any houses which may be removed wholly or partly, or be altered by the Company for the purpose of such works, shall be well and sufficiently restored or built up in a workmanlike manner to prevent any unsightly appearance :

(*f.*) And the Company shall conform to and comply with all the reasonable orders, directions, and regulations of the said vestry in the execution of all or any of the said works, and shall provide by new, altered, or substituted works in such manner as the said vestry shall reasonably require for the proper protection and for preventing stoppage or impediment to the said public roads or works herein-before referred to by reason of the said intended works, or any part thereof, and shall save harmless the said vestry against all and any the expense to be occasioned thereby, and all such works shall be done by or under the direction, superintendence, and control of the surveyor or other officer or officers at the costs, charges, and expenses in all respects of the Company, and all reasonable costs, charges, and expenses which the said vestry may be put to by reason of such works of the Company, whether in the execution of works, the preparation or examination of plans or designs, superintendence, or otherwise, shall be paid to the said vestry by the Company on demand, and when any new, altered, or substituted works as aforesaid, or any works or defence connected therewith, shall be completed by or at the costs, charges, or expenses of the Company under the provisions of this Act, the same shall thereafter be as fully and completely under the direction, jurisdiction, and control of the said vestry as any roads, sewers, or works now are or here-

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after may be, and nothing in this Act shall extend to prejudice, diminish, alter, or take away any of the rights, powers, or authorities vested or to be vested in the said vestry, or their successors, but all such rights, powers, and authorities shall be as valid and effectual as if this Act had not passed:

(*g*.) Any difference which may arise between the Company and the said vestry under this section shall be from time to time referred to and determined by an arbitrator to be appointed on the application of either party by the Board of Trade, and the costs of the arbitration shall be in the discretion of the arbitrator.

For protection of sewers under the jurisdiction of the vestry of the parish of Paddington.

13. Where any of the intended works to be done under or by virtue of this Act shall or may pass over, under, or by the side, or so as to interfere with any sewer, drain, watercourse, defence, or work under the jurisdiction or control of the vestry of the parish of Paddington, or with any sewers or works to be made or executed by the said vestry, or shall or may in any way affect the sewerage or drainage of the districts under their control, the Company shall not commence such works until they shall have given to the said vestry twenty-one days previous notice in writing of their intention to commence the same by leaving such notice at the principal office of the said vestry with a plan and section showing the course and inclination thereof and other necessary particulars relating thereto, and until such vestry respectively shall have signified their approval of the same unless such vestry do not signify their approval, disapproval, or other directions within twenty-one days after service of the said plan, section, and particulars as aforesaid; and the Company shall comply with and conform to all reasonable orders, directions, and regulations of the said vestry in the execution of the said works, and for preventing injury or impediment to the sewers and works herein-before referred to by or by reason of the said intended works, or any part thereof, and shall save harmless the said vestry against all and every the expenses to be occasioned thereby, and all such works shall, if required by the said vestry, be done by or under the direction, superintendence, and control of the officer or officers of the said vestry at the costs, charges, and expenses in all respects of the Company, and all reasonable costs, charges, and expenses which the said vestry may be put to by reason of the works of the Company, whether in the execution of works, the preparation or examination of plans or designs, superintendence, or otherwise shall be paid to such vestry by the Company on demand, and when any new, altered, or substituted works as aforesaid, or any works or defence connected therewith, shall be completed by or at

the costs, charges, or expenses of the Company under the provisions of this Act, the same shall thereafter be as fully and completely under the direction, jurisdiction, and control of the said vestry as any sewers or works now are or hereafter may be, and nothing in this Act shall extend to prejudice, diminish, alter, or take away any of the rights, powers, or authorities vested or to be vested in the said vestry, or of their successors, but all such rights, powers, and authorities shall be as valid and effectual as if this Act had not been passed.

Substitution of road (Old Swinford) for portion of public highway. 37 & 38 Vict. c. lxxiv.

14. And whereas the Company are constructing in the parish of Old Swinford in the county of Worcester the branch railway at Stourbridge authorised by the Great Western Railway Act, 1874, and the diverted road shown on the deposited plans referred to in the said Act: Therefore, so soon as the said diverted road is open for traffic, the Company may stop up and discontinue so much of the present site and surface of the highway or road numbered on the deposited plans referred to in the Act of 1874 58, in the parish of Old Swinford, as lies between the boundaries of their property.

All rights of way over or along the portion of road so stopped up and discontinued shall be and the same are by this Act extinguished; provided that the Company shall within twelve months after the passing of this Act construct a subway under the said railway, and the platforms thereon where such railway crosses Foster Street and such subway shall be not less than ten feet clear in height in every part, and twenty feet clear in width in every part, and the gradient or rate of inclination on the eastern side of the said subway shall not be steeper than one in twenty, and on the western side shall not be steeper than one in fourteen for a distance of seventy-five feet from the western end of the subway, or such other gradients and height of headway as may be mutually agreed upon in writing by the Company and the Stourbridge Improvement Commissioners, and the Stourbridge Improvement Commissioners shall at their own cost lower the surface of Foster Street where the said distance of seventy-five feet will terminate to such an extent that Foster Street shall form a continuation of the approach to the subway.

The diverted road and the said subway (except the stone, iron, or other structure carrying the diverted road over the said railway, and the stone, iron, or other structure forming the subway, which structures shall be repaired and maintained by and at the expense of the Company) shall from time to time be repaired, drained, and maintained by and at the expense of the same parties in the same manner and to the same extent as the road, a portion of which is so stopped up, is from time to time liable to be repaired, drained, and maintained.

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Power to Company and Cornwall Company to acquire additional lands.

15. Subject to the provisions of this Act, the Company and the Cornwall Railway Company jointly, or either of them with the consent of the other, may from time to time enter upon, take, use, and appropriate to purposes connected with the Cornwall Railway the lands, houses, and buildings following delineated on the deposited plans thereof and described in the deposited books of reference relating thereto respectively; (that is to say,)

Certain lands, houses, and buildings on the northern side of the Cornwall Railway, and adjoining thereto, in the parish of Saint Stephen-by-Saltash in the county of Cornwall, lying between the road passing over the railway at Saltash Station and the road that passes under the railway about one hundred and sixty yards west of the before-mentioned road:

Certain lands, houses, and buildings, on the northern side of the Cornwall Railway, and adjoining thereto, in the parish of Liskeard in the county of Cornwall, and extending from about eighty yards on the eastern side of the post on that railway indicating two hundred and sixty-five and one quarter miles from London to the post on the said railway indicating two hundred and sixty-five and one half miles from London:

The Company and the Cornwall Railway Company may make and carry into effect agreements with respect to the acquisition, use, and appropriation of the said lands, houses, and buildings, or any of them.

Power to Company and South Devon Company to execute work and acquire lands.

16. Subject to the provisions of this Act, the Company and the South Devon Railway Company, or either of them, may, in the lines and according to the levels shown on the deposited plans and sections relating thereto, widen on the western side thereof the bridge which now carries the South Devon Railway over the public road at the northern end of the Tavistock Station on that railway; and they may enter upon, take, and use such of the lands delineated on the deposited plans and described in the deposited books of reference relating thereto as may be required for those purposes; and subject as aforesaid, the said two Companies jointly, or either of them with the consent of the other, may also enter upon, take, and use, and hold for purposes connected with the South Devon Railway, and the West Cornwall Railway respectively, the lands, houses, and buildings following delineated and described as aforesaid; (that is to say,)

For the purposes of the South Devon Railway—

Certain lands, houses, and buildings on the western side of and adjoining the South Devon and Tavistock Railway in the parish of Tavistock in the county of Devon, and lying between the public road leading from Tavistock to Whitchurch, and the

occupation bridge under the railway, ninety yards or thereabouts north of the said road:

For the purposes of the West Cornwall Railway—

Certain lands, houses, and buildings on both sides of and adjoining the West Cornwall Railway in the parish of Gwinear in the county of Cornwall, and lying between the road crossing the railway on the level at the Gwinear Road Station, and the level crossing two hundred and thirty yards or thereabouts east of that road:

Certain lands, houses, and buildings on the northern side of and adjoining the West Cornwall Railway in the parish of Ludgvan in the county of Cornwall, and extending in a westerly direction three hundred yards or thereabouts from the western end of the loading bank at the Marazion Station.

The Company and the South Devon Railway Company may make and carry into effect agreements with respect to any of the matters aforesaid in which they are jointly interested.

Power to Company and Llynvi and Ogmore Company to acquire lands.

17. Subject to the provisions of this Act, the Company and the Llynvi and Ogmore Railway Company jointly, or either of them with the consent of the other, may enter upon, take, and use, and hold for purposes connected with the Llynvi and Ogmore Railway, the lands, houses, and buildings following delineated on the deposited plans thereof and described in the deposited books of reference relating thereto; (that is to say,)

Certain lands, houses, and buildings on the east side of and adjoining the main line of the Llynvi and Ogmore Railway in the parish of Llangonoyd in the county of Glamorgan, on which a part of the branch railway to the Bettws Colliery is constructed, and lying near to the bridge carrying that branch railway over the River Llynvi; and being a distance of fifteen chains or thereabouts measured in a northerly direction from the post indicating four miles on the Llynvi and Ogmore Railway from Bridgend:

Certain lands, houses, and buildings on the west side of and adjoining the main line of the Llynvi and Ogmore Railway in the parish of Llangonoyd in the county of Glamorgan, extending from the bridge carrying the branch railway of the Llynvi, Tondu, and Ogmore Company, Limited, over the River Llynvi to a point distant fifteen chains or thereabouts measured along the said branch railway from the said bridge:

Certain lands, houses, and buildings on each side of and on the line of the Llynvi and Ogmore Railway as constructed in the parish of Llangeinor in the county of Glamorgan, and lying between a point thirteen chains or thereabouts (measured along

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the railway) in a south-west direction from the post indicating two miles on that railway from Tondu, and a point thirty-three and a half chains or thereabouts (measured along the railway) in a north-east direction from the said post:

Certain lands, houses, and buildings in the parish of Llangeinor in the county of Glamorgan, on the west side of the Ogmore branch of the Llynvi and Ogmore Railway, forming part of the station at Tynewydd:

Certain lands, houses, and buildings on the west side of and adjoining the Cwm Garw branch of the Llynvi and Ogmore Railway, in the parish of Llangeinor in the county of Glamorgan, lying between the railway and the River Garw, and lying near to the level crossing of the public road leading from Velinarw to Braich-y-Cymmer:

Certain lands, houses, and buildings on each side of and on the line of the Ely Valley extension of the Llynvi and Ogmore Railway, in the parish of Llandyfodwg in the county of Glamorgan, lying between the terminus of the said railway and a point nine chains or thereabouts measured in a southerly direction from the terminus of that railway.

The Company and the Llynvi and Ogmore Railway Company may make and carry into effect agreements with respect to the acquisition, use, and appropriation of the lands, houses, and buildings aforesaid.

Authorising dealings with property of the Duchy of Lancaster.

18. And whereas it is expedient that this Act should contain certain provisions relative to lands, hereditaments, estates, rights, and interests belonging to the Queen's most Excellent Majesty in right of Her Duchy of Lancaster (in the rest of this section called the duchy) as are herein-after contained: Be it therefore enacted that—

As to sale of lands.

(1.) With respect to any lands belonging to Her Majesty in right of the duchy which may be required for the purposes of this Act, the following provisions shall (but subject and without prejudice to any lease or tenancy which at the time of any agreement authorised by this section may be subsisting in the said last-mentioned lands) have effect; that is to say, the Chancellor and Council for the time being (herein-after called the Chancellor and Council) of the duchy may agree with the Company for the absolute sale in fee simple of all or any of the said last-mentioned lands, or any part thereof, in consideration of any such gross sum of money, or of such annual rentcharge, or in consideration partly of such gross sum and partly of such annual rentcharge payable by the Company, and upon

such terms and conditions in all respects as shall be settled between the Chancellor and Council and the Company, and in case the same lands shall be subject jointly with any other lands to any lease or tenancy for a life or lives, or a term of years unexpired, the Chancellor and Council may agree as well with the Company as also with the lessee or tenant for the apportionment of the rent payable in respect of the lands comprised in such lease or tenancy, between the lands agreed to be sold and such other lands; and upon payment of such (if any) agreed gross sum, and upon such (if any) agreed rentcharge being secured in manner herein-after provided, the Chancellor and Council may grant and assure the same lands and the fee simple and inheritance thereof to the Company, their successors and assigns, for the purposes of this Act, and (if the same lands shall be subject jointly with any other lands to any such lease or tenancy as aforesaid) may apportion or concur with all other necessary parties in apportioning the rent payable in respect of the lands comprised in such lease or tenancy between the lands so granted and assured and such other lands:

(2.) With respect to any such lands held by copy of Court Roll or other customary tenure of any honor, manor, or lordship belonging to Her Majesty in right of the duchy, as may be required for the purposes of this Act, the following provisions (but subject and without prejudice to any lease or tenancy which at the time of any agreement authorised by this section may be subsisting of the same manor, honor, or lordship) shall have effect; that is to say,

The Chancellor and Council may agree with the Company for the enfranchisement of all or any of the said last-mentioned lands, and for the release thereof from all or any of the customary fines, rents, suits, and services which the same may be charged with or liable to in consideration of such gross sum of money, or of such annual rentcharge, or in consideration partly of such gross sum and partly of such annual rentcharge payable by the Company, and upon such terms and conditions in all respects as shall be settled between the Chancellor and Council and the Company:

And in case the same lands shall be liable jointly with any other lands to any such aforesaid rents, suits, or services, the Chancellor and Council may agree as well with the Company as also with the tenant or proprietor of such

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other lands for the release or apportionment of such rents, suits, and services either with or without any consideration being paid for the same:

Upon any such agreement for enfranchisement, release, or apportionment, and upon payment of such (if any) agreed gross sum, and upon such (if any) agreed rentcharge as last aforesaid being secured in manner herein-after provided, the Chancellor and Council may release the lands so to be enfranchised or released from all customary fines, rents, suits, and services, or (as the case may be) such of them or such part or parts thereof as shall have been in that behalf agreed, and the lands so released shall thenceforth be holden by the Company, their successors and assigns, as of the honor, manor, or lordship whereof they are or were holden or parcel in free and common socage, and every such release of lands if made previously to the purchase or acquisition by the Company of the estate and interest of the copyhold or customary tenant of such lands shall, after such purchase or acquisition, operate and take effect as if the Company had been in possession of the same lands at the time of the execution of such release:

Provided that no such enfranchisement, release, or apportionment shall in any other respects affect any custom by or under which any copyhold or customary lands not required for the purposes of this Act shall be holden:

And whenever any such aforesaid release of lands shall be made any other lands which were previously subject jointly with the released lands to any such rents, suits, and services as aforesaid, shall, as between the Company and Her Majesty in right of the duchy (but expressly without prejudice to any right of contribution in respect of such rents, suits, or services which previously to such release the tenant or proprietor of such other lands may have had against the tenant or proprietor of the released lands), thenceforth be subject to the whole of such rents, suits, and services, or (as the case may be) to such of them or such parts or part thereof as shall not have been comprised in and intended to be extinguished by that release in the same manner in all respects as the entirety of the lands so previously subject as aforesaid would have continued subject to the whole of such rents, suits, and services if such release had not been made, and all the rights, powers, and remedies subsisting previously to such

release for the recovery of the whole of the said rents, suits, and services shall, as against the lands not so released, be and thenceforth remain as between the Company and Her Majesty in right of the duchy (but without prejudice as aforesaid) as available and as valid and effectual in the law to all intents for the recovery of the same rents, suits, and services, or (as the case may be) such of them or such parts or part thereof as shall not have been comprised in and intended to be extinguished by the same release as if the said last-mentioned lands had originally been alone subject to the same rents, suits, and services, or such of them or such parts or part thereof as last aforesaid:

(3.) With respect to any lands being waste or common lands the right to the soil whereof belongs to Her Majesty in right of the duchy (subject to rights of common or other rights or easements) which may be required for the purposes of this Act the following provisions shall have effect; (that is to say,)

As to the conveyance of waste lands.

The Chancellor and Council may agree with the Company for the absolute sale in fee simple of the estate, right, and interest of Her Majesty in the soil of all or any of the same lands and for the absolute extinguishment of any commonable or other rights to which Her Majesty in right of the duchy may be entitled in the same lands (other than and besides her said right in the soil of such lands), in consideration of such gross sum of money or of such annual rentcharge, or in consideration partly of such gross sum and partly of such annual rentcharge payable by the Company, and upon such terms and conditions in all respects as shall be settled between the Chancellor and Council and the Company:

And upon payment of such (if any) agreed gross sum as last aforesaid, and upon such (if any) agreed rentcharge as last aforesaid being secured in manner herein-after provided, the Chancellor and Council may grant and assure such last-mentioned estate, right, and interest to the Company, their successors and assigns, for the purposes of this Act:

Provided that the lands so granted and assured as last aforesaid shall remain subject to all the commonable and other rights (except those of Her Majesty, her heirs and successors,) which immediately before such grant and assurance affected the same until such rights shall have

8 & 9 Vict. c. 18.

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23 & 24 Vict. c. 106. 32 & 33 Vict. c. 18.

ceased and become extinguished by the payment or deposit of the compensation for the same in manner provided by the Lands Clauses Consolidation Acts, 1845, 1860, and 1869:

As to the sale and working of mines.

(4.) With respect to any mines, minerals, and quarries to which Her Majesty in right of the duchy is entitled (either in possession or subject to any lease or tenancy) in, under, or upon any lands required for the purposes of this Act the following provisions (but subject and without prejudice to any lease or tenancy which at the time of any agreement authorised by this section may be subsisting of the same mines, minerals, or quarries) shall have effect; that is to say,

The Chancellor and Council, either before or after the execution of the works authorised by this Act, or any part thereof, may agree with the Company for the absolute sale of all or any of the said mines, minerals, and quarries for such price or consideration in money and upon such terms and conditions in all respects as shall be settled between the Chancellor and Council and the Company, and upon payment of such agreed price or consideration as last aforesaid in manner herein-after provided, the Chancellor and Council may grant and assure such last-mentioned mines, minerals, and quarries unto the Company, their successors and assigns, for the purposes of this Act; the Chancellor and Council may also enter into any agreement with the Company concerning the working by Her Majesty, her heirs, successors, and assigns, of all or any of the said mines, minerals, or quarries, whether being in, under, or upon any lands taken by the Company under the powers of this Act:

Provided that nothing contained in this Act shall extend or operate to prevent or hinder Her Majesty, her heirs, successors, or assigns, or her or their lessees, from working (subject and without prejudice only to any such agreement as last aforesaid), as well before as after the execution of the works authorised by this Act, any such mines, minerals, or quarries, whether being in, under, upon, or in the neighbourhood of any lands taken by the Company under the powers of this Act, nor shall anything in this Act contained extend or operate to make Her Majesty, her heirs, successors, or assigns, in any way liable for any damage or injury which may be done to or on the works authorised by this Act by any such working, unless and except only to such extent as

the Chancellor and Council shall have expressly agreed in writing with the Company that the duchy shall become so liable:

Provided also, that it shall not be lawful for the Company, their successors or assigns, by reason of any aforesaid grant or assurance of mines, minerals, or quarries, to work, get, or use any of the same, except so far as may be necessary in executing the works authorised by this Act:

As to the application of purchase moneys.

(5.) With respect to any gross sum of money which under this section shall become payable in consideration of any sale, enfranchisement, or release thereby authorised, the following provisions shall have effect; that is to say,

Each such sum shall be paid into the hands of the Receiver General of the revenues of the duchy, or of his deputy or deputies, and a receipt shall be given by him or them for the same:

And such sum shall be applicable and dealt with to all intents and purposes as if it were the purchase money of lands sold by the Chancellor and Council under the authority of the Duchy of Lancaster Lands Act, 1855; and the Chancellor and Council shall for the purposes of this Act have and be entitled to the benefit of all such powers and provisions in reference to moneys invested in bank annuities under this present section as under the Duchy of Lancaster Lands Act, 1855, they are entitled to concerning moneys invested in bank annuities under that Act:

18 & 19 Vict. c. 58.

As to the annual rentcharges payable to the Duchy.

(6.) With respect to any annual rentcharge which under this section shall become payable in consideration of any sale, enfranchisement, or release by this section authorised, the following provisions shall have effect; that is to say,

Each such annual rentcharge shall be a perpetual rentcharge, and shall be such charge on the tolls or rates payable under this Act, and shall be recoverable in like manner as by the Lands Clauses Consolidation Acts, 1845, 1860, and 1869, provided concerning the rentcharges thereby authorised to be granted, and shall, if the Chancellor and Council think fit, be otherwise secured in such manner as may be settled between the Chancellor and Council and the Company:

8 & 9 Vict. c. 18.
23 & 24 Vict. c. 106.
32 & 33 Vict. c. 18.

And the same shall be limited to the use of Her Majesty, her heirs and successors, in right of the duchy, and shall vest in her and them in the same right as fully and effectually as the lands or hereditaments which shall

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be granted, assured, or released in consideration of the same annual rentcharge stood vested in her and them immediately before such grant and assurance thereof:

Provided that every such annual rentcharge shall be subject to the same application to all intents and purposes as the rents and profits of the said lands or hereditaments to be granted and assured in consideration thereof would be subject if the same lands or hereditaments had not been so granted and assured:

30 & 31 Vict. c. 127.

Provided also, that notwithstanding anything contained in the Railway Companies Act, 1867, no money borrowed by the said Company on mortgage or bond or debenture stock under the provisions of any Act authorising the borrowing thereof shall have priority over or affect any claim of Her Majesty, her heirs or successors, against the Company, their successors or assigns, or against their property for the time being in respect of any such last-mentioned rentcharge:

As to the enrolment of deeds.

(7.) Any lands, hereditaments, estate, right, or interest conveyed or assured or released by the Chancellor and Council by virtue of any of the foregoing provisions of this section shall be so conveyed, assured, or released in the name of Her Majesty, her heirs or successors, in right of the duchy, and by deed or writing under the seal of the duchy, and every such deed or writing shall be enrolled in the court of the Duchy of Lancaster within six calendar months from the date thereof.

Extinguishment of rights of way.

19. All rights of way over any of the lands which may, under the provisions of this Act be purchased or acquired by compulsion shall be and the same are hereby extinguished.

Period for compulsory purchase of lands.

20. The powers of this Act for the compulsory purchase of lands shall not be exercised after the expiration of three years from the passing of this Act.

Power to grant easements by agreement. 8 & 9 Vict. c. 18. 23 & 24 Vict. c. 106.

21. Persons empowered by the Lands Clauses Consolidation Act, 1845, to sell and convey or release lands may, if they think fit, subject to the provisions of that Act and of the Lands Clauses Consolidation Acts Amendment Act, 1860, and of this Act, grant any easement, right, or privilege (not being an easement of water) required for the purposes of this Act in, over, or affecting any such lands, and the provisions of the said Acts with respect to lands and rentcharges, as far as the same are applicable in this behalf, shall extend and apply to such grants, and to such easements, rights, and privileges as aforesaid respectively.

Notice to be given of taking houses of labouring classes.

22. The Company, or any or either of the before-mentioned companies exercising the powers of this Act shall, not less than eight weeks before they take in any parish fifteen houses or more occupied either wholly or partially by persons belonging to the labouring classes as tenants or lodgers, make known their intention to take the same by placards, handbills, or other general notice placed in public view upon or within a reasonable distance from such houses, and such company or companies shall not take any such houses until they have obtained the certificate of a justice that it has been proved to his satisfaction that such company or companies have so made known their intention.

Accommodation to be procured for persons of labouring classes displaced.

23. Before displacing any person belonging to the labouring classes who may for the time being be the occupier of any house or part of any house which the Company, or any or either of the before-mentioned companies exercising the powers of this Act shall (unless they and such person otherwise agree) procure sufficient accommodation elsewhere for such person: Provided always, that if any question shall arise as to the sufficiency of such accommodation, the same shall be determined by a justice; and such company or companies may, for the purpose of providing such accommodation, appropriate any lands for the time being belonging to them respectively, or which they respectively have power to acquire, and for that purpose may purchase lands by agreement, and may on any such lands erect labouring-class dwellings, and may let or otherwise dispose of such lands and premises, and may apply to the purposes of this section, or any of them, any moneys they respectively may have already raised or are authorised to raise, and which moneys if made applicable to any special purpose are not required for that purpose.

Extending time for sale of certain superfluous lands. 8 & 9 Vict. c. 18.

24. The Company may, notwithstanding anything to the contrary in the Lands Clauses Consolidation Act, 1845, or in any Act relating to the Company with which that Act is incorporated, retain and hold any lands belonging to them in the parishes enumerated in the Schedule to this Act, and which have not yet been applied to the purposes of the Company for the periods following; that is to say, as regards such of the lands as are situate, adjoining, or near to any railway or station of the Company, or as the Company may be of opinion that they may require for purposes of station sidings or other conveniences for the period of ten years from the passing of this Act, and as regards the other of the said lands for the period of two years from the passing of this Act; but the Company shall, at or before the expiration of that period, sell and dispose of all such parts of those lands respectively as shall not

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then have been applied to, or are not then required for the purposes of their undertaking.

Certain lands may be sold for rentcharge and let on building leases.

25. The Company may sell such of the lands belonging to them as may not have been applied to the purposes of the Company, and as are situate at or near Birmingham, Stourbridge, Worcester, Gloucester, Taplow, Puriton, and Dunball, or any part of such lands, in consideration of a rentcharge, as well as or instead of a sum in gross, and they may grant demises or leases of any such lands as are or may hereafter be adapted for building or for trade purposes, or any part of such lands, or any warehouses or buildings now standing or hereafter to be erected thereon, for such term or terms of years not exceeding ninety-nine, at such rent or rents, and subject to such covenants, conditions, agreements, and stipulations as the Company shall deem expedient with reference to the special circumstances of each demise or lease: Provided that whenever by sale to various parties or otherwise of the reversion, the reversion upon any such lease shall be severed, the rent may be apportioned by agreement between such parties, and if such apportionment be not so settled, the same shall be settled by an arbitrator appointed by the Board of Trade; and after such apportionment the owner of each part of the reversion shall, in respect of the apportioned rent allotted or belonging to him, have the benefit of all conditions or powers of re-entry for nonpayment of the original rent in like manner as if such conditions or powers had been reserved to him as incident to his part of the reversion in respect of the apportioned rent allotted or belonging to him: Provided also, that any such agreement shall be binding only upon the parties thereto, and no such apportionment shall (unless with express consent in writing) alter, prejudice, or affect the rights or interests of any lessee of the lands in respect of which such apportionment is made, his executors, administrators, or assigns: Provided further, that the Company shall sell or absolutely dispose of the reversions of all such leases within the period of ten years from the granting thereof respectively.

Extension of time for purchase of lands authorised by 22 & 23 Vict. c. lxxvi.

26. The extended period limited by the Company's Act of 1873 for the compulsory purchase of lands authorised to be purchased for the construction of an embankment or embankments in lieu of viaducts at Stourbridge in the hamlet of Amblecote Blakedown in the parish of Hagley and Hoo Brook in the foreign of Kidderminster in the parish of Kidderminster, all in the county of Worcester, is hereby further extended for the following periods respectively; that is to say, as regards the lands for the construction of works at Stourbridge for the period of three years from the passing of this Act, and as regards the lands for the construction of

works at Blakedown and Hoo Brook for the period of five years from the passing of this Act, and after the expiration of those periods respectively the powers for such compulsory purchase shall cease.

For the purposes of this enactment Part II. of the Railways Clauses Act, 1863, shall be read and construed as if the embankment or embankments were a railway within the intent and meaning thereof.

26 & 27 Vict. c. 92.

Extension of time for completion of Camerton Branch Railway (Bristol and North Somerset Railway).
36 & 37 Vict. c. clxviii.

27. The period limited by the Bristol and North Somerset Railway Act, 1873, and the Company's Act of 1876 for the construction and completion of the Camerton Branch Railway as by those Acts authorised is hereby extended so far as respects the works authorised by the said Act of 1873 to the thirteenth day of July one thousand eight hundred and eighty-one, and so far as respects the works authorised by the said Act of 1876 to the thirteenth day of July one thousand eight hundred and eighty-two, and section 49 of the said Act of 1873, and section 37 of the said Act of 1876 respectively, shall be read and construed as if the period by this Act limited for the construction and completion of the Camerton Branch Railway had been the period by those Acts respectively limited:

But if the said branch railway shall not be completed within the extended period by this Act limited, then on the expiration of that extended period the powers by this Act granted for making and completing that branch railway, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall then be completed.

Extension of time for completion of railways No. 1 and No. 2 of 35 & 36 Vict. c. clii.

28. The extended period limited by the Company's Act of 1876 for the construction and completion of the railways No. 1 and No. 2, authorised by the Company's Swansea Canal Act of 1872, is hereby further extended to the thirty-first day of July one thousand eight hundred and eighty, and section 56 of the said Act of 1876 shall be read and construed as if the extended period by this Act limited for the construction and completion of those railways had been the period by the said Act of 1876 limited:

But if the said railways shall not be completed within the extended period by this Act limited, then on the expiration of that extended period the powers by this Act granted for making and completing those railways, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall then be completed.

Revival of powers for purchase of

29. The powers granted by the Company's Act of 1873 for the compulsory purchase of the lands required for the purposes of so

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lands for railways 2 and 3 of Company's Act of 1873.

much of the railway No. 2 authorised by that Act as lies between the point marked on the deposited plans referred to in that Act relating to that railway five furlongs from the commencement thereof and the termination thereof, and also of the lands required for the purposes of the railway No. 3, authorised by the same Act, are by this Act revived and continued and may be exercised by the Company until but not after the thirty-first day of July one thousand eight hundred and seventy-nine.

Extension of time for completion of railways 2 and 3 of Company's Act of 1873.

30. The period limited by the Company's Act of 1873 for the construction and completion of the railways No. 2 and No. 3 authorised by that Act is hereby extended to the thirty-first day of July one thousand eight hundred and eighty, and section 10 of that Act shall be read and construed as if the period by this Act limited for the construction of the said railways had been the period by that Act limited:

But if the said railways shall not be completed within the period limited by this Act, then on the expiration of that period the powers by this Act granted for making and completing the said railways, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall then be completed.

Terms of vesting in Company and Severn Commissioners of undertakings of towing-path companies.

31. The vesting of the undertaking of the Gloucester and Worcester Towing-path Company and the undertaking of the River Severn Towing-path Company (in this Act called the towing-path companies) in the Company and the Severn Commissioners jointly, or in either of them separately, if so agreed upon between the Company and the Severn Commissioners jointly on the one hand, and the towing-path companies on the other hand, may be effected upon the terms and conditions and in the manner and subject to the provisions following; (that is to say,)

The Company or the Severn Commissioners, or both of them, as the case may be, with the previous consent of three fourths of the votes of the shareholders in the Company present in person or by proxy at some general meeting of the Company specially convened for the purpose, and with the previous consent of three fourths of the said Commissioners present at some meeting of the said Commissioners specially convened for the purpose, may pay to the Gloucester and Worcester Towing-path Company any sum not exceeding five hundred pounds, and to the River Severn Towing-path Company any sum not exceeding five hundred pounds; provided that the powers given by this section shall be exercised within nine months from the passing of this Act, and not afterwards, unless otherwise agreed between the Company and the Severn Commissioners.

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Undertakings of towing-path companies vested.

32. After such consent as aforesaid of the shareholders in the Company and of the Severn Commissioners, and of three fourths of the votes of the shareholders in each of the towing-path companies present at some general meeting of the respective company specially convened for the purpose, has been obtained, and upon the payment of a sum not exceeding five hundred pounds to the Gloucester and Worcester Towing-path Company, and five hundred pounds to the River Severn Towing-path Company, the undertaking of each of the towing-path companies, and the several works, lands, buildings, plant, and all other works, whether complete or incomplete, and all other the property, estate, stocks, books, papers, documents, and rights, powers, and privileges of each of the towing-path companies, shall be and are hereby (subject to the liabilities, debts, contracts, and obligations respectively affecting the same) absolutely vested in the Company and the Severn Commissioners, or in such one of them as shall be agreed upon as hereinbefore provided.

The towing-path companies respectively shall upon such vesting be dissolved, except for the purpose of winding up their affairs.

Such vesting shall be deemed to be an amalgamation of the vested undertakings with the undertaking of the Company and the undertaking of the Severn Commissioners, or either of them, as the case may be, according to the true intent and meaning of Part V. (relating to amalgamation) of the Railways Clauses Act, 1863, and for the purposes of this Act each of the towing-path companies and the Severn Commissioners shall be deemed to be a railway company: Provided always, that within three months from the vesting of the undertaking, the Company or the Severn Commissioners, as the case may be, shall produce to the Commissioners of Inland Revenue a copy of this Act, printed by Her Majesty's printer, and duly stamped with the ad valorem stamp duty of the same amount as would have been payable if the transfer of the undertaking had been by a deed of conveyance; and if the said Company or the Severn Commissioners, as the case may be, shall not within the said period of three months produce to the said Commissioners such copy of this Act duly stamped as aforesaid, the ad valorem stamp duty, with interest thereon at the rate of five pounds per centum per annum from the passing of this Act, shall be recoverable from the Company or the Severn Commissioners, as the case may be, with full costs of suit, and all costs and charges attending the same.

26 & 27 Vict. c. 92.

Company and Severn Commissioners

33. Immediately on the vesting of the undertakings of the towing-path companies in the Company and the Severn Commissioners, or in either of them, as the case may be, under the provisions

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may exercise powers of towing-path companies.

of this Act, the Company and the Severn Commissioners, or either of them, as the case may be, may and shall exercise and fulfil, in their own names and under their own seals, and in the names and under the hands of their officers or servants, and on the security of their own undertakings, all the rights, powers, liabilities, and obligations of the towing-path companies respectively with reference to the acquisition of lands, the construction of works, and the levying of tolls, rates, and charges, in like manner as those rights, powers, liabilities, and obligations are authorised and required to be exercised and fulfilled by them respectively.

The Company and Severn Commissioners may appoint a joint committee.

34. The Company and the Severn Commissioners, in case the undertakings of the towing-path companies shall be vested in them jointly, may appoint a joint committee for the purpose of managing the undertakings of the towing-path companies and the affairs thereof, and may delegate to such joint committee such powers as they may think requisite.

Power to Company, Severn Commissioners, and towing-path companies to make agreements.

35. Subject to the provisions and for the purposes of this Act, the Company and the Severn Commissioners on the one hand, and the towing-path Companies respectively on the other hand, may make and carry into effect agreements with respect to all or any of the matters aforesaid in which they are jointly interested.

Terms of vesting in Company and Stratford Railway Company of undertaking of Alcester Railway Company.

36. And whereas under the authority of Parliament the Company are the proprietors of one half and the Stratford Company are the proprietors of the other half of the shares in the Alcester Railway Company: Therefore the vesting of the undertaking of the Alcester Railway Company in the Company and the Stratford Company jointly (herein-after referred to as the two Companies), may be effected upon the terms and conditions and in the manner and subject to the provisions following; (that is to say,)

The Company and the Stratford Company, with the previous consent of three fourths of the votes of the shareholders in the Company and in the Stratford Company respectively present in person or by proxy at some general meeting of the respective Companies respectively convened for the purpose may, with the like consent of the Alcester Railway Company, cancel all the shares held by or for them respectively in the Alcester Railway Company.

Undertaking of Alcester Company vested.

37. After such consent as aforesaid of the shareholders in the Company and in the Stratford Company and in the Alcester Railway Company has been obtained, and upon the cancellation of the shares in the Alcester Railway Company as aforesaid, the undertaking of the Alcester Railway Company and the several railways and branches, stations, sidings, approaches, buildings, fixed plant,

warehouses, and all other works, whether complete or incomplete, and all the lands and other the property, estate, moneys, stocks, books, papers, documents, and assets of the Alcester Railway Company shall be and are hereby (subject to the liabilities, debts, contracts, and obligations respectively affecting the same), absolutely vested in the two Companies.

The Alcester Railway Company shall thereupon be dissolved, except for the purpose of winding up their affairs:

Provided always, that on the vesting of the undertaking of the Alcester Railway Company in the two Companies all the unexercised powers of that company of raising capital by the creation and issue of shares shall be and the same are hereby extinguished.

Such vesting shall for the purposes of this Act be deemed to be an amalgamation of the vested undertaking with the undertakings of the Company and the Stratford Company, according to the true intent and meaning of Part V. (relating to amalgamation) of the Railways Clauses Act, 1863. 26 & 27 Vict. c. 92.

Company and Stratford Company may exercise powers of Alcester Company.

38. Immediately on the vesting of the undertaking of the Alcester Railway Company in the two Companies under the provisions of this Act, those two Companies may and shall exercise and fulfil in their own names and under their own seals, and in the names and under the hands of their respective directors, officers, or servants, all the rights, powers, liabilities, and obligations of the Alcester Railway Company, whether with reference to the acquisition of lands, the construction of works, the borrowing of money, the levying of tolls, rates, and charges, or otherwise, in like manner as those rights, powers, liabilities, and obligations are authorised and required to be exercised and fulfilled by that company; or the Company and the Stratford Company, in exercising the powers of the Alcester Railway Company with respect to the borrowing of money, may, if they so agree respectively, borrow in their respective names or on the security of their respective undertakings each a moiety of the amount authorised to be borrowed by the Alcester Railway Company, or in lieu of borrowing the two Companies, or either of them, may create and issue debenture stock for such respective moieties.

Joint committee for management of Alcester undertaking.

39. The Company and the Stratford Company may appoint a joint committee for the management of the vested Alcester Railway undertaking, and may delegate to such joint committee such powers as they may think requisite.

Saving rights under the working agreement

40. Notwithstanding the passing of this Act, and the vesting of the Alcester Railway in the Company and the Stratford Company, the agreement dated the twelfth day of July one thousand eight

A.D. 1878.

with Alcester Railway Company. 35 & 36 Vict. c. clxx.

hundred and seventy-two, and which is scheduled to and confirmed by the Alcester Railway Act, 1872, shall continue valid and binding and in full force and effect, and the Alcester per centage and the rebate payable thereunder, when such rebate is required, shall be paid or appropriated to the Company and the Stratford Company in the proportions to which, in pursuance of that agreement, they may from time to time be entitled thereto.

Power to Company and Stratford Company and Alcester Company to make agreements.

41. The Company on the one hand and the Stratford-upon-Avon Railway Company on the other hand, and those two Companies on the one hand and the Alcester Railway Company on the other hand, may make and carry into effect agreements with respect to all or any of the matters aforesaid in which they are jointly interested.

Subscription by Company to undertakings of other companies.

42. The Company, with the authority of three fourths of the votes of their shareholders present in person or by proxy at a general meeting of the Company specially convened for the purpose, may from time to time subscribe for and take shares in or by taking debentures, debenture stock, or other securities, contribute funds towards the respective undertaking of the under-mentioned companies to any extent beyond that which they are already authorised to contribute not exceeding the sum set opposite to the name of the respective company; (that is to say,)

	£
The Worcester, Bromyard, and Leominster Railway Company - - - - -	50,000
The Mitcheldean Road and Forest of Dean Junction Railway Company - - - - -	20,000
The Malmesbury Railway Company - -	20,000
The Llynvi and Ogmore Railway Company - -	100,000

Provided always, that the Company shall not sell, dispose of, or transfer any shares, debentures, debenture stock, or other securities so held by them.

The Company shall in respect of any shares in either of the said four companies held by them in virtue of any such subscription have all the powers, rights, and privileges (except in regard to voting at general meetings, which shall be as herein-after provided), and be subject to all the obligations and liabilities of proprietors of shares in that company.

The Company while shareholders in either of the said four companies may by writing under their common seal from time to time appoint some person to attend any meeting of that Company, and such person shall have all the privileges and powers attaching to other shareholders at such meetings, and shall be entitled to one vote in respect of every fifty pounds of the capital held by the Company in that company:

Provided also, that any mortgages granted by either of the said four companies and the power of re-borrowing the money secured thereby shall not be prejudiced or affected by anything done under the authority of the foregoing enactments of this section.

Power to Company and companies subscribed to make agreements.

43. The Company on the one hand, and each of the said four companies on the other hand, may make and carry into effect agreements with respect to the matters aforesaid in which they are jointly interested.

Power to Company and Witney and East Gloucestershire Railway Companies to make agreements.

44. The Company on the one hand, and the Witney Railway Company and the East Gloucestershire Railway Company respectively on the other hand, may from time to time enter into and carry into effect agreements as to the matters following, or some of them; (that is to say,)

(*a.*) The payment of the interest by the Company upon the debenture debt of the Witney and East Gloucestershire Railway Companies respectively, and the appropriation of such portion of the funds of the companies, or either of them, as may be necessary for such purpose:

(*b.*) The borrowing by the Company, and if so agreed the Company may borrow upon mortgage in their own name and under their own seal and upon the security of their own undertaking, any sums of money which by the Acts relating respectively to the above-named companies those companies respectively are authorised to borrow or the creation and issue by the Company in lieu of so borrowing of a like amount of debenture stock in their own undertaking:

Provided always, that the amount so raised by the Company shall not, together with any sums of money owing on mortgage or raised by the creation of debenture stock by the said other companies respectively, at any time exceed the sums which they are respectively authorised to borrow:

Provided also, that during the exercise by the Company of the powers by this section conferred upon them, it shall not be lawful for the other company in respect of whom those powers are exercised to exercise the power of borrowing conferred upon them by any of the Acts relating to them respectively, except for the purpose of securing to the Company the amounts from time to time advanced by them to such other companies respectively:

Provided also, that any mortgages granted by either of the said other companies, and the power of re-borrowing the money secured thereby, shall not be prejudiced or affected by anything done under the authority of this present enactment.

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Power to Company to raise additional capital.

45. The Company from time to time, by the order of any general meeting of the Company, may raise, by the creation and issue of new shares or stock, such additional capital as they shall think necessary, not exceeding six hundred thousand pounds, exclusive of the stocks and other moneys which they are or may be authorised to raise by this Act or by any other Act or Acts of Parliament, and the Company may create and issue such new shares or stock either wholly or partially as ordinary, or wholly or partially as preferential shares or stock, as they may think fit.

As to disposal of new shares or stock.

46. The Company may from time to time in raising any portion of the additional capital by this Act authorised dispose of all or any of the shares or stock representing the same at such times, to such persons, on such terms and conditions, and in such manner as the directors think advantageous to the Company.

Power to cancel unissued shares or stock.

47. If the Company after having created any new shares or stock determine not to issue the whole of the shares or stock so created they may cancel the unissued shares or stock, and may from time to time thereafter create and issue instead thereof other new shares or stock of an aggregate amount not exceeding the aggregate amount of the shares or stock so cancelled, and in like manner the Company may create and issue new shares or stock in lieu of any new shares or stock which may have been issued and redeemed, or in lieu of any certificate entitling the holder to be registered in respect of shares or stock.

Shares not to issue until one fifth part paid up.

48. The Company shall not issue any share, nor shall any share vest in the person accepting the same, unless and until a sum not being less than one fifth of the amount of such share shall have been paid in respect thereof.

Except as otherwise provided, new shares or stock to be subject to same incidents as other shares or stock.

49. Except as by or under the provisions of this Act otherwise provided, the capital in new shares or stock created by the Company under this Act, and the new shares or stock therein and the holders thereof respectively, shall be entitled and subject to the same powers, provisions, liabilities, rights, privileges, and incidents whatsoever in all respects as if that capital were part of the now existing capital of the Company, and the new shares or stock were shares or stock in that capital.

The capital in new shares or stock so created shall form part of the capital of the Company.

Dividends on new shares or stock.

50. Every person who becomes entitled to new shares or stock under this Act shall in respect of the same be a holder of shares or stock in the Company, and shall be entitled to a dividend with the other holders of shares or stock of the same class or description, pro-

portioned to the whole amount from time to time paid on such new shares or stock.

As to votes in respect of preferential shares or stock.

51. Except as otherwise expressly provided by the resolution creating the same, no person shall be entitled to vote in respect of any new shares or stock to which a preferential dividend shall be assigned.

New shares or stock raised under this and any other Acts may be of same class.

52. Subject to the provisions of any Act already passed by which the Company are authorised to raise by new shares or stock capital not already issued, and to the provisions of this Act, and any other Act passed in the present session of Parliament, whether before or after the passing of this Act, by which the Company may be authorised to raise capital by new shares or stock, the Company may, if they think fit, raise by the creation and issue of new shares or stock of one and the same class all or any part of the aggregate capital which they are by such other Act and this Act respectively authorised to raise by the creation and issue of new shares or stock.

Power to Company to borrow on mortgage.

53. The Company may, in respect of the additional capital of six hundred thousand pounds which they are by this Act authorised to raise, from time to time borrow on mortgage any sum not exceeding in the whole two hundred thousand pounds, but no part thereof shall be borrowed until shares for so much of the said capital as is to be raised by means of shares are issued and accepted, and one half of such capital is paid up, and the Company 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 shares for the whole of that capital have been issued and accepted, and that one half of such capital has been paid up, and that not less than one fifth part of the amount of each separate share in that capital has been paid on account thereof before or at the time of the issue or acceptance thereof, and until stock for one half of so much of the said additional capital as is to be raised by means of stock is fully paid up, and the Company have proved to such justice as aforesaid, before he so certifies, that such shares or stock, as the case may be, were issued and accepted and paid up bonâ fide, and are held by the persons or corporations to whom the same were issued, or their executors, administrators, successors, or assigns, and also so far as the said capital is raised by shares, that such persons or corporations, or their executors, administrators, successors, or assigns, are legally liable for the same; and upon production to such justice of the books of the Company, and of such other evidence as he shall think sufficient, he shall grant a certificate that the proof aforesaid has been given, which certificate shall be sufficient evidence thereof.

8 & 9 Vict. c. 16.

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Debenture stock. 26 & 27 Vict. c. 118.

54. The Company may create and issue debenture stock, subject to the provisions of Part III. of the Companies Clauses Act, 1863; but, notwithstanding anything therein contained, the interest of all debenture stock at any time after the passing of this Act created and issued by the Company shall rank pari passu with the interest of all mortgages at any time after the passing of this Act granted by the Company, and shall have priority over all principal moneys secured by mortgages granted after the passing of this Act.

Existing mortgages to have priority.

55. All mortgages or bonds granted or to be granted under the authority of any former Act relating to the Company shall during the continuance thereof, and subject to the provisions of the Acts under which such mortgages were respectively granted, have priority over any mortgages granted by virtue of this Act, and nothing in this section contained shall affect any priority of the interest of any debenture stock at any time created and issued by the Company.

Application of moneys.

56. All moneys raised under this Act, whether by shares, stock, debenture stock, or borrowing, shall be applied to the purposes of this Act, and subject thereto to the general purposes of the undertaking of the Company, and to no other purpose whatever.

Power to Company to apply surplus moneys to purposes of this Act.

57. The Company may from time to time apply to all or any of the purposes of this Act any moneys from time to time raised by them, and which are not by any of the Acts relating to the Company made applicable to any special purpose, or which being so made applicable are not required for the special purpose; and the Company may from time to time for the general purposes of their undertaking, and for the more efficient working of their traffic, issue any shares or stocks which under the authority of any Act passed prior to the present session of Parliament the Company may have created, or may hereafter create, but which are not or may not be required for the special purposes for which such shares or stocks respectively were authorised to be created.

Power to Cornwall Railway Company to apply surplus funds to certain purposes of Act.

58. The Cornwall Railway Company may from time to time apply to the acquisition of lands in the county of Cornwall hereinbefore described any moneys from time to time raised by them, and which are not by any of the Acts relating to that Company made applicable to any special purpose, or which being so made applicable are not required for the special purpose.

Power to Stratford Company to apply surplus funds to

59. The Stratford Company may from time to time apply to purposes connected with the vesting of the Alcester Railway by this Act authorised any moneys from time to time raised by them, and which are not by the Act relating to that company made applicable

to any special purpose, or which being so made applicable are not required for the special purpose.

certain purposes of Act.

60. In addition to such sums of money as the Stratford Company are now authorised to raise they may from time to time raise any capital, not exceeding in the whole the sum of ten thousand pounds, by the creation and issue at their option of new ordinary shares or fully paid up stock or new preference shares, or fully paid up preference stock, or wholly or partially by one or both of those modes respectively: Provided always, that (unless otherwise specified in any resolution of the Stratford Company) no person shall be entitled to vote in respect of any share or stock created and issued by the Stratford Company under this Act to which a preferential dividend shall be assigned.

Power to Stratford Company to raise further capital.

61. The Stratford Company shall not issue any share created under the authority of this Act of less nominal value than ten pounds, nor shall any such share vest in the person accepting the same, unless and until a sum not being less than one fifth of the amount of such share is paid in respect thereof.

Shares of Stratford Company not to issue until one fifth part paid up.

62. One fifth of the amount of a share in the Stratford Company shall be the greatest amount of a call, and three months at least shall be the interval between successive calls, and three fourths of the amount of a share shall be the utmost aggregate amount of the calls made in any year upon any share.

Calls on shares in Stratford Company.

63. Except as by or under the powers of this Act otherwise provided, all such new stock of the Stratford Company shall, in proportion to the amount thereof, and all such new shares of that company shall, in proportion to the amount for the time being paid up thereon, confer upon the respective holders thereof the same qualifications, rights of voting, and other privileges as any ordinary shares or stock of that company.

Qualifications, &c. of new shares or stock of Stratford Company.

64. If any money is payable to a shareholder in the Stratford Company being a minor, idiot, or lunatic, the receipt of the guardian or committee of his estate shall be a sufficient discharge to that company.

Receipts to Stratford Company by persons not sui juris.

65. The Stratford Company may, in respect of the additional capital of ten thousand pounds which they are by this Act authorised to raise, from time to time borrow on mortgage any sum not exceeding in the whole three thousand three hundred pounds, but no part thereof shall be borrowed until shares for so much of the said additional capital as is to be raised by means of shares are issued and accepted, and one half thereof is paid up, and the

Power to Stratford Company to borrow on mortgage.

A.D. 1878.

8 & 9 Vict. c. 16.

Stratford Company 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 shares for the whole of such capital have been issued and accepted, and that one half thereof has been paid up, and that not less than one fifth part of the amount of each separate share in such capital has been paid on account thereof before or at the time of issue or acceptance thereof, and until stock for one half of so much of the said additional capital as is to be raised by means of stock is fully paid up, and the Stratford Company have proved to such justice as aforesaid, before he so certifies, that such shares or stock (as the case may be) were issued and accepted and paid up bonâ fide, and are held by the persons or corporations to whom the same were issued, or their executors, administrators, successors, or assigns, and also so far as the said capital is raised by means of shares that such persons or corporations, or their executors, administrators, successors, or assigns, are legally liable for the same. Upon production to such justice of the books of the Stratford Company, and of such other evidence as he shall think sufficient, he shall grant a certificate that the proof aforesaid in reference to such capital has been given, which certificate shall be sufficient evidence thereof.

Provisions relating to Stratford Company as to appointment of a receiver.

66. Every provision with respect to the appointment of a receiver for enforcing payment by the Stratford Company of arrears of principal money, or principal money and interest, contained in any Act before the present session of Parliament whereby that company is authorised to raise by borrowing money for the purposes of their undertaking shall be and the same is hereby repealed, but without prejudice to any appointment which may have been made, or to the continuance of any proceedings which may have been commenced prior to the passing of this Act under any such provision.

The mortgagees of the Stratford Company may enforce payment of arrears of interest or principal, or principal and interest, due on their mortgages by the appointment of a receiver. In order to authorise the appointment of a receiver in respect of arrears of principal, the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than three thousand pounds in the whole.

Debenture stock of Stratford Company.

26 & 27 Vict. c. 118.

67. The Stratford Company may create and issue debenture stock, subject to the provisions of Part III. of the Companies Clauses Act, 1863; but, notwithstanding anything therein contained, the interest of all debenture stock at any time after the passing of this Act created and issued by that Company shall rank pari passu with the interest of all mortgages at any time after the passing of

this Act granted by that company, and shall have priority over all principal moneys secured by such mortgages. A.D. 1878.

Existing mortgages of Stratford Company to have priority.

68. All mortgages or bonds granted or to be granted under the authority of any former Act relating to the Stratford Company shall, during the continuance thereof and subject to the provisions of the Acts under which such mortgages were respectively granted, have priority over any mortgages granted by virtue of this Act, and nothing in this section contained shall affect any priority of the interest of any debenture stock at any time created and issued by the Stratford Company.

Application of moneys by Stratford Company.

69. All moneys raised by the Stratford Company under this Act, whether by shares, stock, debenture stock, or borrowing, shall be applied only for the purposes of their undertaking.

Power to South Devon Railway Company to apply surplus funds to certain purposes of Act.

70. The South Devon Railway Company may from time to time apply to the acquisition of the lands in the county of Devon and to the widening of the bridge herein-before respectively described any moneys from time to time raised by them and which are not by any of the Acts relating to that company made applicable to any special purpose, or which being so made applicable are not required for the special purpose.

Power to Llynvi and Ogmore Company to apply funds.

71. The Llynvi and Ogmore Railway Company may apply to the acquisition of the lands in the county of Glamorgan herein-before described, and with the consent of the Company to the payment of certain liabilities on or connected with the revenue accounts of that company, any moneys not exceeding the sum of twelve thousand pounds from time to time raised by them, and which are not by any of the Acts relating to that company made applicable to any special purpose, or which being so made applicable are not required for the special purpose.

Power to Severn Commissioners to borrow on mortgage a further sum of 2,000*l*.

72. In the event of the Company and the Severn Commissioners jointly, or the Severn Commissioners alone, acquiring under the provisions of this Act the undertakings of the towing-path companies, the Severn Commissioners, in addition to such sums of money as they are now authorised to raise by borrowing from time to time, may, for the purposes of the vesting of the said undertakings of the towing-path companies and the repairs and improvement thereof, borrow at interest on the credit of the tolls and property by their existing Acts and this Act respectively granted to and vested in such Commissioners any further sums of money not exceeding in the whole the sum of two thousand pounds, and in the event of any part of such sums of money being called in by the person to whom the same may be due, the said Commissioners may re-borrow

A.D. 1878.

the same and so toties quoties: Provided always, that nothing herein contained shall alter, prejudice, or affect the rights, priorities, or liabilities of the holders of the mortgages or any of them granted by the Severn Commissioners before the passing of this Act, so long as such mortgages respectively are outstanding, or the payment of interest thereon, or the obligations and liabilities of the Commissioners or the Company in relation thereto, and the Company may advance and lend to the Commissioners at such rate of interest not exceeding five pounds per centum per annum, and upon such terms and conditions as may be from time to time agreed on between the Company and the Commissioners, the whole or any part of the said sum of two thousand pounds.

Saving rights of the Duchy Lancaster.

73. Nothing contained in this Act shall extend or operate to authorise the Company to take, use, enter upon, or in any manner interfere with any land, soil, water, or hereditaments, or any manorial rights, or any other rights of whatsoever description belonging to Her Majesty in right of her Duchy of Lancaster, without the consent in writing of the Chancellor for the time being of the said duchy first had and obtained (which consent the said Chancellor is hereby authorised to give), or take away, prejudice, or diminish any estate, right, privilege, power, or authority vested in or enjoyed or exerciseable by Her Majesty, her heirs or successors, in right of her said duchy.

Interest not to be paid on calls paid up.

74. The Company shall not, out of any money authorised to be raised by them, pay interest or dividend to any shareholder on the amount of the calls made in respect of the shares held by him; but nothing in this Act shall prevent the Company from paying to any shareholder such interest on money advanced by him beyond the amount of the calls actually made as is in conformity with the Companies Clauses Consolidation Act, 1845.

8 & 9 Vict. c. 16.

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

75. The Company shall not, out of any money by this Act authorised to be raised, pay or deposit any sum which, by any standing order of either House of Parliament now or hereafter in force, may be required to be deposited in respect of any application to Parliament for the purpose of obtaining an Act authorising the Company to construct any other railway or to execute any other work or undertaking.

Company not exempt from provisions of any present and future general railway Acts.

76. Nothing in this Act contained shall exempt the Company or their railways from the provisions of any general Act relating to railways, or the better or 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 to be taken by the Company.

Expenses of Act.

77. 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.

The SCHEDULE referred to in the foregoing Act.

BERKSHIRE.

Hampstead Marshall.
Knighton.
North Hinksey.

WILTSHIRE.

Rodbourne Cheney.
Highworth.
Wroughton.
Ditteridge.
Kemble.
Tockenham.
Warminster.
Upton Lovell.
Little Langford.
Potterne.
Seend.

SOMERSETSHIRE.

Tiverton.
Newton Saint Loe.
Marston Bigot.
North Brewham.
Castle Cary.
Queen Camel.
Elm.
Radstock.
Congresbury.
Churchill.
Winscombe.
Axbridge.
Cheddar.
Rodney Stoke.
Westbury.
Out Parish of Saint Cuthbert Wells.
In Parish of Saint Cuthbert Wells.
Wookey.

DORSETSHIRE.

Thornford.
Chetnole.
Holy Trinity.
Frome Vanchurch.
Toller Fratrum.
Poorstock.
Loders.

GLOUCESTERSHIRE.

Upton Saint Leonards.
Coates.
Barnwood.
Barton Saint Mary.
Barton Saint Michael.

CITY AND COUNTY OF THE CITY OF GLOUCESTER.

Saint John the Baptist.

OXFORDSHIRE.

South Stoke.
Lower Heyford.
Somerton.
Claydon.
Harpsden.

HEREFORDSHIRE.

Haywood.
Kentchurch.
Rowlston.
Llancillo.

MONMOUTHSHIRE.

Llanvrechva.
Llanvihangel Pontymoile.
Mamilad.
Llanfair Kilgeddin.

MONMOUTHSHIRE—*cont.*

Abergavenny.
Hamlet of Penbiddle.
Trevethin.
Llanhilleth.
Bedwas.

WORCESTERSHIRE.

Saint John Bedwardine.
Dudley.

WARWICKSHIRE.

Bishops Itchington.
Saint Nicholas Warwick.

STAFFORDSHIRE.

Bushbury.
Tettenhall.

SHROPSHIRE.

Saint Alkmond.
Donnington.
Dawley.
Wombridge.
West Felton.
Preston Gobbals.

DENBIGHSHIRE.

Chirk.

CHESHIRE.

Pulford.

GLAMORGANSHIRE.

Bedwas.
Gellygaer.
Llanvabon.
Merthyr Tydfil.

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