

4

THE GREAT WESTERN RAILWAY
ACT 1870.

ARRANGEMENT OF SECTIONS.

	SECTION
Preamble.	
Short title	1
Incorporation of parts of Railways Clauses Act 1863	2
Interpretation	3
Provision for substitution of stock of the Company for shares or stock of the Bourton Company	4
Certificate of substituted stock to be issued	5
Substituted stock of the Company to be upon the same trusts &c.	6
Vesting in Company Undertaking of Bourton Company	7
Company may exercise powers of Bourton Company	8
Company may issue debenture stock in lieu of mortgages of Bourton Company	9
Power to enter into working and traffic arrangements with Watlington Company	10
Tolls on traffic conveyed partly on the Railway of the Company and partly on the Railway of the Watlington Company	11
For providing dwellings for Company's servants	12
Repeal of provisions of Act of 1869 as to Dolgelly Branch	13
Agreements as to use, &c. of station at Dolgelly	14
Vesting in the Company of certain shares in the Navigation of the River Avon	15
Extending time for sale of certain lands by Company	16

	SECTION
As to sale of certain lands by Company and the North Western Company - - - - -	17
Certain lands belonging to Company and North Western Company may be sold for rent-charge and let on building leases - -	18
Company may create and issue stock for purchase of Severn Valley Railway - - - - -	19
Gloucester Company may create and issue debenture stock in exchange for their debenture mortgage or bond debt - -	20
Consolidation of original rent-charge stock and joint rent-charge stock into one stock - - - - -	21
Altering period of payment of interest on portion of debenture stock of the Company - - - - -	22
Company may apply surplus moneys to purposes of Act - -	23
Deposits for future Bills not to be paid out of capital - -	24
Provision as to general Railway Acts - - - - -	25
Costs of Act - - - - -	26
Schedule.	

called "the Watlington Company") were empowered to make a Railway from and in extension of the Company's Wycombe Railway to Watlington in the county of Oxford and provision was made in that Act for facilitating the passage of the traffic of the Watlington Company over a portion of the Railway of the Company and it is expedient that the Company and the Watlington Company should be empowered to make and carry into effect working and traffic agreements :

Workmen's dwellings.

And whereas it is expedient that provision should be made for the erection of dwellings for workmen and servants in the employ of the Company :

Dolgelly Branch Railway.

And whereas by the Great Western Railway Act 1869 (hereinafter called "The Company's Act of 1869") the Company alone or the Company jointly with the Bala and Dolgelly Railway Company (hereinafter called "the Bala Company") were empowered to make a Railway (hereinafter called "the Dolgelly Branch") from the Railway of the last-mentioned Company to the Railway of the Cambrian Railways Company (hereinafter called "the Cambrian Company") subject to a proviso that if a Railway between the Bala and Dolgelly Railway and the Cambrian Railways as described in the said Act was completed and opened for public traffic on or before the first day of August one thousand eight hundred and sixty-nine the powers of that Act for making the Dolgelly Branch should not be exercised and the provisions in that Act contained for securing the completion thereof should be void : And whereas the Cambrian Company have made and completed and opened for public traffic a Railway communication between their Railway and the Bala and Dolgelly Railway and it is expedient that all the provisions of the Company's Act of 1869 with respect to the Dolgelly Branch should be repealed :

Cambrian and Bala agreements.

And whereas it is expedient that the Company or the Company and the Bala Company on the one hand and the Cambrian Company on the other hand should be empowered to make and carry into effect agreements with respect to the construction use working and management of the station at Dolgelly and the providing of accommodation thereat for the traffic of the Cambrian Company :

And whereas the undertaking and property of the Company of Proprietors of the Kennet and Avon Canal Navigation (hereinafter called "the Kennet and Avon Company") have been by authority of Parliament transferred to and are now vested in the Company and previously to that transfer the Kennet and Avon Company had become the holders in their own name of certain shares in the Navigation of the River Avon and had also become the holders in the name of persons acting as trustees for them of the greater part of the remaining shares in the last mentioned Navigation and it is expedient that the shares so held by trustees should be completely vested in the Company and that they should be authorised to acquire any outstanding share or shares in the Navigation of the River Avon :

Avon Canal shares.

And whereas it is expedient that further provision should be made with respect to the sale of certain lands acquired by the Company for the purposes of their undertaking and also with respect to the sale and letting on lease of certain other lands acquired for the purposes of the Shrewsbury and Hereford and Tenbury Railways which Railways are leased to the Company and the London and North Western Railway Company (hereinafter called "the North Western Company") jointly :

Superfluous lands.

And whereas by the West Midland and Severn Valley Railways Act 1862 (hereinafter called "the Severn Railway Transfer Act") the West Midland Railway Company were required not later than the thirty-first day of December one thousand eight hundred and seventy-one to purchase at the price and upon the terms therein mentioned the Undertaking of the Severn Valley Railway Company (hereinafter called the Severn Company) : And whereas the West Midland Railway Company have since the passing of that Act become incorporated with the Company and it is expedient that the Company should for the purpose of effecting the said purchase and of carrying out the provisions of the said Act be empowered to create and issue rent-charge and preference stocks as hereinafter provided :

Severn Valley.

And whereas under or in pursuance of the provisions of the Great Western Railway Act 1851 the Undertaking of the Gloucester and Dean Forest Railway Company (hereinafter called "the Gloucester Company") is leased for a long term of years to the

Gloucester and Dean Forest.

Company and it is expedient that the Gloucester Company be empowered to substitute debenture stock in their Undertaking for the mortgages debentures and bonds of that Company :

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 (that is to say) :

Short title.

1. This Act may be cited for all purposes as "The Great Western Railway Act 1870."

Incorporation
of parts of
" Railways
Clauses Act
1863."

2. Part III. (relating to working agreements) and Part V. (relating to amalgamation) of the Railways Clauses Act 1863 are (except where expressly varied by this Act) incorporated with and form part of this Act.

Interpretation.

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 Company" means the Great Western Railway Company ;

The expression "the Bourton Company" means the Bourton-on-the-Water Railway Company ;

25

The expression "the Watlington Company" means the Watlington and Princes Risborough Railway Company ;

The expression "the Bala Company" means the Bala and Dolgelly Railway Company ;

The expression "the Cambrian Company" means the Cambrian Railways Company;

5. The expression "the Kennet and Avon Company" means the Company of Proprietors of the Kennet and Avon Canal Navigation;

The expression "the North Western Company" means the London and North Western Railway Company;

The expression "the Tenbury Company" means the Tenbury Railway Company;

10 The expression "the Severn Company" means the Severn Valley Railway Company;

The expression "the Gloucester Company" means the Gloucester and Dean Forest Railway Company; and

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

4. The Company with the previous consent of three-fourths of the shareholders in the Company and in the Bourton Company respectively present in person or by proxy at some general meeting of the respective Company specially convened for the purpose may
25 issue to every holder of a share or shares or stock in the Bourton Company Five per Cent. Consolidated Preference Stock of the Company to an amount not exceeding fifty-five per centum of the amount paid up upon or in respect of the shares or stock of the Bourton Company held by him in lieu of or in exchange for the
30 share or shares or stock in the Bourton Company so held by him.

Provision for substitution of stock of the Company for shares or stock of the Bourton Company.

5. A certificate of the stock in the capital of the Company issued in substitution for any share or stock in the Bourton Company shall be issued to the respective holders of such existing shares

Certificate of substituted stock to be issued.

or stock free of any charge in respect thereof But the Company shall not be required to issue any such certificate unless and until the certificate of the share or stock in the Bourton Company has been delivered up to be cancelled or satisfactory evidence of its loss or destruction has been given to the Company.

5.

Substituted stock of the Company to be upon the same trusts, &c.

6. The stock in the capital of the Company so issued shall remain and be vested in the person or persons to whom it is issued upon the same trusts and subject to the same powers provisions declarations agreements charges liens and encumbrances as at the time of the issue thereof affect the share or stock in the Bourton Company in substitution for which the stock in the capital of the Company is issued and so as to give effect to and not revoke any testamentary disposition of or affecting such share or stock.

Vesting in Company undertaking of Bourton Company.

7. After such consent as aforesaid of the shareholders in the Company and the Bourton Company respectively has been obtained and upon the registration in the books of the Company of the names of the holders of shares or stock in the Bourton Company as the holders of the amount of the Five per Cent. Consolidated Preference Stock of the Company to which they may be entitled as hereinbefore provided the Undertaking of the Bourton Company and the several Railways and branches stations sidings approaches buildings fixed plant and all other works whether complete or incomplete and all the lands and other the property estate moneys and assets of that Company shall be and are hereby absolutely vested in the Company as part of their Undertaking and the Bourton Company shall thereupon be dissolved except for the purpose of winding up its affairs and the Bourton Company shall be deemed to be amalgamated according to the true intent and meaning of Part V. of "The Railways Clauses Act 1863."

Company may exercise powers of Bourton Company.

8. Immediately upon the dissolution of the Bourton Company under the last preceding enactment the Company may and shall exercise and fulfil in their own name and under their own seal and in the names and under the hands of their directors officers or servants all the rights powers liabilities and obligations of the Bourton 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.

9. The Company from time to time may create and issue to any extent not exceeding ten thousand pounds (being the amount which the Bourton Company are authorised to borrow) debenture stock in their own Undertaking in exchange for or instead of the renewal of or in lieu of mortgages or bonds of the Bourton Company or mortgages or bonds of the Company substituted therefor.

Company may issue debenture stock in lieu of mortgages of Bourton Company.

10. The Company on the one hand and the Watlington Company on the other hand may from time to time enter into and carry into effect contracts or arrangements with respect to the following purposes or any of them (that is to say):

Power to enter into working and traffic arrangements with Watlington Company.

15 The management use working and maintenance by the Company of the Railway of the Watlington Company or of any part or parts thereof;

The supply by the Company of any rolling or working stock and of officers and servants for the conduct of the traffic on the Railway of the Watlington Company;

20 The payments to be made and the conditions to be performed with respect to the matters aforesaid;

25 The interchange accommodation conveyance and delivery of traffic coming from or destined for the Undertakings of the contracting Companies and the fixing and division between the said Companies of the receipts arising from such traffic.

11. During the continuance of any agreement to be entered into under the provisions of this Act for the use by the Company of the Railway of the Watlington Company the Railways of the Company and of the Watlington Company shall for the purpose of determining the amount of tolls and charges to be taken or demanded by the Company in respect of traffic conveyed partly on the one Railway and partly on the other Railway for a less distance than four miles be considered as one

Tolls on traffic conveyed partly on the Railway of the Company and partly on the Railway of the Watlington Company.

Railway and in respect of such traffic tolls and charges may only be charged as for four miles and in respect of passengers for every mile or fraction of a mile beyond four miles tolls and charges as for one mile only and in respect of animals and goods for every quarter of a mile or fraction of a quarter of a mile beyond four 5 miles tolls and charges as for a quarter of a mile only and no other short distance charge shall be made for the conveyance of passengers animals or goods partly on the one Railway and partly on the other Railway.

For providing dwellings for Company's servants.

12. The Company may from time to time enter into and carry 10 into effect agreements and arrangements for the erection of dwelling houses for the accommodation of the officials and servants of the Company and of the workmen employed by them and they may at any time or times and from time to time let or lease for such purposes and for any period not exceeding fifty years lands which 15 have been acquired by them.

Repeal of provisions of Act of 1869 as to Dolgelly Branch.

13. Sections fifteen to nineteen both inclusive of the Company's Act of 1869 with respect to the Dolgelly Branch Railway by that Act authorised shall be and are hereby repealed.

Agreements as to use, &c. of station at Dolgelly.

14. The Company or the Company and the Bala Company on 20 the one hand and the Cambrian Company on the other hand may from time to time make and enter into and carry into effect contracts or agreements for or with respect to the construction use working and management of the station on the Bala and Dolgelly Railway at Dolgelly and for providing at such station accommodation for 25 the traffic of the Cambrian Company.

Vesting in the Company of certain shares in the Navigation of the River Avon.

15. The shares in the Navigation of the River Avon which are now vested in any person in trust for the Kennet and Avon Company or the Company and all right title and interest therein and in the dividends interest or other moneys receivable in respect 30 thereof by the holder thereof and all the incidents of or attaching to those shares shall be and are by this Act vested absolutely in the Company and these shares and all other shares in the said Navigation which have been conveyed to the Kennet and Avon Company may be held by the Company as part of the Under- 35

taking and property of the Kennet and Avon Company transferred to them as hereinbefore recited And they may [by agreement purchase or acquire any other share or shares in the said Navigation not transferred to or otherwise vested in them.

5 16. The Company may notwithstanding anything to the contrary in the Lands Clauses Consolidation Act 1845 or in any Act relating to the Company retain and hold for the period of ten years after the passing of this Act any lands belonging to them in the parishes enumerated in the Schedule to this Act 10 and which have not yet been applied to the purposes of the Company or sold or disposed of by them. 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 then have been sold or disposed of or applied to and are not required for the 15 purposes of their undertaking.

Extending time for sale of certain lands by Company.

17. The Company and the North Western Company may notwithstanding anything to the contrary in the Lands Clauses Consolidation Act 1845 or any Act relating to the Tenbury Company and the Shrewsbury and Hereford Railway Company herein- 20 after called the Shrewsbury Company respectively retain and hold for the period of ten years from the passing of this Act any lands acquired for the purposes of the Railways of those Companies respectively and belonging to them in the parishes of Stapleton Leebotwood Church - Stretton Wistanstow Richards-Castle and 25 Burford in the county of Salop and the parishes of Eye-Marden and Holmes in the county of Hereford and which have not yet been applied to those purposes respectively or sold or disposed of. But the two Companies shall at or before the expiration of such period of ten years sell and dispose of all such parts of those lands 30 respectively as shall not then have been sold or disposed of or applied to and are not required for the purposes aforesaid.

As to sale of certain lands by Company and the North Western Company.

18. With respect to the lands which by the last preceding enactment the Company and the North Western Company are empowered to retain and hold they may sell such of those lands as 35 have not been applied to the purpose for which they respectively were acquired or any part thereof in consideration of a rent-charge as well as or instead of a sum in gross and they may grant building

Certain lands belonging to Company and North Western Company may be sold for rent-charge, and let on building leases.

leases of any or any part of such lands being situate within or in the neighbourhood of the city of Hereford and the towns of Shrewsbury Ludlow Leominster Craven Arms and Tenbury or any or either of them as are adapted for building purposes for such terms of years at such rents and subject to such covenants conditions and stipulations as the two Companies shall deem expedient with reference to the special circumstances of each demise but without prejudice to the provisions of the Lands Clauses Consolidation Act 1845 as amended or extended by this Act or by any special Act relating to the Tenbury Company and the Shrewsbury Company respectively requiring within the respective periods prescribed by those Acts or any of them the sale of superfluous lands: Provided always That nothing herein contained shall relieve the two Companies from the obligation imposed upon them to sell within the prescribed period any superfluous lands exceeding the total quantity which the two Companies are from time to time authorised to hold for extraordinary purposes connected with the Undertakings of the Tenbury Company and the Shrewsbury Company respectively by the several Acts relating to those Companies: Provided further That whenever by sale to various owners or otherwise of the reversion the reversion upon any such lease shall be severed the rent may be apportioned by agreement between such owners 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 non-payment 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.

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Company may
create and
issue
stock for
purchase of
Severn Valley
Railway.

19. The Company for the purpose of effecting the purchase of the undertaking of the Severn Company may raise by the creation and issue of rent-charge stock of the Company to any extent not exceeding in the whole three hundred and twenty-four thousand pounds such sum or sums of money as may be required for raising

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the sum of three hundred and sixty thousand three hundred and forty pounds (being the aggregate amount of the capital in ordinary shares and stock of the Severn Company) and on such purchase being effected the Company may for the purpose of constructing the Railway (known as the Kidderminster Curve) authorised by "The West Midland and Severn Valley Companies Act 1861" raise by the creation and issue of Five per Cent. Consolidated Preference Stock of the Company any sum or sums of money not exceeding in the whole sixty thousand pounds (being the estimated cost of the said Curve) Provided always That no part of the said sum of sixty thousand pounds shall be applied to any other purpose than the construction of the Kidderminster Curve Provided also That the rent-charge stock and the preference stock created and issued under the authority of this enactment shall respectively rank *pari passu* with the other rent-charge stocks and Five per Cent. Consolidated Preference Stock of the Company.

20. The Gloucester Company may with the consent of the holder of any debenture mortgage or bond of that Company from time to time create and issue debenture stock in exchange for or in lieu of any debenture mortgage or bond and may also from time to time create and issue such a further amount of debenture stock as may be necessary to meet debentures mortgages or bonds falling due not exceeding the aggregate nominal amount of the debenture mortgage and bond debt of that Company and the provisions of Part III. of "The Companies Clauses Act 1863" are incorporated herewith and made applicable to the creation and issue of such debenture stock.

Gloucester Company may create and issue debenture stock in exchange for their debenture mortgage or bond debt.

21. And whereas by "The Great Western Railway (Various Powers) Act 1867" it was provided amongst other things that the Great Western original rent-charge stock as defined by that Act and the additional Great Western original rent-charge stock authorised by that Act and by any other Act passed in the then Session of Parliament to be created should when and as created form one stock and that the Great Western joint rent-charge stock as defined by that Act and the additional Great Western joint rent-charge stock authorised by that Act and by any other Act passed in the then present Session of Parliament to be created should when and as created form one stock and that the said original and joint rent-charge stocks should be entitled to perpetual guaranteed dividends at

Consolidation of original rent-charge stock and joint rent-charge stock into one stock.

the rate of five pounds per centum per annum and that the said stocks should be charges on the whole joint revenue of the Company and that as between the holders of the original rent-charge stock and the holders of the joint rent-charge stock and as between the holders of those stocks collectively and the Company should rank *pari passu* 5 but as between the joint account and the sectional accounts of the Company the dividends on the Great Western joint rent-charge stock should be deducted from the joint revenues of the Company before division thereof between the sections of the Company and the dividends on the Great Western original rent-charge stock should be 10 charged against the revenue of the original section of the Company And whereas additions to the said joint rent-charge stock have been authorised by subsequent Acts of Parliament And whereas by "The Great Western Railway (Further Powers) Act 1866" the Company were authorised to consolidate the whole of their ordinary stocks 15 into one stock and such consolidation having recently been effected and having rendered it unnecessary to maintain the distinction between the said original and rent-charge stocks it is desirable that those stocks should be consolidated into one stock Therefore the said Great Western original rent-charge stock and Great Western 20 joint rent-charge stock as already existing and as authorised to be created by any previous Act and this Act shall from and after the passing of this Act form one stock to be called "Rent-charge Stock" and such stock shall rank for payment of dividend (as the said original and joint rent-charge stocks now do) next after the 25 debentures and debenture stock of the Company and all the provisions of the existing Acts with reference to the original and joint rent-charge stocks respectively and all the powers rights privileges obligations and liabilities whatsoever of the holders of those stocks or in any way relating to or affecting those stocks and the holders 30 thereof shall attach and be as applicable to the said rent-charge stock and the holders thereof in every respect as they are by those Acts respectively made applicable to the said original and joint-rent charge stocks respectively and the holders thereof And the directors of the Company may from time to time call in and cancel the certificates 35 issued in respect of the said original and joint-rent charge stocks respectively and may issue in lieu thereof certificates for such rent-charge stock.

22. And whereas of the debenture stock of the Company the interest on eight thousand six hundred pounds issued at four pounds per centum per annum and on fifty-six thousand two hundred and fifty-four pounds issued at four and a quarter pounds per centum per annum is calculated for payment to the fifteenth day of April and the fifteenth day of October in each year and the interest on the remainder of the said stock (amounting to nearly five million pounds) is calculated for payment to the thirtieth day of June and the thirty-first day of December in each year And whereas it is expedient that the interest on the whole of the said stock should be calculated for payment to a uniform date Therefore from and after the fifteenth day of October one thousand eight hundred and seventy the interest on all the debenture stock of the Company shall be calculated for payment to the thirty-first day of December and the thirtieth day of June in each year and shall be payable on the fifteenth day of January and the fifteenth day of July then next following.

Altering period of payment of interest on portion of debenture stock of the Company.

23. 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.

Company may apply surplus moneys to purposes of Act.

24. The Company shall not out of any money by any Act relating to the Company 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 Railway or to execute any other work or Undertaking.

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

25. Nothing herein contained shall be deemed or construed to exempt the Railway of the Company from the provisions of any general Act relating to Railways or the better and more impartial audit of the accounts of Railway Companies now in force or which may hereafter pass during this or any future Session of Parliament or from any future revision or alteration under the authority of Parliament of the maximum rates of fares and charges or of the

Provision as to general Railway Acts.

rates for small parcels authorised to be taken by the Acts relating to the Company.

Costs of Act.

26. 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.

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[SCHEDULE 13

SCHEDULE

TO WHICH THE FOREGOING ACT REFERS.

BUCKS.

Bledlow
Bradenham
Chipping Wycombe
High Wycombe
Horsendon

Princes Risborough
Saunderton
Towersey
West Wycombe

OXFORD.

Ascot (Hamlet)
Cassington (Township)
Charlbury
Chilson
Churchill
Church Handborough
Coombe
Fawler (Hamlet)

Knightcote (Hamlet)
Lyneham (Hamlet)
North Leigh
Shipton-under-Wychwood
Walcot (Hamlet)
Worton (Hamlet)
Yarnton

GLOUCESTER.

Addlestrop
Alvington
Batsford
Chipping Campden
East Dean
Mickleton

Moreton-in-the-Marsh
Newnham
Westbury
Westington (Hamlet)
Weston Subedge

SOMERSET.

Lyncombe and Widcombe

WARWICK.

Claydon
Fenny Compton

Hampton-in-Arden

STAFFORD.

Amblecote (Hamlet)
Bilston (Township)
Dudley
Kingswinford
Old Swinford

Sedgley
Stourbridge
Tipton
Wolverhampton

WORCESTER.

All Saints Evesham
Church Honeybourne
Claines
Dodderhill
Fladbury
Great Malvern
Hagley
Hanley Castle
Hartlebury
Holy Cross Pershore
Kidderminster (Borough)
Kidderminster (Foreign)
Leigh
Norton-juxta-Kempsey
Offenham
Oldswinford
Pedmore

Pinvin (Chapelry)
Powick
Saint Andrew Droitwich
Saint Clement
Saint Lawrence Evesham
Saint Nicholas Droitwich
Saint Nicholas Worcester
Saint Peter Droitwich
Saint Peter Evesham
Saint Peter the Great
Salwarpe
Stoke Prior
Stone
Stoulton
Stourbridge
Wyre Piddle (Hamlet)

HEREFORD.

All Saints Hereford
Ashperton (Chapelry)
Colwall
Ledbury
Lugwardine

Pixley
Tarrington
Weston Beggard
Withington

MONMOUTH.

Caldicott
Saint Mary's Chepstow

Saint Woollos

GLAMORGAN.

Baglan
Briton Ferry
Llandaff
Llansamlet
Newcastle
Pendoylan

Roath
Saint Bride's
Saint John's Swansea
Saint Mary's Swansea
Saint Mary's Cardiff
Tythegston

CARMARTHEN.

Llanboidy
Llanelly

Llangynog
Saint Ishmael's

PEMBROKE.

Llandisilio
Llangan

Llanstadwell
Saint Thomas Haverfordwest

THE GREAT WESTERN RAIL-
WAY ACT 1870.

AN

A C T

For conferring further Powers on the Great
Western Railway Company in relation to
their own Undertaking and the Undertakings
of other Companies; and for other purposes.

[ROYAL ASSENT, 1ST AUGUST, 1870.]

33 & 34 VICT.—SESS. 1870.

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Westminster: Printed by NEZGOLS and SONS, 25, Parliament Street.