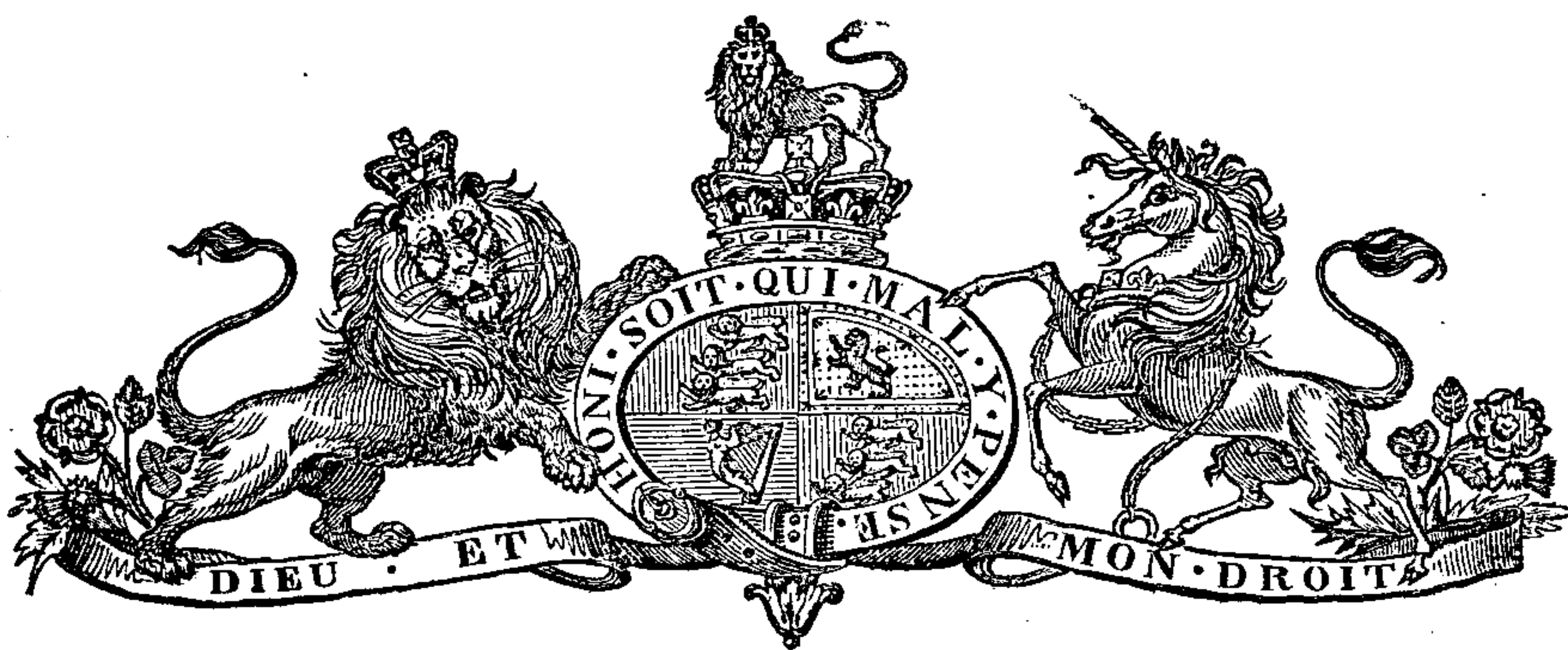




ANNO OCTAVO & NONO

VICTORIÆ REGINÆ.

Cap. clxxxviii.

An Act for making a Railway from the City of
Oxford to the Town of *Rugby*.

[4th August 1845.]

WHEREAS the making of a Railway in continuation of the
Oxford Branch of the *Great Western* Railway, from the City
of *Oxford* to the Town of *Rugby*, would be of great public
Advantage, by opening an additional, certain, and expeditious Means of
Communication between the said Places, and also by facilitating Com-
munication between more distant Towns and Places : And whereas the
Persons hereafter named are willing, at their own Expence, to carry such
Undertaking into execution ; but the same cannot be effected without
the Authority of Parliament : And whereas an Act has been passed
during the present Session of Parliament, intituled *An Act for con-* 8 & 9 Vict.
solidating in One Act certain Provisions usually inserted in Acts c. 16.
with respect to the Constitution of Companies incorporated for carry-
ing on Undertakings of a public Nature, and called “ The Companies
Clauses Consolidation Act, One thousand eight hundred and forty-
five :” And whereas another Act has also been passed during the
present Session of Parliament, intituled *An Act for consolidating in* 8 & 9 Vict.
One Act certain Provisions usually inserted in Acts authorizing the c. 18.
taking of Lands for Undertakings of a public Nature,” and called
“ The Lands Clauses Consolidation Act, One thousand eight hundred
[Local.] 50 L and

8 & 9 Vict.
c. 20.

Recited Acts
incorporated
with this
Act.

Short Title.

Subscribers
incorporated.

Capital.

Number and
Amount of
Shares.

Calls.

After 5℥. paid
up, Interest
to be paid
till Railway
completed.

and forty-five :” And whereas another Act has also been passed during the present Session of Parliament, intituled *An Act for consolidating in One Act certain Provisions usually inserted in Acts authorizing the making of Railways*, and called “The Railway Clauses Consolidation Act, One thousand eight hundred and forty-five :” 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, That the Provisions of the said recited Acts shall be incorporated with and form Part of this Act, save as to such of the Provisions thereof (if any) as may be inconsistent with this Act.

II. And be it enacted, That in citing this Act in other Acts of Parliament and in legal Instruments it shall be sufficient to use the Expression “The *Oxford and Rugby* Railway Act, One thousand eight hundred and forty-five.”

III. And be it enacted, That *Henry Simonds, George Jones, Robert Frederic Gower, Charles Stevens, William Tothill, Peter Maze, William Singer Jacques, John William Miles, and James Lean*, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of making and maintaining a Railway from the City of *Oxford* to the Town of *Rugby*, with proper Works and Conveniences belonging thereto, according to the Provisions of the said recited Acts and of this Act, and for other the Purposes herein and in the said recited Acts contained ; and for the Purposes aforesaid such Company shall be incorporated by the Name of “The *Oxford and Rugby* Railway Company,” and by that Name shall be a Body Corporate, with perpetual Succession, and shall have Power to purchase and hold Lands for the Purposes of the Undertaking, within the Restrictions herein and in the recited Acts contained.

IV. And be it enacted, That the Capital of the Company shall be Six hundred thousand Pounds.

V. And be it enacted, That the Number of Shares into which the Capital shall be divided shall be Twelve thousand, and the Amount of each Share shall be Fifty Pounds.

VI. And be it enacted, That Ten Pounds *per* Share shall be the greatest Amount of any One Call which the Company may make on the Shareholders, and Thirty Pounds *per* Share shall be the utmost aggregate Amount of Calls that may be made in any One Year upon any Share, and Three Months at the least shall be the Interval between successive Calls.

VII. And be it enacted, That it shall be lawful for the Directors of the said Company, when and so soon as the Sum of Five Pounds shall have been paid up in respect of any of the Shares of the said Undertaking, and from thenceforth until the said Railway shall be completed

and

and opened to the Public, to pay Interest on the said Sum of Five Pounds, at any Rate not exceeding Five Pounds *per Centum per Annum*, in respect of every Share from the Day on which that Amount shall have been paid, and on all further Sums to be from Time to Time called up in respect of the said Shares from the respective Days on which such further Calls shall become payable, such Interest to accrue and be paid at such Times and Places as the Directors for the Time being shall appoint for that Purpose: Provided always, that no Interest shall accrue to the Proprietor of any Share upon which any Call shall be in arrear, in respect of such Share or any other Share to be holden by the same Proprietor, during the Period while such Call shall remain unpaid.

VIII. And be it enacted, That no Shareholder of the Company shall be liable for or charged with the Payment of any Debt or Demand due from the Company beyond the Extent of his Share in the Capital of the Company not then paid up.

Extent of
Liability of
Shareholders.

IX. And be it enacted, That it shall be lawful for the Company to borrow on Mortgage or Bond any Sums not exceeding in the whole the Sum of Two hundred thousand Pounds; but no Part of such Sum shall be borrowed until the whole of the said Capital or Sum of Six hundred thousand Pounds shall have been subscribed for, and One Half thereof shall have been actually paid up.

Power to
borrow
Money.

X. And be it enacted, That the Number of Directors shall be Six, and the Qualification of a Director shall be the Possession of Ten Shares in the Undertaking.

Number and
Qualification
of Directors.

XI. And be it enacted, That it shall be lawful for the Company to increase or reduce the Number of Directors, and to declare of what Number the Directors shall thenceforth consist.

Power to
vary the
Number of
Directors.

XII. And be it enacted, That *William Tothill, Henry Simonds, Peter Maze, John William Miles, James Lean, and Frederick Pratt Barlow*, shall be the first Directors of the Company.

First Direc-
tors.

XIII. And be it enacted, That the Quorum of a Meeting of Directors shall be Three.

Quorum.

XIV. And be it enacted, That the Directors may appoint One or more Committees consisting of such Number of Directors as they think fit.

Committees
of Directors.

XV. And be it enacted, That the Directors appointed by this Act shall continue in Office until the first Ordinary Meeting to be held after the passing of this Act; and at such Meeting the Shareholders present, personally or by Proxy, may either continue in Office the Directors appointed by this Act, or any Number of them, or may elect a new Body of Directors, or Directors to supply the Places of those not continued in Office, the Directors appointed by this Act being eligible as Members of such new Body.

Directors to
remain in
Office until
First Ordinary
Meeting.

XVI. And

Election of
future Di-
rectors.

XVI. And be it enacted, That at the first Ordinary Meeting to be held in the Year next after the Year in which such last-mentioned Directors shall have been appointed or elected, the Shareholders present, personally or by Proxy, shall elect Persons to supply the Places of the Directors then retiring from Office, agreeably to the Provisions in the said Companies Clauses Consolidation Act contained; and the several Persons elected at any such Meeting, being neither removed or disqualified, nor having resigned, shall continue to be Directors until others are elected in their Stead in manner provided by the said Companies Clauses Consolidation Act.

First Meet-
ing of the
Company.

XVII. And be it enacted, That the first Ordinary Meeting of the Company shall be held within Three Months after the passing of this Act.

Newspapers
for Insertion
of Advertise-
ments.

XVIII. And be it enacted, That the Newspapers in which Advertisements relating to the Affairs of the Company are to be inserted shall be a Newspaper published in the City or County of *Oxford*, and a Newspaper circulating in the District within which the Company's principal Place of Business shall be situated:

Power to
make Rail-
way accord-
ing to depo-
sited Plans.

XIX. And whereas Plans and Sections of the Railway, showing the Line and Levels thereof, and also Books of Reference containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners and Lessees and Occupiers of the Lands through which the same is intended to pass, have been deposited with the Clerks of the Peace of the Counties of *Berks*, *Oxford*, *Northampton*, and *Warwick*; be it enacted, That, subject to the Provisions in this and the said recited Acts contained, it shall be lawful for the said Company to make and maintain the said Railway and Works in the Line and upon the Lands delineated on the said Plans and described in the said Books of Reference, and to enter upon, take, and use such of the said Lands as shall be necessary for such Purpose.

Line of
Railway.

XX. And be it enacted, That the said Railway shall commence by a Junction with the *Oxford* Branch of the *Great Western* Railway either in the Liberty of *Grand Pont* and Parish of *Saint Aldate* in the City of *Oxford* and Counties of *Oxford* and *Berks*, or some or One of them, or in the Parish of *South Hinksey* in the Liberty of the City of *Oxford* and the County of *Berks*, and shall pass through the following Places, or some of them, (that is to say,) *South Hinksey*, *North Hinksey*, in the County of *Berks*; *Saint Aldate*, *Saint Thomas*, in the Counties of *Oxford* and *Berks*, or One of them; *Saint Giles* in the County of *Oxford*; *Port Meadow* in the County of *Oxford*, or *Port Meadow* in the Parish of *Binsey*, and *Saint Giles* in the Liberty of the City of *Oxford*; *Wolvercot*, *Yarnton*, *Kidlington*, *Begbrook* or *Begbroke*, *Hampton Gay*, *Shipton*, *Bletchington* or *Bletchingdon*, *Kirtlington*, *Tackley*, *Rousham* or *Rouseham*, *Lower Heyford*, *Upper Heyford*, *Steeple Aston*, *Somerton*, *Fritwell*, *Souldern*, *Adderbury*, *Banbury*, *Neithrop*, *Bourton*, *Cropredy*, *Claydon*, and *Clattercote*, in the County of *Oxford*; *Aynho*, *King's Sutton*, *Warkworth*, *Middleton Cheney*, in the County of *Northampton*; *Farnborough*, *Fenny Compton*, *Burton Dassett*, *Knightcote*, *Watergall*, *Bishops Itchington* otherwise

otherwise *Upper Itchington, Ladbroke, Chapel Ascot, Southam, Napton* otherwise *Napton-on-the-Hill, Stockton, Leamington Hastings, Dunchurch, Thurleston, Bilton, Hill Moreton, Clifton-upon-Dunsmore, and Rugby*, all in the County of *Warwick*; and shall terminate at or near the Point of Junction of the *London and Birmingham* and *Midland* Railways at or near *Rugby* in the Parish of *Rugby* in the County of *Warwick*.

XXI. And be it enacted, That all Communications between the Railway hereby authorized to be made and the *Great Western* Railway, and all such Openings in the Ledges or Flanches of the said *Great Western* Railway as may be necessary or convenient for effecting such Communications, shall be made under the Direction and Superintendence of the Engineer for the Time being of the said *Great Western* Railway Company.

As to Communication with the *Great Western* Railway.

XXII. And be it enacted, That the Railway hereby authorized to be made, or any Branch therefrom, or any other Railway or other Road hereafter to be made by virtue of this Act which shall or shall be intended to cross or intersect the *Great Western* Railway, except only for the Purpose of communicating therewith, shall not be made, or laid down on the Level of the said *Great Western* Railway, but in all Cases the same shall be made and carried either over by means of a Bridge, or beneath by means of a Tunnel or Arch; and such Bridge, Tunnel, or Arch shall be built and constructed under the Direction and Superintendence of the Engineer for the Time being of the said *Great Western* Railway Company, and so as not to injure the said *Great Western* Railway, or obstruct or hinder the free Passage over, upon, or along the same.

Railway not to cross the *Great Western* Railway on a Level.

XXIII. And be it enacted, That nothing in this Act contained shall extend or be deemed or construed to extend to authorize or enable the Company hereby incorporated to take or enter upon any of the Lands or Grounds belonging to the *Great Western* Railway Company, or to alter, vary, or interfere with the said *Great Western* Railway, or any of the Works thereof, further or otherwise than is hereby expressly authorized, without the Consent in Writing of the said *Great Western* Railway Company in every Instance for that Purpose first had and obtained.

Not to take the Lands of the *Great Western* Railway Company without Consent.

XXIV. Provided always, and be it enacted, That nothing in this Act contained shall extend to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in the *Great Western* Railway Company, but saving and reserving to the said *Great Western* Railway Company all the Rights, Privileges, and Franchises of the said Company, and also saving and reserving all such Powers, Authorities, and Provisions in the several Acts relating thereto, as if this Act had not been passed.

Saving the Rights of the *Great Western* Railway Company.

XXV. And be it enacted, That, except as by this Act and the Acts therein recited expressly provided, nothing in this Act contained shall extend or be deemed or construed to extend to prejudice, diminish, alter, abridge, or in any way affect any of the Rights, Privileges, Powers, or Authorities vested in the *London and Birmingham* Railway Company.

Saving the Rights of the *London and Birmingham* Railway Company.

[Local.]

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ham Railway Company, but saving and reserving to such Company all the Rights, Privileges, Powers, and Authorities to them belonging, and also saving and reserving all such Powers, Authorities, and Provisions in the several Acts relating to the same Company, as if this Act had not been passed.

Not to use
Stations, &c.
of London
and Birmingham
and
Midland
Railways.

XXVI. And be it enacted, That nothing herein contained shall authorize or empower the Company hereby incorporated, or the said *Great Western* Railway Company, to take, purchase, or use, for any of the Purposes of this Act, any Part of the Stations or of the Lines of Rails of the *London and Birmingham* Railway or of the *Midland* Railway Company.

Junction at
Rugby to be
made to the
Satisfaction
of the Engi-
neer of the
London and
Birmingham
Railway
Company.

XXVII. And be it enacted, That in case Rails on the narrow Gauge of the *London and Birmingham* Railway shall at any Time hereafter be laid down on the said Line from *Oxford* to *Rugby*, the Junction of such Rails with the Rails of the *London and Birmingham* Railway shall be effected under the Superintendence and to the reasonable Satisfaction of the Engineer for the Time being of the said *London and Birmingham* Railway Company; the Passage of Trains upon and the Use of the Stations, Line, and Works of the *London and Birmingham* Railway and the *Midland* Railway respectively, shall be subject in all respects to the Bye Laws and Regulations of the *London and Birmingham* Railway Company and the *Midland* Railway Company respectively.

Power to
cross Roads
on the Level.

XXVIII. And be it enacted, That it shall be lawful for the said Company to carry the said Railway on the Level across the Roads numbered respectively, on the Plans deposited as herein-before mentioned, as follows; namely,

In the Parish of *Leamington Hastings* the Road numbered 26;

In the Parish of *Napton* the Roads numbered 22 and 28 respectively;

In the Parish of *Ladbroke* the Road numbered 14;

In the Parish of *Farnborough* the Road numbered 16;

In the Chapelry of *Claydon* the Road numbered 9;

In the Parish of *Cropredy* and Township of *Bourton* the Road numbered 14;

In the Parish of *Somerton* the Road numbered 6;

In the Parish of *Upper Heyford* the Road numbered 10;

In the Parish of *Tackley* and Hamlet of *Nethercote* the Road numbered 36;

In the Parish of *Kidlington* the Roads numbered 11 and 31 respectively;

In the Parish of *Begbrook* the Road numbered 4;

In the Parish of *Yarnton* the Road numbered 18;

And in the Parish of *Saint Thomas* the Road numbered 20.

Lands for
extraordinary
Purposes.

XXIX. And be it enacted, That the Quantity of Land to be taken by the Company for extraordinary Purposes shall not exceed One hundred Acres.

Period
within which
Lands are to
be purchased.

XXX. And be it enacted, That the Powers of the Company for the compulsory Purchase of Lands for the Purposes of this Act shall

shall not be exercised after the Expiration of Three Years from the passing of this Act.

XXXI. And be it enacted, That the Railway shall be completed within Seven Years from the passing of this Act, and on the Expiration of such Period the Powers by this or the recited Acts granted to the Company for executing the Railway, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the Railway as shall then be completed.

Railway to be completed in Seven Years.

XXXII. And whereas the Line of the said intended Railway will pass over the *Port* or *Town Meadow* of the City of *Oxford*, which is Part of the ancient Possessions of the Freemen of the said City, subject to certain Rights of Common thereon: And whereas a certain School called *Nixon's* School, which is now under the Control of the Charitable Trustees of the said City of *Oxford*, is very inadequately endowed, and no better Appropriation can be made of the Purchase Money and Compensation to be paid by the said Company in respect of the said Meadow, for the Benefit of the said Freemen, than to increase the Funds by which the said School is supported; be it therefore enacted, That in case the said intended Line of Railway shall pass over the said *Port Meadow*, and any Part of the same shall be taken and purchased by the Company for the Purposes of the Undertaking, notwithstanding any thing contained in the Railway Clauses Consolidation Act, 1845, the Purchase Money or Compensation to be paid in respect of the Rights and Interests of the said Freemen of the said City of *Oxford* in the said *Port Meadow* shall be paid to the Treasurer of the said City of *Oxford*, whose Receipt for the same shall be a sufficient Discharge to the Company; and such Purchase Money and Compensation shall be invested in the Purchase of Three *per Cent.* Consolidated Bank Annuities, and added to the present Endowment Funds of the said School, and be subject to the same Trusts as the other Endowment Funds; and the Dividends, Interest, and annual Produce of the Monies to be received for any such Purchase, or Compensation shall be applicable and applied in the same Manner and for the same Purposes as the Income of the other Funds belonging to or applied for the Benefit of the said School.

Purchase Money of the Port Meadow of Oxford to be added to the Endowment Funds of Nixon's School;

XXXIII. And whereas such Addition to be made to the Funds of the School may afford the Means of admitting into and educating on the said School an additional Number of Boys beyond the present Number; be it therefore enacted, That the Charitable Trustees, or other Persons for the Time being having the Control over the said School, may from Time to Time elect and admit into the said School so many Boys, Sons of Freemen, in addition to the present Number, as the said Addition to the Funds of the said School may be sufficient to provide for; and that such Boys, when elected, shall be subject to the same Rules in all respects as the other Boys in the said School.

and may be applied in providing for additional Scholars.

XXXIV. And whereas the Railway hereby authorized to be made is intended to communicate with the *London and Birmingham* Railway

Company to provide Apparatus at way

Rugby for
transferring
Traffic to and
from the
London and
Birmingham
Railway.

way at or near *Rugby*; be it enacted, That the Company hereby incorporated, or their Lessees, shall find and provide at all Times, at their own Expence, and free of Charge to all Persons or Companies using the said Railway hereby authorized to be made, such Machinery and Apparatus at *Rugby* as may be necessary for readily transferring the Goods, Coals, or Merchandize brought from or intended to pass on the said *London and Birmingham* Railway to or from the said Railway hereby authorized; and such Machinery and Apparatus shall be of such Description and so constructed as to admit in the most convenient and readiest Manner of the Transfer of such Goods, Coals, or Merchandize, or of the Carriages in which the same are conveyed, from or to the Railway hereby authorized, to or from the said *London and Birmingham* Railway as aforesaid; and on Complaint made by any Company or Person of the Insufficiency of any such Machinery or Apparatus for the Purpose aforesaid, it shall be lawful for the Board of Trade from Time to Time to appoint any competent and impartial Engineer to inspect the same, and on the Report of such Engineer to order the Adoption by the Company hereby incorporated of such other Apparatus as they may consider necessary for attaining the Objects aforesaid in the most complete and beneficial Manner which the Circumstances will admit of.

Gauge of
Railway.

XXXV. And whereas a Commission has been appointed, under the Great Seal of the United Kingdom of *Great Britain* and *Ireland*, for inquiring whether Provision ought to be made for securing an uniform Gauge in the Construction of Railways, and for other Purposes in reference to the Mode of obviating Impediments to the internal Traffic of the Country; be it therefore enacted, That if, in conformity with the Report of the said Commission, it shall appear to the Lords of the Committee of Privy Council for Trade and Plantations expedient that Rails of the same Gauge as the Rails of the *London and Birmingham* Railway should be laid down on the Line herein authorized between *Oxford* and *Rugby*, it shall be lawful for the said Lords of the Committee of Privy Council to order and require that such Railway upon the said Gauge shall be laid down and maintained, and that the Company hereby incorporated shall thereupon proceed with reasonable Despatch to execute the same to the Satisfaction of the Inspector General of Railways for the Time being: Provided always, that nothing herein contained shall prevent the said Company from laying down and maintaining on the whole or any Portion of the said Line Rails of the same Gauge as those now laid on the Line of the *Great Western* Railway.

As to Con-
struction of
Bridge over
Turnpike
Road from
Banbury to
Daventry.

XXXVI. And whereas it is proposed by the said Railway Company to carry the public Turnpike Road leading from the Borough of *Banbury* in the County of *Oxford* to the Towns of *Daventry* and *Brackley* in the County of *Northampton* (which Road on the Maps or Plans of the said Railway Company so deposited as aforesaid is numbered 33, and is described as being in the Parish of *Warkworth*,) over the said Railway by a Bridge to be built or constructed at the East End of a certain Bridge called *Banbury Bridge*, adjoining to the Borough of *Banbury* aforesaid, and to make and construct the Approach to the said Railway Bridge from the Town of *Banbury* aforesaid

aforesaid upon the said Bridge called *Banbury Bridge*; be it enacted, That it shall not be lawful for the said Railway Company to make or construct the said Railway Bridge, or the Approaches thereto, of less Width than Thirty Feet throughout; and that the Inclination or Slope thereof on the Side towards the Town of *Banbury* aforesaid shall not be steeper than One Foot in Twenty-eight Feet, and shall not be brought nearer to the Town of *Banbury* than the Crown of the Arch over the *Oxford Canal* adjoining the said Bridge called *Banbury Bridge*, and delineated on the Maps or Plans of the said Railway Company so deposited as aforesaid; and that the said Railway Company shall for ever hereafter maintain and keep in repair the said Bridge and Approaches so to be built as aforesaid, as also so much of the said Bridge called *Banbury Bridge*; and the Road over the same, and any Embankments and Approaches belonging to the said Bridge called *Banbury Bridge*, as shall be used or in any Manner be interfered with by the said Railway Company.

XXXVII. And whereas the said Railway hereby authorized to be made is intended to be carried under the *Warwick and Napton Canal* in the Parish of *Grandborough* in the County of *Warwick* aforesaid, by means of a Tunnel or Archway: And whereas it is necessary to provide against any Injury or Insecurity which may be occasioned to the said Canal thereby, and to the free Passage thereof; be it therefore enacted, That nothing in this Act contained shall extend to prejudice or diminish, alter, or take away any of the Rights, Privileges, Powers, Franchises, or Authorities of or vested in the *Warwick and Napton Canal Company* in and by all or any of the several Acts of Parliament now in force relating to the said Canal Company, or authorize or empower the said Railway Company, nor any Person or Persons, in execution or under colour of this Act, to alter the Line or Level of the said Canal or the Towing Path thereof, or any Part or Parts thereof respectively, or by means of such Tunnel or Archway when erected, or the Repairs thereof, or in the Erection of any future Tunnel or Archway in lieu thereof, or of any of them, or by any other Means, to obstruct the Navigation of the said Canal or any Part thereof, or injure any of the Works thereof, or render the Traffic or Navigation thereof insecure, or to divert any of the Waters therein, or which may be taken for the Use of or which now supply the said Canal.

This Act not to interfere with the Rights of the *Warwick and Napton Canal Company*.

XXXVIII. And be it enacted, That in carrying the said Railway under the said *Warwick and Napton Canal* the Company hereby incorporated shall and they are hereby required, at their own Expence, to form, make, complete, and maintain in a proper Manner, open to the Inspection of and to the reasonable Satisfaction of the Engineer for the Time being of the said Canal Company, a good, firm, and substantial Tunnel or Archway of Brick, Stone, or Iron, under the said Canal in the said Parish of *Grandborough* aforesaid, under which Tunnel or Archway the said Railway shall be made and carried, with proper Walls effectually to support the Embankment of the said Canal on each Side thereof, and so that the Depth of Water in the said Canal over such Archway shall not be less than Six Feet; and the said Company hereby incorporated shall, at all Times

Company to make and maintain a Tunnel or Archway under *Warwick and Napton Canal*.

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for ever after the said Tunnel or Archway shall be erected, keep the same, and all the future Tunnels and Archways to be erected in lieu thereof, and which shall be in the like Direction, and of the like Form, Height, and Materials as are herein-before mentioned, in good and complete Repair; and in case of any Want of Repair to the said Tunnel or Archway for the Time being, whether arising from the sinking thereof or any other Cause, and Notice thereof being given by the Agent of the said Canal Company to the said Company hereby incorporated, or their Clerk, if the same Company shall not forthwith after such Notice commence such repairing, and in case of any such sinking commence the raising and rebuilding of the said Tunnel or Archway, or such Part thereof as shall be necessary, and proceed therein with all reasonable Expedition until the same shall be completed, it shall be lawful for the said Canal Company from Time to Time to make all such Repairs, and raise and rebuild the same or such Part thereof as shall be necessary, in such Manner as they may think proper, and all the Expences thereof shall be repaid by the said Company hereby incorporated to the said Canal Company upon demand; and in default of such Payment any Two or more of Her Majesty's Justices of the Peace, for the said County of *Warwick* shall and they are hereby required, on Application by the said Canal Company or their Clerk, or any other Person authorized by them, by Warrant under the Hands and Seals of the said Justices to cause the Amount of such Expences, which shall be settled and allowed by such Justices, to be levied by Distress and Sale of the Goods and Chattels of the said *Oxford and Rugby* Railway Company, and to be paid to the said Canal Company, their Agent or Clerk, rendering the Overplus (if any), on demand, after deducting the reasonable Charge of making such Distress and Sale, to the said Company of Proprietors of the *Oxford and Rugby* Railway, or otherwise the said Canal Company shall and may sue for and recover the same against the said Company of Proprietors of the *Oxford and Rugby* Railway, by Action of Debt or on the Case in any of Her Majesty's Courts of Record at *Westminster*.

Penalty on
Company
obstructing
Warwick
and *Napton*
Canal Navi-
gation.

XXXIX. And be it enacted, That if by or by reason or in the Execution of any of the Works by this Act authorized to be made, or by reason of the bad State of Repair of any such Works, or of the said Tunnel or Archway under the said *Warwick* and *Napton* Canal, or of any of the Slopes, Banks, or Walls of the said Railway near the said Canal, or if by any Act or Omission of the said Railway Company, or any of their Agents, Servants, or Workmen, it shall happen that the said *Warwick* and *Napton* Canal, or the Towing Path thereof, or the Works connected therewith, shall be so obstructed as that Boats, Barges, or other Vessels navigating or using the same cannot pass or shall be impeded in their Passage upon or along the said Canal, or shall not be able to pass along the same, then and in such Case the said *Oxford and Rugby* Railway Company shall pay to the said *Warwick* and *Napton* Canal Company, as or by way of ascertained Damages, the Sum of One hundred Pounds for every Day during which any such Impediment shall continue, and so in proportion for any fractional Part of a Day, over and besides all Damages done or occasioned to or sustained by any other Company or Person or Persons

using or entitled to use or to have the Benefit of the said Canal ; and in default of Payment of the said Sum or Sums, as the Case may be, on demand made on the said Railway Company, or any Officer or Agent of theirs, the said *Warwick* and *Napton* Canal Company may sue for and recover the same, together with full Costs of Suit against the said Railway Company, by Action of Debt or on the Case in any of Her Majesty's Courts of Record at *Westminster* : Provided also, that nothing herein contained shall extend to prevent the said *Warwick* and *Napton* Canal Company from recovering against the said Railway Company any special, further, or other Damage that may be sustained by them on account of the Acts or Defaults of the said Railway Company in respect of which the said Penalties are imposed beyond the Amount of such Penalty or Penalties, and they are hereby authorized to sue for and recover such special, further, and other Damages accordingly.

XL. Provided always, and be it enacted, That nothing in this Act contained shall extend or be deemed or construed to extend to authorize or enable the said Company hereby incorporated, or any other Person or Persons or Company, in execution or under colour of this Act, to enter upon, take, and prejudice, or interfere (either permanently or temporarily) with any of the Buildings, Lands, or Grounds belonging to the *Warwick* and *Napton* Canal Company, now used for the Purposes of the said Canal, without the Consent of the said Company under their Common Seal first obtained, save and except so far as may be required for the Purpose of constructing the said Railway under the said Canal ; nor shall the said *Warwick* and *Napton* Canal Company be responsible or accountable to the said Company hereby incorporated, or to any other Person or Persons, for any Damage or Prejudice that may be done to the said Railway and Works, or the Traders thereon or the Traffic thereof, in consequence of any Slips or giving way of the Embankment of the said Canal, or any Accident that may occur on the said Canal and Works which in its Consequences may produce any such Damage or Prejudice as aforesaid, any Statute or Law to the contrary thereof in anywise notwithstanding.

Not to take the Land or Buildings or interfere with the Works of the *Warwick* and *Napton* Canal.

XLI. And whereas the said Railway is intended to pass in a Line near the Line of the *Oxford* Canal Navigation, and also to pass over the same, and over or under certain Feeders belonging thereto, and it is expedient to make the following Provisions in consequence thereof ; be it therefore enacted, That nothing in this Act contained shall take away, diminish, alter, prejudice, or affect any of the Rights, Privileges, Powers, or Authorities vested in the Company of Proprietors of the said *Oxford* Canal Navigation, or authorize or empower the said Railway Company to alter the Line or Level of the said Canal, or the Towing Paths thereto, or any Part or Parts thereof respectively, or to obstruct the Navigation of the said Canal or any Part thereof, or to divert any of the Waters therein, or which may be taken for the Use of or which now supply the said Canal, or to injure or alter the said Canal or any of the Works thereof, in any Manner not expressly provided for by this Act, or denoted on the Maps or Plans and Sections of the said Railway deposited with the Clerks of the Peace of the

For Protection of the *Oxford* Canal.

the several Counties through which the said Railway is intended to pass; and it shall not be lawful for the said Railway Company, except for the Purpose of crossing the said Canal, to take or interfere with the said Canal, or any of the Property belonging to the Company of Proprietors of the *Oxford* Canal Navigation, or to make any Deviation from the Course or Direction of the said Railway, as delineated on the said Maps or Plans of the said Railway so deposited as aforesaid, by which Deviation any Part of the Wharfs, Locks, Side Ponds, Tunnels, Bridges, or Feeders of or belonging to the said Canal shall be taken, used, or damaged, without, in any of the said respective Cases, the Consent of the said Company of Proprietors of the *Oxford* Canal Navigation under their Common Seal first had and obtained; and that in no Case shall any Embankment or any Part of any Embankment of the said Railway be made so as to rest on any Embankment, or any Part of any Embankment of the said Canal, except at the Parts where the said Railway shall cross the said Canal, without such Consent as aforesaid.

Company to
erect Bridges
for crossing
the *Oxford*
Canal.

XLII. And be it enacted, That, for the Purpose of carrying the said Railway over the said *Oxford* Canal Navigation, the said Railway Company shall and they are hereby required, at their own Expence, to make, and at all Times for ever thereafter to maintain and keep in perfect Repair, at each of the Points of crossing the said Canal, good and substantial Bridges over the said Canal and the Towing Path, with proper Approaches thereto.

Mode of
constructing
Bridges.

XLIII. And be it enacted, That all the said Bridges, except that herein-after particularly described, shall be made in the following Manner; (that is to say,) the Span of the Bridge between the Abutments thereof shall not be less than Twenty-six Feet in the clear, so as to include the Canal and Towing Path, allowing Eighteen Feet for the Width of the Canal at *Bench Level*, and Eight Feet for the Width of the Towing Path, and that the Soffit of the Arch over the Centre of the Towing Path shall not come within less than Eight Feet of the Top-water Level of the Canal, or within less than Ten Feet over the Centre of the Waterway, and that the Water Wings necessary for contracting the Canal shall be built of substantial Brick-work, and extend at least Thirty Feet each Way from the Bridge, and shall be properly guarded with Iron in like Manner as hath been done in the new Improvements or shortening Lines of the said Canal, with Iron Groove Posts, built in as the Work proceeds, for Drop Planks.

As to Bridge
over River
Cherwell.

XLIV. And be it enacted, That, for the Purpose of carrying the Railway over that Part of the River *Cherwell*, dividing the Parishes of *Shipton* and *Bletchington* in the County of *Oxford*, which now forms a Portion of the Main Line of the said Canal, the said Company shall construct a Bridge of a Span between the Abutments thereof of not less than Forty Feet in the clear, so as to include the River or Canal and Towing Path, without Contraction or Deviation, either vertically or horizontally, allowing Twenty-five Feet for the Width of the River or Canal at *Bench Level*, and Ten Feet for the Width of the Towing Path; and that the Soffit of the Arch at any one Point shall not come within less than Eight Feet of the present Level of the Towing Path at the Point of crossing.

XLV. And

XLV. And be it enacted, That during the Erection of the said Bridges respectively, and at all future Times during any Repairs thereof, no Obstruction shall be occasioned to the Boats or Barges passing along the said Canal, or to the Towing Horses drawing the same; but that at all Times during such Erection or Repairs, as to each of the said Bridges, except that lastly herein-before described, a Waterway of not less than Nine Feet, a Towing Path of not less than Five Feet, and a clear Height of not less than Seven Feet from the Top-water in the said Canal, and, as to the Bridge lastly herein-before described, a Waterway of not less than Sixteen Feet, a Towing Path of not less than Six Feet, and a clear Height of not less than Eight Feet from the present Level of the Towing Path at the Point of crossing shall be left for the Navigation of the said Canal or River; and that the said Bridges respectively shall be constructed, as regards their Positions, Forms, and Dimensions, over the said Canal, to the reasonable Satisfaction of the principal Engineer for the Time being of the said Company of Proprietors of the *Oxford* Canal, and that Plans and Elevations thereof respectively shall be laid before such Engineer Fourteen Days previous to the Commencement of the Works.

For preventing Obstruction to the Canal.

XLVI. And be it enacted, That the said Railway Company shall and they are hereby required, at their own Expence, and to the reasonable Satisfaction of the principal Engineer for the Time being of the said Company of Proprietors of the *Oxford* Canal, to make, and at all Times for ever thereafter to maintain and keep in perfect Repair, good and substantial Culverts to carry over or under the said Railway, as the Case may require, the Water passing along the Feeders in *Farnborough* or *Fenny Compton* in the County of *Warwick*, and *Claydon Clottercote* and *Souldern* in the County of *Oxford*, for supplying the said Canal, or the *Wormleighton* and *Clottercote* Reservoirs belonging thereto, with Water, each of which said Culverts shall be built of substantial Brick-work, and shall not be less than Four Feet in Diameter in the clear, and shall be so placed as to allow the Water to pass through the same and along the said Feeders in the easiest and most effectual Manner.

Culverts to be made by the Company.

XLVII. And be it enacted, That if by reason or in execution of any of the Works by this Act authorized to be made, or by reason of the bad State of Repair of any such Works, or of the said Bridges, or any of them, or their respective Appendages, or if by any Act or Omission of the said Railway Company, or any of their Agents, Servants, or Workmen, the said *Oxford* Canal Navigation, or the Towing Path thereof, shall be so obstructed as that Boats, Barges, or other Vessels navigating or using the same cannot pass or shall be impeded in the Passage along the same, or in case the Space under the said Bridges or either of them shall at any Time be contracted so as to be less in Width or Height than the respective Widths or Heights herein-before prescribed in relation thereto respectively, then and in either of the said Cases the said Railway Company shall pay to the said Company of Proprietors of the *Oxford* Canal Navigation, as or by way of ascertained Damages, the Sum of One hundred

Penalty for obstructing Canal.

[Local.]

50 0

Pounds

Pounds for every Twenty-four Hours during which such Obstruction or Contraction shall continue, and so in proportion for any less Time than Twenty-four Hours; and in default of Payment of the said Sum, or such Proportion thereof as shall become due, on demand made by the Treasurer or Clerk of the said Company of Proprietors of the said Canal or the Treasurer or Clerk of the said Railway Company, the said Company of Proprietors of the *Oxford* Canal Navigation may sue for and recover the same, together with full Costs of Suit, against the said Railway Company, by Action of Debt or on the Case in any of Her Majesty's Courts of Record at *Westminster*; and in case the said Bridges, or any or either of them, or any Part thereof, or the Approaches, Side Slopes, or Banks of the said Railway next the said Canal, or the aforesaid Culverts, or any or either of them, or any Part thereof respectively, shall not be kept in good and substantial Repair, or in case the Works of the said Railway, or any of them, shall not be so maintained as to prevent Water escaping by reason thereof from the said Canal and Feeders, or any of them, by Leakage, it shall be lawful for the said Company of Proprietors of the *Oxford* Canal Navigation to do the needful Repairs and Works, and to recover the Amount of the Expences from the said Railway Company by Action of Debt or on the Case, with full Costs of Suit, in any of Her Majesty's Courts of Record at *Westminster*.

Tolls.

XLVIII. And be it enacted, That it shall be lawful for the Company to demand any Tolls for the Use of the Railway not exceeding the following; (that is to say,)

Tonnage on
Articles of
Merchandize.

1. In respect of the Tonnage of all Articles conveyed upon the Railway or any Part thereof, as follows:

For all Dung, Compost, and all Sorts of Manure, Lime and Limestone, and all undressed Materials for the Repair of public Roads or Highways, *per Ton per Mile* not exceeding One Penny; and if conveyed by Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding One Halfpenny:

For all Coals, Coke, Culm, Charcoal, and Cinders, all Stones for building, pitching, and paving, all Bricks, Tiles, Slates, Clay, Sand, Ironstone and Iron Ore, Pig Iron, Bar Iron, Rod Iron, Hoop Iron, and all other similar Descriptions of Wrought Iron and Iron Castings not manufactured into Utensils or other Articles of Merchandize, *per Ton per Mile* not exceeding Three Halfpence; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding One Halfpenny:

For all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber, Stones, and Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, *per Ton per Mile* not exceeding Two-pence; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding Three Farthings:

For all Cotton and other Wools, Drugs, manufactured Goods, and all other Wares, Merchandize, Fish, Articles, Matters, or Things, *per Ton per Mile* not exceeding Three-pence; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding One Penny:

And for every Carriage, of whatever Description, not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, carried or conveyed on a Truck or Platform, *per Mile* not exceeding Five-pence :

And a like Sum of Two-pence *per Mile* for every additional Quarter of a Ton, or fractional Part of a Quarter of a Ton, which any such Carriage may weigh ; and if conveyed on a Truck or Platform belonging to the Company, an additional Sum *per Mile* not exceeding Two-pence.

2. In respect of Passengers and Animals conveyed in Carriages upon the Railway as follows : Tolls for Passengers or Cattle.

For any Person conveyed in or upon any such Carriage, *per Mile* not exceeding Two-pence ; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum not exceeding *per Mile* One Halfpenny ;

For every Horse, Mule, Ass, or other Beast of Draught or Burden, and for every Ox, Cow, Bull, or Neat Cattle, conveyed in or upon any such Carriage, *per Mile* not exceeding Three-pence ; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum not exceeding *per Mile* One Penny :

For every Calf or Pig, Sheep, Lamb, or other small Animal, conveyed in or upon any such Carriage, *per Mile* not exceeding One Penny ; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum not exceeding *per Mile* One Farthing.

XLIX. And be it enacted, That the Toll which the Company may demand for the Use of Engines for propelling Carriages on the Railway shall not exceed Two-pence *per Mile* for each Passenger or Animal, or for each Ton of Goods or other Articles, in addition to the several other Tolls or Sums by this Act authorized to be taken, unless the said Passengers, Animals, or Goods are sent by a special Train, in which Case the Company shall be entitled to charge any reasonable Sum in their Discretion beyond the Tolls and Charges herein limited. Tolls for propelling Power.

L. And be it enacted, That the following Provisions and Regulations shall be applicable to the fixing of such Tolls ; (that is to say,) Regulations as to the Tolls.

For Articles or Persons conveyed on the Railway for a less Distance than Six Miles the Company may demand Tolls and Charges as for Six Miles :

For a Fraction of a Mile beyond Six Miles, or beyond any greater Number of Miles, the Company may demand Tolls as for One Mile :

For a Fraction of a Ton the Company may demand Toll according to the Number of Quarters of a Ton in such Fraction ; and if there be a Fraction of a Quarter of a Ton such Fraction shall be deemed a Quarter of a Ton :

With respect to all Articles, except Stone and Timber, the Weight shall be determined according to the usual Avoirdupois Weight :

With

With respect to Stone and Timber, Fourteen Cubic Feet of Stone, Forty Cubic Feet of Oak, Mahogany, Teak, Beech, or Ash, and Fifty Cubic Feet of any other Timber, shall be deemed One Ton Weight, and so in proportion for any smaller Quantity.

Tolls for
small Parcels
and great
Weights.

LI. And with respect to small Packages, and single Articles of great Weight, be it enacted, That, notwithstanding the Rate of Tolls prescribed by this Act, the Company may lawfully demand the Tolls following; (that is to say,)

For the Carriage of small Parcels (that is to say,) Parcels not exceeding Five hundred Pounds Weight each, the Company may demand any Sum which they think fit: Provided always, that Articles sent in large aggregate Quantities, although made up of separate Parcels, such as Bags of Sugar, Coffee, Meal, and the like, shall not be deemed small Parcels, but such Term shall apply only to single Parcels in separate Packages, and to Parcels not being aggregate Quantities of the same Description of Articles sent in the same Package:

For the Carriage of any One Boiler, Cylinder, or single Piece of Machinery, or single Piece of Timber or Stone, or other single Article, the Weight of which, including the Carriage, shall exceed Four Tons, but shall not exceed Eight Tons, the Company may demand such Sum as they think fit, not exceeding Sixpence *per Ton per Mile*:

For the Carriage of any single Piece of Timber, Stone, Machinery, or other single Article, the Weight of which, with the Carriage, shall exceed Eight Tons, the Company may demand such Sum as they think fit.

Maximum
Rates
charged for
Passengers;

LII. And be it enacted, That the maximum Rate of Charge to be made by the Company for the Conveyance of Passengers upon the said Railway, including the Tolls for the Use of the Railway and of Carriages, and for locomotive Power, and every other Expence incidental to such Conveyance, shall not exceed the following Sums:

For every Passenger conveyed in a First Class Carriage the Sum of Three-pence *per Mile*:

For every Passenger conveyed in a Second Class Carriage the Sum of Two-pence *per Mile*:

For every Passenger conveyed in a Third Class Carriage the Sum of One Penny Halfpenny *per Mile*.

for Cattle,
Goods, &c.

And with respect to the Conveyance of Horses, Cattle, Carriages, and Goods, the maximum Rates of Charge to be made by the Company, including the Tolls for the Use of the Railway, and Waggon or Trucks, and locomotive Power, and every Expence incidental to such Conveyance, (except the loading and unloading of Goods, where such Service is performed by the Company,) shall not exceed the following Sums:

For every Horse, or other Beast of Draught or Burden hereinbefore classed with Horses, the Sum of Five-pence *per Mile*:

For Cattle, the Sum of Two-pence *per Head per Mile*:

For Calves and Pigs, One Penny each *per Mile*:

For

For Sheep and small Animals, Three Farthings each *per* Mile :
 For every Carriage, the Sum of Seven-pence *per* Mile :
 For Manure, and other Articles herein-before classed therewith, the
 Sum of One Penny Halfpenny *per* Ton *per* Mile :
 For Coals, and other Articles herein-before classed therewith, the
 Sum of Two-pence *per* Ton *per* Mile :
 For Sugar, and other Articles herein-before classed therewith, the
 Sum of Three-pence *per* Ton *per* Mile :
 For Cotton, and other Goods and Articles herein-before classed
 therewith, the Sum of Four-pence *per* Ton *per* Mile.

LIII. Provided always, and be it enacted, That in respect of the Carriage on the said Railway of any Coals, Ironstone, Iron Ore, Pig, Bar, Rod, Sheet, or Hoop Iron, Slabs, Billets, and rolled Iron, Limestone, Lime, Bricks, Salt, Sand, Fire Clay, Cinders, Slag, or Stone, conveyed in Carriages not belonging to the Company, it shall not be lawful for the said Company to demand or receive any greater Toll or Sum *per* Ton *per* Mile than Three Farthings, including the said Toll for the Use of Engines, if such Coals or other Articles aforesaid be conveyed along the whole Length of the said Railway, or than One Penny *per* Ton *per* Mile if conveyed along a Portion only of the said Railway.

Limiting
Tolls for
Carriage of
Coals, &c. in
Carriages not
belonging to
the Company.

LIV. Provided always, and be it enacted, That the Restriction as to the Charges to be made for Passengers shall not extend to any special Train, but shall apply only to the ordinary Trains appointed or to be appointed from Time to Time by the said Company.

Charges for
Passengers
not to apply
to special
Trains.

LV. Provided also, and be it enacted, That the maximum Charges herein-before limited shall be held applicable to Animals and Goods conveyed along the whole Length of the Railway by this Act authorized; but in the event of such Animals or Goods being conveyed along a Portion only of the said Railway, then and in such Case it shall be lawful for the said Company to demand and receive an Increase on the said Charges in respect of the Conveyance thereof to the Extent following; that is to say, to the Extent of Five *per Cent.* on the said Charges if such Animals or Goods be conveyed for a less Distance than Three Fourths of the said Railway, to the Extent of Fifteen *per Cent.* if they be conveyed for a less Distance than One Half of the said Railway, and to the Extent of Twenty-five *per Cent.* if they be conveyed for a less Distance than One Fourth of the said Railway.

Charges for
Goods, &c.
may be in-
creased if
conveyed on
a Portion
only of the
Railway.

LVI. Provided further, and be it enacted, That nothing herein contained shall be held to prevent the said Company from taking any increased Charge, over and above the Charges herein-before limited, for the Conveyance of Goods of any Description, by Agreement with the Owners of or Persons in charge of such Goods, either in respect of the Conveyance thereof by Passenger Trains, or by reason of any other special Service performed by the said Company in relation thereto.

Company
may take in-
creased
Charges by
Agreement.

Passengers
Luggage.

LVII. And be it enacted, That every Passenger travelling upon the Railway may take with him, at his own Risk, his ordinary Luggage, not exceeding One hundred Pounds in Weight for First Class Passengers, Sixty Pounds in Weight for Second Class Passengers, and Forty Pounds in Weight for Third Class Passengers, without any Charge being made for the Carriage thereof.

Charge of
Conveyance
not to exceed
those on the
Oxford,
Worcester,
and Wolver-
hampton
Line.

LVIII. And whereas a Bill is now pending before Parliament for making a Railway from *Oxford* to *Worcester* and *Wolverhampton*, with Branches; be it enacted, That if the said Bill shall pass into a Law it shall not be lawful for the Company hereby incorporated, or their Lessees for the Time being, to demand or receive any greater Sum *per* Mile, in respect of the Conveyance of any Passengers, Minerals, Animals, Goods, Wares, or Merchandize on the Railway hereby authorized, than shall at the same Time be demanded and received in respect of Passengers, and of Animals, Minerals, Goods, Wares, and Merchandize of a like Description, passing or conveyed upon the said Railway from *Oxford* to *Worcester* and *Wolverhampton*.

Tolls on Pas-
sengers not
to exceed
those on
Great West-
ern Railway.

LIX. Provided always, and be it enacted, That the Charges to be made for the Conveyance of Passengers on the said Railway, including Tolls, Carriage, and locomotive Power, shall at no Time exceed the Amount which by the Acts relating to the *Great Western* Railway, or any of them, the said *Great Western* Railway Company are authorized to take for the Conveyance of Passengers on any Part of the said Line; but in the event of the said Railway being let on Lease to or becoming the Property of the said *Great Western* Railway Company, it shall be lawful for the said Company to demand and take Rates and Charges of less Amount in respect of Passengers and Goods conveyed by them on the said Railway, and which shall also be conveyed by them on the said *Great Western* Railway, or any Part thereof, than the Rates and Charges which may at the same Time be demanded by them in respect of the Conveyance of Passengers and of the same Description of Goods passing only on the said *Great Western* Railway or on the said Railway, as the Case may be.

Power to
lease the
Railway to
the Great
Western
Railway
Company.

LX. And be it enacted, That it shall be lawful for the said Company hereby incorporated, with the Approbation of Three Fifths of the Votes of the Proprietors present, either personally or by Proxy, at any General or Special General Meeting of the Company, to demise or lease, for such Consideration or annual Rent as they shall think proper, the Railway and other Works by this Act authorized to be made, unto the said *Great Western* Railway Company, for any Term which shall be agreed upon; and the said *Great Western* Railway Company are hereby authorized, if they think proper, with the Approbation of Three Fifths of the Votes of the Proprietors in the said last-mentioned Company present, either personally or by Proxy, at any General or Special General Meeting, to enter into and accept such Lease; and it shall be lawful for the said *Great Western* Railway Company, and the Company by this Act incorporated, to make and enter into any such Contract or Agreement for effecting the Purposes aforesaid, and for otherwise working and using the said
Line,

Line, and for the Maintenance and Repair of the said Railway and other Works, as they the said Companies may deem advisable; and every such Contract may contain such Covenants, Clauses, Provisoos, and Conditions as the said Parties may mutually agree upon.

LXI. And be it enacted, That it shall be lawful also for the said *Great Western* Railway Company, by and with the Authority of Three Fifths of the Proprietors who may be present, either personally or by Proxy, at any General or Special Meeting of the said Company, to purchase, and for the Company by this Act incorporated, by and with a like Authority on the Part of the Proprietors in the said last-mentioned Company, to sell and transfer, the Undertaking by this Act authorized, or any Share or Interest therein, to the said *Great Western* Railway Company, and whether before or after the Completion thereof (but subject to any existing Mortgages, Contracts, Agreements, or Liabilities affecting the same); and on the Completion of such Purchase, of which Completion a Transfer or Conveyance under the Corporate Seal of the Company hereby incorporated shall be sufficient Evidence, the said *Great Western* Railway Company may have and hold the said Undertaking, or the Share therein purchased by them, and use, exercise, and enjoy, or participate in the Use, Exercise, and Enjoyment of all the Rights, Powers, and Privileges conferred by this Act on the said Company hereby incorporated; and for such Purpose it shall be lawful for the said *Great Western* Railway Company, if they see fit, by and with such Authority as aforesaid, to create such an additional Number of Shares, and to borrow such Sum of Money, as may be necessary for completing such Purchase, or for constructing and working the said Railway, provided the Amount to be raised by such additional Shares shall not exceed the Amount of Capital by this Act authorized to be raised for the Purposes of the said Undertaking, and that the Money so to be borrowed shall not exceed One Third of the Amount of such Capital: Provided always, that in the event of the whole of the Undertaking by this Act authorized being purchased by the said *Great Western* Railway Company, then from and after the Completion of such Purchase the Company by this Act incorporated shall be dissolved and cease to exist, and all Powers and Authorities which may become vested in the said *Great Western* Railway Company by virtue of such Purchase may be exercised by them, and the Corporate Seal of the said *Great Western* Railway Company used when necessary in reference thereto, in like Manner as though the said Undertaking formed Part of the said *Great Western* Railway, and the said *Great Western* Railway had been originally authorized to carry the same into effect in lieu of the said *Oxford and Rugby* Railway Company.

Enabling the
Great West-
ern Railway
Company to
purchase the
Line or an
Interest
therein.

LXII. And be it enacted, That the Vice Chancellor, the Proctors, and Pro-proctors for the Time being of the University of *Oxford*, and Heads of Colleges and Halls, and the Marshal of the said University, or any other Person or Persons deputed by Writing under the Hand of the Vice Chancellor of the said University for the Time being, or of the Head or Governor, or in his Absence the Vicegerent of any College or Hall in the said University, shall, at or about the Times of Trains of Carriages upon the said Railway starting or arriving,

Officers of
the Univer-
sity of Ox-
ford to have
free Access
to Railway
Stations.

arriving, and at all other reasonable Times, have free Access to every Depôt or Station for the Reception of Passengers proceeding by the Trains upon the said Railway, and to every Part thereof, and to every Booking Office, Ticket Office, or other Office or Place for Passengers upon the said Railway at *Oxford*, or within Ten Miles thereof, and shall then and there be entitled to demand and take, and have, without any unreasonable Delay, from the proper Officer or Servant of the Company, such Information as it may be in the Power of any Officer or Servant of the Company to give with reference to any Passenger or Person having passed or applying to pass on the said Railway, or otherwise coming to or being in or upon the said Depôt or Station or Place, who shall be a Member of the said University, or suspected of being such; and in case the said Company, or their Officers or Servants, or any of them, shall not permit such free Access to the said Depôts or Stations as aforesaid, or shall not furnish such Information as herein-before mentioned, the said Officer or Servant of the said Company shall for each Default forfeit and pay a Sum not exceeding Five Pounds.

Company
not to con-
vey such
Members of
the Univer-
sity as the
said Officers
shall require
them not to
convey.

LXIII. And be it enacted, That if the said Vice Chancellor or Proctors or Pro-proctors for the Time being of the said University, or Heads of Colleges and Halls, or the Marshal of the said University, or other Person or Persons deputed as aforesaid, shall, at any Time or Times previous to the starting of any Train of Carriages upon the said Railway, notify to the proper Officer, Book-keeper, or Servant of the said Company that any Person or Persons about to travel in or upon the said Railway is a Member of the University, not having taken the Degree of Master of Arts or Bachelor in Civil Law, and shall identify such Member to such proper Officer, Book-keeper, or Servant of the Company, at the Time of giving such Notice, and require such Officer, Book-keeper, or Servant to decline to take such Member of the University as a Passenger upon the said Railway, the proper Officer, Book-keeper, or Servant of the said Company shall immediately thereupon, and for the Space of Twenty-four Hours after such Notice, Identification, and Requirement, refuse to convey such Member of the said University in or upon the said Railway, and which he is hereby authorized to do, notwithstanding such Member may have paid his Fare; and in case any such Member of the said University shall be knowingly and wilfully allowed to be conveyed thereon after such Notice within the Time aforesaid, the said Company shall for each Passenger so conveyed forfeit and pay a Sum not exceeding Five Pounds: Provided always, that no Member of the University represented as such to the said Company, or any of their Officers or Servants, by the said Vice Chancellor, Proctors, Pro-proctors, Heads of Colleges and Halls, Marshal, or other Person or Persons deputed as aforesaid, or any of them, who shall be refused to be carried by the said Company, or by any of their Officers or Servants, shall on that Account be entitled to claim or recover any Damage or Compensation from the said Company, or such Officers, Book-keepers, or Servants; provided that in case such Member shall have paid his Fare the same shall have been tendered or returned to him on demand.

LXIV. And

LXIV. And be it enacted, That it shall not be lawful for the said Company to take up or set down any Person or Persons being Members of the University, but not having taken the Degree of Master of Arts or Bachelor in Civil Law, on any Part of the said Railway at *Oxford*, or within Ten Miles thereof, except at the regularly appointed Stations of the Line; and in case the said Company shall take up or set down any such Person or Persons, except at such regularly appointed Stations of the Line, they shall forfeit a Sum not exceeding Five Pounds for each such Person so taken up or set down.

Company to take up and set down Members of the University at appointed Stations only.

LXV. And be it enacted, That it shall be incumbent upon the said Company, and they are hereby required, from Time to Time, and at all Times during the Progress of all or any Part of the Works in, upon, or about the said Railway within Three Miles of the City of *Oxford*, and until the Completion of the said Works, and the opening of the said Railway for the Conveyance of Passengers, constantly to employ a sufficient Number of fit and proper Persons as Special Constables, whose Duty it shall be to superintend, manage, and control the Workmen engaged in or about such Works; and the said Special Constables shall be subject to the Order and Direction of the Vice Chancellor and the Proctors and Pro-proctors of the said University for the Time being; and if the Vice Chancellor of the said University for the Time being shall have cause to think the Number of Special Constables to be employed by the Company as last aforesaid not sufficient, it shall be lawful for him to appoint such additional Number as he shall judge expedient, such Special Constables to be paid by the Company in like Manner as the Special Constables who may be employed by them.

Giving Control to Officers of the University as to the Appointment of Special Constables during the Construction of the Railway.

LXVI. And be it enacted, That nothing herein contained shall in any Manner alienate, prejudice, alter, interfere with, or impede the Exercise of any of the Rights, Privileges, or Authorities whatsoever of the said University, or of any of the Officers, Ministers, or Servants thereto belonging.

Saving Rights of the University of Oxford.

LXVII. And whereas an Act was passed in the Second Year of the Reign of Her present Majesty, intituled *An Act to provide for the Conveyance of the Mails by Railway*; and another Act was passed in the Fourth Year of the Reign of Her said Majesty, intituled *An Act for regulating Railways*; and another Act was passed in the Sixth Year of the Reign of Her said Majesty, intituled *An Act for the better Regulation of Railways, and for the Conveyance of Troops*; and another Act was passed in the Eighth Year of the Reign of Her said Majesty, intituled *An Act to attach certain Conditions to the Construction of future Railways authorized or to be authorized by any Act of the present or succeeding Sessions of Parliament*; and for other Purposes in relation to Railways; be it enacted, That nothing in this Act contained shall be held to exempt the said Railway or the said Company from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect to the said Railway and Company, so far as the same shall be applicable thereto.

Railway to be subject to the Provisions of 1 & 2 Vict. c. 98., 3 & 4 Vict. c. 97., 5 & 6 Vict. c. 55., and 7 & 8 Vict. c. 85.

Railway not
exempt from
Provisions
of any future
general
Railway Act.

LXVIII. And be it enacted, That nothing herein contained shall be deemed or construed to exempt the Railway by this Act authorized to be made from the Provisions of any general Act relating to this Act, or of any general Act relating to Railways, which may hereafter pass during the present or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges authorized by this Act.

Public Act.

LXIX. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

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