



ANNO DECIMO & UNDECIMO

VICTORIÆ REGINÆ.

Cap. ccxxxvi.

An Act to authorize the Consolidation into One Undertaking of the *Oxford and Bletchley Junction Railway Company* and the *Buckingham and Brackley Junction Railway Company*, and to enable the Company so to be consolidated to make Extension Lines to *Banbury* and *Aylesbury*, and an Alteration of the Line into the City of *Oxford*. [22d July 1847.]

WHEREAS an Act was passed in the Tenth Year of the Reign of Her present Majesty, intituled *An Act for making a Railway from Oxford to the London and Birmingham Railway at Bletchley in the County of Buckingham*, whereby the *Oxford and Bletchley Junction Railway Company* were incorporated for making a Railway and other Works from the City of *Oxford* to a Junction with the *London and Birmingham Railway* at *Bletchley* in the County of *Buckingham*: And whereas another Act was passed in the said Tenth Year of the Reign of Her said Majesty, intituled *An Act for making a Railway from the Oxford and Bletchley Junction* [Local.] 37 Q

9 & 10 Vict. c. 82.
9 & 10 Vict. c. 233.

tion *Railway to Buckingham and Brackley*, whereby the *Buckingham and Brackley Junction Railway Company* were incorporated for making a Railway and other Works from the *Oxford and Bletchley Junction Railway* at *Middle Claydon* to the Town of *Brackley* in the County of *Northampton*: And whereas the Railways authorized by the said Two recited Acts form Part of One general Scheme for giving Railway Accommodation to the County of *Buckingham*, and the Directors in the Two Companies are the same, and the Shares in their respective Capitals have been subscribed for and are held by the same Parties, and it is expedient that the said Two Companies should be incorporated into One Company: And whereas it would be of public Advantage that the said Company so to be consolidated should be authorized to make and maintain certain Extension or Branch Railways from the authorized Line of the *Buckingham and Brackley Junction Railway*, from *Brackley* to the Town of *Banbury*, and from *Middle Claydon* to a Junction with the *Aylesbury Railway* in the Parish of *Aylesbury*, and also to make an Alteration or Deviation in the authorized Line of the *Oxford and Bletchley Junction Railway* at the Termination thereof into the City of *Oxford*: And whereas the Objects aforesaid cannot be effected without the Aid and 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, That from and immediately after the passing of this Act the Companies by the said recited Acts incorporated shall be and the same are hereby dissolved.

Companies incorporated by recited Act dissolved.

Notwithstanding Dissolution Provisions of recited Acts extended to this Act.

II. And be it enacted, That, notwithstanding the Dissolution of the said Companies, all the Provisions contained in the said Two recited Acts and in "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," and "The Railways Clauses Consolidation Act, 1845," severally incorporated therewith, except such as are by this Act altered or repealed, shall extend to this Act, and to the Company hereby incorporated, and the several Objects and Purposes of this Act, as fully and effectually as if the same Provisions were re-enacted in this Act.

Incorporation of new Company.

III. And be it enacted, That the several Persons and Corporations who, immediately before the passing of this Act, were Proprietors of Shares in the respective Capitals of the said hereby dissolved Companies, and their Executors, Administrators, Successors, and Assigns respectively, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking, their Executors, Administrators, Successors, and Assigns, shall be united into a Company, according to the Provisions herein-after contained, for the Purpose of making and maintaining all and singular the Railways and Works made or authorized to be made under the Authorities of the said recited Acts or either of them, and the Extension or Branch Railways, and the Alteration and Deviation authorized by this Act, and for the Purposes aforesaid shall be incorporated by the Name of the "*Buckinghamshire Railway Company*," and by that Name shall be a Body Corporate, and have a Common Seal, with perpetual Succession,

cession, and shall have all the same Rights, Powers, Privileges, and Authorities, and shall be subject to all the same Restrictions and Liabilities, as are by the same Acts given to or imposed upon the said dissolved Companies respectively (excepting so far as the same may be altered or varied by this Act), in the same Manner as if the Name of the *Buckinghamshire* Railway Company had been inserted in the said recited Acts instead of the Names of the dissolved Companies respectively.

IV. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Instruments and other Proceedings, it shall be sufficient to use the Expression “ The *Buckinghamshire* Railway Act, 1847.” Short Title.

V. And be it enacted, That from and immediately after the passing of this Act all Lands, Tenements, Easements, Rights, Powers, and Privileges whatsoever, and the Benefit of all Contracts, Agreements, and Proceedings in any way relating thereto, of or to which the said dissolved Companies or either of them were seised, possessed, or entitled at Law or in Equity immediately before the passing of this Act, and all the Works and Materials executed and provided by them, shall be well and effectually vested in and belong to the Company hereby incorporated for their absolute Benefit; and the Railways and Works, with the Alterations and Deviations therein, and the Extension Railways authorized by the said recited Acts and this Act, shall be called “ The *Buckinghamshire* Railways.” Railways, &c. vested in new Company.

VI. And be it enacted, That from and immediately after the passing of this Act all the Monies, Goods, Chattels, Bonds, Deeds, Securities, Books, Writings, Maps, Plans, and other personal Estate and Effects of or to which the said dissolved Companies or either of them were possessed or entitled at Law or in Equity immediately before the passing of this Act shall be vested in and belong to the Company hereby incorporated for their absolute Benefit; and all Persons and Corporations who immediately before the passing of this Act owed any Sum of Money to the said dissolved Companies or to either of them, or to any Person on behalf of the said dissolved Companies or either of them, shall pay the same, together with all Interest, if any, due or to accrue due for the same, to the Company hereby incorporated; and all Monies which immediately before the passing of this Act were due and owing by or recoverable from the said dissolved Companies or either of them, for the Payment of which they or either of them were or but for the passing of this Act would have been liable, shall be paid with all Interest (if any) due or to accrue due thereon, by or be recoverable from the Company hereby incorporated. Effects, &c. vested in the new Company.

VII. And be it enacted, That all Conveyances, Contracts, Agreements, Mortgages, Bonds, Covenants, and Securities made or entered into before the passing of this Act to, with, or in favour of, or by or for the said dissolved Companies or either of them, or any Person on behalf of the said dissolved Companies or of either of them, shall be and remain as good, valid, and effectual in favour of, against, and with reference to the Company hereby incorporated, and may be proceeded Contracts to remain in force.
on

on and enforced in the same Manner to all Intents and Purposes; as if the same Company had been a Party to and executed the same, or had been named or referred to therein instead of the Company actually named therein.

Contracts,
&c. entered
into between
dissolved
Companies
to be valid.

VIII. And be it enacted, That every Agreement, Contract, or Bond before the passing of this Act made, executed, or entered into between, by, or on behalf of the said dissolved Companies or either of them and any Person or Corporation, whereby any Matter in dispute between such dissolved Companies or either of them and such Person or Corporation as last aforesaid shall have been referred or agreed to be referred to the Arbitrament or Determination of any Arbitrator or Umpire, shall be and remain as good, valid, and effectual, in favour of and against and with reference to the Company hereby incorporated, and may be proceeded on and enforced in favour of and against the same Company, in the same Manner to all Intents and Purposes as if the Matter and Dispute thereby referred was Matter in dispute between the Company hereby incorporated and such Person or Corporation as last aforesaid, and as if the same Company had been named or referred to therein, and had been Party to and executed or entered into the same, instead of the Company by or on whose Behalf the same was made, executed, or entered into as aforesaid; and every Award which shall be made under or by virtue of any such Agreement, Contract, or Bond shall be made in favour of or against the Company hereby incorporated, and shall be as binding and effectual to all Intents and Purposes, and may be proceeded upon and enforced in favour of or against the Company hereby incorporated, and in favour of or against any Person with whom the Matter shall be in dispute, in the same Manner in all respects as it would or might have been with reference to the Company by or with whom such Agreement, Contract, or Bond may have been entered into in case this Act had not been passed.

Actions, &c.
not to abate.

IX. And be it enacted, That no Action, Suit, Prosecution, or other Proceeding whatsoever commenced or carried on either by or against the said dissolved Companies or either of them previously to the passing of this Act shall abate or be discontinued or prejudicially affected by this Act, but, on the contrary, the same shall continue and take effect, both in favour of and against the Company hereby incorporated, in the same Manner in all respects as the same would have continued and taken effect in relation to the said dissolved Companies or either of them if this Act had not been passed; and all Penalties incurred by any Offence against the Provisions of the said recited Acts or either of them previously to the passing of this Act shall and may be sued for, and all Offences which may have been committed before the passing of the Act against the Provisions of the said recited Acts or either of them may be prosecuted, in such or the like Manner to all Intents and Purposes as the same might have been sued for and prosecuted respectively if this Act had not passed, the Company hereby incorporated being, in reference to the Matters aforesaid, in all respects substituted in the Place of the said dissolved Companies respectively.

X. And

X. And be it enacted, That every Treasurer, Clerk, Agent, Collector, and other Officer or Servant appointed by virtue of or acting under the Authority of the said recited Acts or either of them, and not acting contrary to the Provisions and Directions in this Act contained, shall hold and enjoy his Office and Employment, together with the Salary or Emolument thereunto annexed, and be respectively deemed an Officer or Servant of the Company hereby incorporated, until he shall be removed therefrom; and every such Treasurer, Clerk, Agent, Collector, and other Officer or Servant shall have the like Power and Authority for the Purposes of this Act, and for carrying the same into execution, and shall be subject and liable to the like Pains and Penalties and to the like Power of Removal, and to the like Rules and Regulations in all respects whatsoever, as if he had been appointed by virtue of this Act.

Treasurer and other Officers to continue until removed, &c.

XI. And whereas the present Capital of the *Oxford and Bletchley Junction Railway Company* consists of the Sum of Five hundred and ninety-five thousand Pounds divided into Shares of the Amount of Seventeen Pounds Ten Shillings each, and the Capital of the *Buckingham and Brackley Railway Company* consists of a Sum of Two hundred thousand Pounds divided into Shares of the Amount of Seventeen Pounds Ten Shillings each: And whereas a further Capital of Four hundred and fifty thousand Pounds will be required for the Construction of the Extension Railways and the Alteration of the Line of the *Oxford and Bletchley Junction Railway* herein-after mentioned; be it enacted, That the Capital of the said *Buckinghamshire Railway Company* shall be the Sum of Twelve hundred and forty-five thousand Pounds divided into Shares of such Amount as the Directors of the said Company shall determine.

Capital of the Company.

XII. And be it enacted, That every Person or Corporation who immediately before the passing of this Act was a Proprietor of One or more Shares in the Capital of the *Oxford and Bletchley Junction Railway* and *Buckingham and Brackley Junction Railway*, or either of them, shall become entitled to a like Number of Shares in the Capital of the Company hereby incorporated, and the remaining Capital and Shares in the said Company shall be vested in the several Corporations and Persons who have subscribed and shall hereafter subscribe for the same, and their respective Successors, Executors, Administrators, and Assigns, proportionably to the Sums by them severally subscribed or to be subscribed.

How Shares to be appropriated.

XIII. And be it enacted, That the new Capital to be raised under the Authority of this Act shall be subject to all the same Provisions with respect to the Allowance of Interest on Calls, the Enforcement of Calls and otherwise, as is provided for by the said recited Act relating to the *Oxford and Bletchley Junction Railway* and the several Acts incorporated therewith.

New Capital to be subject to Provisions of Oxford and Bletchley Act.

XIV. And be it enacted, That as to any of the Shares in the said dissolved Companies, or either of them, upon which at the Time of the passing of this Act Calls have been made and not paid up, it shall be lawful for the Company to call for and to enforce Payment of the

Power to enforce Calls in arrear.

Monies due and to become due upon such Shares, in the same Manner as if such Monies had been called for and required under the Powers in this Act contained or referred to with reference to the Shares hereby created, and the Company and the Directors shall have all such and the same Rights and Remedies for obtaining and enforcing the Payment of such Monies by Forfeiture, Action, or otherwise as are given by the said recited Acts respectively.

Interest not to be paid on Calls paid up.

XV. And be it enacted, That it shall not be lawful for the Company, out of any Money by this Act or any other Act relating to the Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay Interest to any Shareholder on the Amount of the Calls made in respect of the Shares held by him in the Capital by this Act authorized to be raised: Provided always, that nothing herein-before contained shall be deemed to prevent the Company from paying to any Shareholder such Interest on Money advanced by him beyond the Amount of the Calls actually made as shall be in conformity with the Provisions in the Companies Clauses Consolidation Act, 1845, in that Behalf contained.

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

XVI. And be it enacted, That it shall not be lawful for the Company, out of any Money by this Act or any other Act relating to the Company authorized to be raised for the Purposes of such Act or Acts, to pay or deposit any Sum of Money which by any Standing Order of either House of Parliament, now in force or hereafter to be in force, may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing the Company to construct any other Railway or execute any other Work or Undertaking.

Power to borrow Money on Mortgage.

XVII. And be it enacted, That it shall be lawful for the Company to borrow on Mortgage or Bond any Sum not exceeding in the whole the Sum of One hundred and fifty thousand Pounds, in addition to the Sums authorized to be borrowed by the said recited Acts; but no Part of such Sum shall be borrowed until the whole of the said Capital or Sum of Twelve hundred and forty-five thousand Pounds shall have been subscribed for, and One Half thereof shall have been actually paid up.

Mortgages under former Acts to have Priority.

XVIII. Provided always, and be it enacted, That all Mortgages already granted under the Powers of the said recited Acts, or either of them, shall during the Continuance thereof have Priority over any Mortgages to be granted under the Powers of this Act.

Number and Qualification of Directors.

XIX. And be it enacted, That the Number of Directors of the said Company shall be Fifteen, and the Qualification of a Director shall be the Possession in his own Right of Fifty Shares in the Undertaking.

Power to vary Number of Directors.

XX. And be it enacted, That it shall be lawful for the Company from Time to Time to increase or reduce the Number of Directors, provided that the Number of Directors when so increased do not exceed Eighteen, and if reduced be not less than Nine Directors.

XXI. And be it enacted, That Sir *Harry Verney* Baronet, the Honourable *Philip Sidney Pierrepont*, *Zacharias Daniel Hunt*, *Edward Dewes*, *Humphrey Humphreys*, *Timothy Rhodes Cobb*, *Jonathan Samuel Browning*, *George Carr Glyn*, *Joseph Frederick Ledsam*, *Edward Cropper*, *Thomas Smith*, *Constantine Richard Moorson*, *Robert Benson*, *Thomas Young*, and *Ross Donnelly Mangles*, being the Directors of the said dissolved Companies shall be the Directors of the Company hereby incorporated, and shall continue in Office until the first Ordinary Meeting of the Company to be held after the passing of this Act, when it shall not be necessary to re-elect the whole of the said Directors, but such Proportion only as would have gone out by Rotation in case they had been elected in the Year preceding the passing of this Act.

First Directors.

XXII. And be it enacted, That the first Ordinary Meeting of the Company hereby incorporated shall be held within the Space of Three Calendar Months after the passing of this Act.

First General Meeting.

XXIII. And be it enacted, That all Notices required to be given by Advertisement shall be published in One Newspaper published in the County of *Buckingham*, and Two Newspapers published in the County of *Middlesex* or City of *London*.

Newspapers for Advertisements.

XXIV. And whereas Plans and Sections of the said Extension Railways to *Banbury* and *Aylesbury*, and of the Alteration and Deviation into the City of *Oxford*, showing the Lines and Levels thereof, and also Books of Reference thereto containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers of the Lands through which the several Lines and Works are intended to pass, or which may be required to be taken for the Purposes of the Undertaking, have been deposited with the several Clerks of the Peace of the Counties of *Oxford*, *Northampton*, and *Buckingham*; be it enacted, That, subject to the Provisions in this and the Consolidation Acts contained, it shall be lawful for the Company hereby incorporated to make and maintain the said Railways and Works, herein-after more particularly described, in the Line and upon the Lands delineated on the said Plans and described in the said Books of Reference, and according to the Levels defined on the said Sections, and to enter upon, take, and use such of the said Lands as shall be necessary for such Purpose.

Railways to be made according to deposited Plans.

XXV. And be it enacted, That the Line of the Extension Railway to *Banbury* shall commence by a Junction with the Line of the *Buckingham and Brackley Junction* Railway as authorized to be made near the Termination thereof in the Parish of *Saint James Brackley* in the County of *Northampton*, and near the South or South-western Side of the Turnpike Road leading from *Brackley* to *Oxford*, and shall terminate near the Town of *Banbury* in the Parish of *Warkworth* in the County of *Northampton*, at or near the Southern Side of the Highway from *Warkworth* to *Banbury*, and near the Point where the same Highway joins the Turnpike Road from *Brackley* to *Banbury*, and also by a Junction with the Line of the *Oxford and Rugby* Railway as authorized to be made in the Parish of *Warkworth*,

Line of Railway to Banbury.

at

at the proposed Station of such last-mentioned Railway in a Field adjoining and on the near Side of the same Highway from *Warkworth* to *Banbury*.

Line of
Railway to
Aylesbury.

XXVI. And be it enacted, That the Line of the Extension Railway to *Aylesbury* shall commence by a Junction with the said Line of the *Buckingham and Brackley Junction* Railway in the Parish of *Middle Claydon* in the County of *Buckingham*, near its Intersection with the authorized Line of the *Oxford and Bletchley Junction* Railway in a Field numbered 9, in the Parish of *Middle Claydon*, on the Plans of the said last-mentioned Railway deposited with the Clerks of the Peace for the Counties of *Oxford* and *Buckingham* mentioned in the said secondly-recited Act, and shall terminate in the Parish of *Aylesbury* in the County of *Buckingham* by a Junction with the *Aylesbury* Railway at a Distance of about Three Furlongs from its Termination there.

Alteration
and Devia-
tion into
Oxford.

XXVII. And be it enacted, That the Deviation in or Alteration of the Line of the *Oxford and Bletchley Junction* Railway as at present authorized to be made shall commence in the Hamlet of *Water Eaton* in the Parish of *Kidlington* or Extra-parochial Place of *Cutslow* in the County of *Oxford*, at about One Mile and Four Furlongs from the intended Termination at *Oxford* of such Railway as shown on the Plans thereof referred to in the said first-recited Act, and shall terminate in the Parish of *Saint Giles* in the said County of *Oxford* in a Field belonging to the President and Scholars of *Saint John's College Oxford*, in lease to the Duke of *Marlborough*, and occupied as Garden Ground, near the *Horse and Jockey* Inn and on the West Side of the *Oxford and Woodstock* Turnpike Road.

Power to
abandon
Part of Line.

XXVIII. And be it enacted, That the Company shall abandon so much of the Line of the *Oxford and Bletchley Junction* Railway authorized to be made by the said first-recited Act as lies between the Point where the Alteration or Deviation herein-before described commences and the Termination of the said authorized Line in or near the City of *Oxford*.

Power to
cross certain
Roads on
the Level.

XXIX. And be it enacted, That in making the said Railway by the said recited Acts or by this Act authorized it shall be lawful for the Company to construct the same across and on the Level of the several Roads mentioned in the said recited Acts or either of them, and thereby allowed to be crossed on a Level, and also the following Roads; (that is to say,)

On the *Aylesbury* Extension—

The Road numbered 20 on the said Plans in the Parish of *Aylesbury* :

The Road numbered 5 on the said Plans in the Parish of *Quarrington* :

The Road numbered 6a on the said Plans in the Parish of *Pitchcott* :

The Road numbered 9 on the said Plans in the Parish of *East Claydon* :

The Road numbered 14A on the said Plans in the said Parish of *East Claydon* :

On the *Banbury* Extension—

The Road numbered 1A on the said Plans in the Parish of *St. James's, Brackley*.

XXX. And

XXX. And be it enacted, That for the greater Convenience and Security of the Public the Company shall erect and permanently maintain either a Station or Lodge at the Points where the said Railway crosses the before-mentioned Roads on the Level, and the said Company shall be subject to and abide by all such Rules and Regulations with regard to the crossing of such Roads on the Level, or with regard to the Speed at which Trains shall pass such Roads, as may from Time to Time be made by the Commissioners of Railways; and if the said Company shall fail to erect or at all Times maintain any such Station or Lodge, or appoint a proper Person to watch or superintend the crossing at any such Point or Station, or to observe or abide by any such Rule or Regulation as aforesaid, they shall for every such Offence be liable to a Penalty of Twenty Pounds, and also to a daily Penalty of Ten Pounds for every Day such Offence shall continue after such Penalty of Twenty Pounds shall have been incurred.

Company to erect a Station or Lodge at Points of crossing, and to abide by Regulations of Commissioners of Railways.

XXXI. And be it enacted, That in making the said Railway through the Lands of the President and Scholars of *Saint John's College Oxford*, in the Parish of *Saint Giles* in the Suburbs of the City of *Oxford*, it shall not be lawful for the Company to deviate to the Westward of the Line of Railway laid down upon the said Plans, without the Consent in Writing of the said President and Scholars, any thing in this or the said recited Act to the contrary notwithstanding.

Company not to deviate to the Westward in Lands of St. John's College Oxford.

XXXII. And be it enacted, That the Quantity of Land to be taken by the Company for extraordinary Purposes shall not exceed Thirty Acres over and beyond the Quantity of Land allowed to be taken for such Purposes by the said recited Acts.

Lands for extraordinary Purposes.

XXXIII. And be it enacted, That the Powers of the Company for the compulsory Purchase of Lands for the Purposes of the Extension Railways and Deviation authorized by this Act shall not be exercised after the Expiration of Three Years from the passing of this Act.

Period for compulsory Purchase of Lands.

XXXIV. And be it enacted, That after the Expiration of Five Years from the passing of this Act all the Powers hereby granted to the Company for making the said Extension Railways or otherwise in relation thereto shall cease to be exercised, except as to so much of the same as shall then be completed.

Period for Completion of Railway, &c.

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

Tolls.

In respect of the Tonnage of all Articles conveyed thereon or upon any Part thereof, and included within the following Classes:

Tonnage on Articles of Merchandize.

Class 1. For all Compost, Dung, and all Sorts of Manure, Lime and Limestone, and all undressed Materials for the Repair of 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; and if propelled by an Engine belonging to the Company, a further Sum *per Ton per Mile* not exceeding One Penny:

[Local.]

37 S

Class

Class 2. 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 One Penny Halfpenny; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding One Halfpenny; and if propelled by an Engine belonging to the Company, a further Sum *per Ton per Mile* not exceeding One Penny:

Class 3. For all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timbers, 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; and if propelled by an Engine belonging to the Company, a further Sum *per Ton per Mile* not exceeding One Penny:

Class 4. 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 if propelled by an Engine belonging to the Company, a further Sum *per Ton per Mile* not exceeding One Penny:

Class 5. 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, *per Mile* not exceeding Five-pence; and if any such Carriage be conveyed on a Truck or Platform belonging to the Company, an additional Sum *per Mile* not exceeding Two-pence; and if propelled by an Engine belonging to the Company, a further Sum *per Mile* not exceeding Two-pence, and the Sum of One Penny Halfpenny *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 not exceeding One Halfpenny *per Mile* for every additional Quarter of a Ton, or fractional Part of a Quarter of a Ton; and if propelled by an Engine belonging to the Company, a further Sum not exceeding One Halfpenny *per Mile* for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton.

Tolls for
Animals.

In respect of Animals conveyed in Carriages upon the Railway as follow:

Class 6. 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 *per Mile* not exceeding One Penny; and if such Carriage be propelled by an Engine belonging to the said Company, an additional Sum *per Mile* not exceeding Two-pence:

Class

Class 7. For every Calf or Pig 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 *per* Mile not exceeding One Farthing; and if propelled by an Engine belonging to the Company, an additional Sum *per* Mile not exceeding One Penny:

Class 8. For every 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 *per* Mile not exceeding One Farthing; and if propelled by an Engine belonging to the Company, an additional Sum *per* Mile not exceeding One Halfpenny.

In respect of Passengers conveyed in Carriages upon the Railway as follows: Tolls for Passengers.

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 *per* Mile not exceeding One Halfpenny; and if propelled by an Engine belonging to the Company, an additional Sum *per* Mile not exceeding One Halfpenny.

XXXVI. 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 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 and Charges as for One Mile:

For a Fraction of a Ton the Company may demand Toll according to the Numbers 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 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.

XXXVII. 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,) Tolls for small Parcels and Articles of great Weight.

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 may 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:

For

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 any Sum not exceeding Sixpence *per Ton per Mile*; and if conveyed in or upon a Carriage belonging to the Company, an additional Sum *per Ton per Mile* not exceeding Four-pence; and if propelled by an Engine belonging to the Company, a further Sum *per Ton per Mile* not exceeding Three-pence:

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

Maximum
Rates of
Charges for
Passengers.

XXXVIII. And be it enacted, That the maximum Rate of Charges 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, except Government Duty, 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*.

Maximum
Charges for
Goods and
Animals.

XXXIX. Provided always, and be it enacted, That the maximum Rate of Charge to be made by the Company, including the Tolls for the Use of the Railway and of Carriages, and for locomotive Power, and every other Expence incidental to such Conveyance, (except a reasonable Expence for covering, loading, and unloading of Goods, when such Service is performed by the Company,) shall not exceed the Amounts mentioned in the following Table; (that is to say,)

For the Matters herein-before mentioned under Class 1, not exceeding One Penny Halfpenny *per Ton per Mile*:

For the Matters mentioned under Class 2, not exceeding Two-pence *per Ton per Mile*:

For the Matters mentioned under Class 3, not exceeding Three-pence *per Ton per Mile*:

For the Matters mentioned under Class 4, not exceeding Four-pence *per Ton per Mile*:

For any Carriage mentioned under Class 5, not weighing more than One Ton, not exceeding Seven-pence *per Mile*; and if weighing more than One Ton, not exceeding Two-pence *per Mile* for every Quarter of a Ton or fractional Part of a Quarter of a Ton above One Ton:

For every Thing mentioned under Class 6, not exceeding Five-pence *per Mile*:

For every Thing mentioned under Class 7, not exceeding One Penny *per Mile*:

For every Thing mentioned under Class 8, not exceeding Three Farthings *per Mile*.

XL. And

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

Passengers
Luggage.

XLI. Provided always, and be it enacted, That the Restriction as to the Charges to be made for Passengers shall not extend to any special or extra Train that may be required to be run upon the said Railway, but shall only apply to the ordinary Trains appointed or to be appointed from Time to Time by the said Company for the Conveyance of Passengers and Goods upon the said Railway.

Restriction
as to the
Charges not
to apply to
Special
Trains.

XLII. And whereas the *London and North-western* Railway Company are willing to subscribe to the Undertaking for the Purposes of the Extension Railways, Alteration, Deviation, and Works hereby authorized to be made; be it therefore enacted, That it shall be lawful for the said *London and North-western* Railway Company, subject to the Provisions herein-after contained, to subscribe towards and become Shareholders in the Railways, either in their own Name or in the Names or Name of Person or Persons to be appointed by them, to the Extent of Four hundred and fifty thousand Pounds or to any less Extent.

Empowering
London and
North-west-
ern Railway
to subscribe
to the Un-
dertaking;

XLIII. And be it enacted, That for such Purpose it shall be lawful for the said *London and North-western* Company to raise all or any Part of the Money so agreed to be subscribed by them as aforesaid by the Creation of new Shares of Stock in the Undertaking of the said *London and North-western* Railway, of such Amounts and under such Conditions, and particularly as to the Dividends thereon, whether the same shall be fixed or rateable, and as to the Right of voting and other Privileges to be conferred on the Holders of such Shares or Stock, as the said *London and North-western* Railway Company, at any Special General Meeting of the Proprietors thereof to be convened for the Purpose, shall determine; or it shall be lawful for the said Company, if they think fit, to raise the Sum agreed to be subscribed by them, or any Portion thereof, by Mortgage of their Undertaking, in like Manner and under and subject to the same Provisions as the said Company is by all or any of the Acts relating to such Undertaking authorized to raise Money by Mortgage of the Credit thereof; provided always, that the said last-mentioned Company shall not by such Means increase the Amount which may be owing at any One Time on Mortgage of their Undertaking beyond the Proportion of One Third of their existing Capital, or raise any Money by Mortgage until the whole additional Capital be subscribed, and One Half thereof paid up.

and to raise
Funds for
that Purpose.

XLIV. And be it enacted, That it shall be lawful for the said *London and North-western* Railway Company from Time to Time so long as they shall hold Shares in the said Company by Writing, either under the Common Seal or under the Hand of the Chairman for the Time being of the Directors of the same Company, or under the

London and
North-west-
ern Railway
Company
may appoint
some Person
to vote.

[Local.]

37 T

Hands

Hands of any Three of such Directors, to nominate some Person, whether a Shareholder or not in the Company hereby incorporated, to vote on behalf of the *London and North-western* Railway and otherwise represent the same Company at any Meeting of the Company hereby incorporated; and such Nominee shall accordingly have and exercise the Right of voting at such Meeting on behalf of the said *London and North-western* Railway Company to the Extent in which such Right of voting is hereby conferred on them; and every such Appointment, unless specially restricted to any particular Meeting or Meetings, or Question or Questions, shall continue in force, with reference to the Meetings from Time to Time of the Company hereby incorporated, until such Appointment shall have been expressly revoked by a like Writing, or by a subsequent Appointment of some other Person to vote on behalf of and represent the said *London and North-western* Railway Company: Provided always, that the Right of voting shall not be exercised by or on behalf of the said *London and North-western* Railway Company upon or in relation to any Sale or Agreement for Sale of the Railway and Works by the said recited Acts hereby authorized to be made to which the *London and North-western* Railway Company may be Parties.

Appoint-
ment of No-
minee to be
transmitted
to the Secre-
tary.

XLV. And be it enacted, That every such Instrument of Appointment of a Nominee of the *London and North-western* Railway Company shall be delivered or transmitted to the Secretary of the Company hereby incorporated Three clear Days at least before the Time appointed for holding the Meeting or the first Meeting at which the Right of voting thereby delegated is to be exercised.

Certain
Provisions of
recited Acts
as to Con-
struction,
Lease, and
Sale of Rail-
way, &c.
extended to
this Act.

XLVI. And be it enacted, That all the Provisions in the said recited Acts respectively contained with reference to the Construction by the *London and North-western* Railway Company, and of leasing to and the Use by the same Company of the Railways and Works thereby authorized to be made, and the providing of Engines, Carriages, and other locomotive Establishment to work the same, shall extend and apply to the Railways and Works by this Act authorized to be made, in the same Manner and as fully and effectually as if the same Provisions were repeated and re-enacted in this Act; and that for the Purposes of such locomotive Establishment it shall be lawful for the said *London and North-western* Railway Company to raise the Sum of Twenty thousand Pounds in the same Manner as and in addition to the Two Sums of Fifty thousand Pounds by the said recited Acts authorized to be raised for the like Purposes; and that the Powers and Provisions in the said Acts contained for selling to the said *North-western* Railway Company the Railway and Works thereby authorized to be made, and for raising such further Sums as may be necessary for the Purposes thereof, and for keeping Accounts, and for the Appointment and Duties of Auditors, and for Payment over to the said *London and North-western* Railway Company of such Sums of Money as they shall expend or become liable to in the Execution of the Works of the said Railways, or raising by Mortgage all or any Part thereof, shall also extend and apply to the Railways and Works by this Act authorized to be made, in the same Manner and as fully and effectually as if such Powers and Provisions

were repeated and re-enacted in this Act with reference to the Railways and Works hereby authorized to be made.

XLVII. Provided always, and be it enacted, That it shall not be lawful for the Company, by virtue of the Powers herein-before contained, to sell, demise, or lease, nor for the said *London and North-western* Railway Company to purchase, enter into, or accept a Lease of the Railway and Works by this Act authorized to be made, unless it shall have been proved to the Satisfaction of the Commissioners of Railways, and certified by them under their Seal, previously to the Completion of such Sale or Execution of such Lease, that One Half of the whole Amount of the Capital, exclusive of Loans by the Act or Acts relating to each of the said Companies authorized to be raised, has been actually paid up and expended for the Purposes authorized by such Act or Acts respectively.

Powers of Sale, &c. not to be exercised without Certificate of Commissioners of Railways.

XLVIII. And be it enacted, That it shall not be lawful for the said *London and North-western* Railway Company, out of any Money by this Act or any other Act relating to the same Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay Interest to any Shareholder on the Amount of the Calls made in respect of the Shares held by him in the Capital by this Act authorized to be raised by the *London and North-western* Railway Company: Provided always, that nothing herein-before contained shall be deemed to prevent the same Company from paying to any Shareholder such Interest on Money advanced by him beyond the Amount of the Calls actually made as shall be in conformity with the Provisions in the Companies Clauses Consolidation Act, 1845, in that Behalf contained.

Interest not to be paid by London and North-western Railway Company on Calls paid in respect of this Act.

XLIX. And be it enacted, That nothing contained in this Act or in the Acts herein recited, or in the Consolidation Acts incorporated herewith, shall extend to authorize the Company to purchase, take, or use any Land or Soil, or any Rights in respect thereof, belonging to Her Majesty in right of Her Crown, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, or any Two of them, first had and obtained for that Purpose, and which such Commissioners, or any Two of them, are hereby authorized and empowered to give, or to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in or enjoyed by Her Majesty, Her Heirs or Successors.

Saving the Rights of the Crown.

L. 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*

Railway Company to be subject to Provisions of 1 & 2 Vict. c. 98., 3 & 4 Vict. c. 97., 5 & 6 Vict. c. 55., 7 & 8 Vict. c. 85., and 9 & 10 Vict. of cc. 57. & 105.

of the present or succeeding Sessions of Parliament, and for other Purposes in relation to Railways; and Two other Acts passed in the Ninth and Tenth Years of the Reign of Her said Majesty, respectively intituled *An Act for regulating the Gauge of Railways*, and *An Act for constituting Commissioners of 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.

Railways
subject to
Provisions of
any future
general Act.

LI. And be it enacted, That nothing herein contained shall be deemed or construed to exempt the Railways by this or the said recited Acts authorized to be made from the Provisions of any general Act relating to such Acts, or of any general Act relating to Railways, now in force or which may hereafter pass during this 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 to be taken by this Act.

Interpreta-
tion of Act.

LII. And be it enacted, That in this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

Words importing the Singular Number shall include the Plural Number, and Words importing the Plural Number shall include the Singular Number:

Words importing the Masculine Gender shall include Females:

The Expression "the Railways," and "the said Railways," shall mean, extend to, and include the Line of the *Oxford and Bletchley Junction* Railway, authorized to be made by the said first-recited Act, with such Alterations and Deviations therein as are authorized to be made by this Act, also the Line of the *Buckingham and Brackley Junction* Railway authorized to be made by the said secondly-recited Act, and the Extensions or Branches therefrom to *Banbury* and *Aylesbury* authorized to be made by this Act:

The Expression "the Company" shall mean "the *Buckinghamshire* Railway Company" hereby incorporated.

Public Act.

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