



ANNO UNDECIMO & DUODECIMO

# VICTORIÆ REGINÆ.

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## *Cap. cxxx.*

An Act for enabling the *London and North-western Railway Company* to make a Branch Railway from the *Coventry and Nuneaton Line* in the Parish of *Exhall* to the *Craven Colliery*, and another Branch Railway from the same *Coventry and Nuneaton Line* at *Bedworth* to the *Mount Pleasant Colliery*, to construct a new Approach Road to the Station of the *London and North-western Railway* at *Tamworth*, and to enlarge the *Rugby Station* of the last-mentioned Railway, all in the County of *Warwick*; and for other Purposes.

[14th August 1848.]

WHEREAS an Act was passed in the Session held in the Ninth and Tenth Years of the Reign of Her present Majesty, intituled *An Act to consolidate the London and Birmingham, Grand Junction, and Manchester and Birmingham Railway Companies*, which consolidated Company is thereby incorporated under the Name of the *London and North-western Railway Company*:  
[Local.] 19 R And 9 & 10 Vict. c. 204.

9 & 10 Vict.  
c. 331.

And whereas another Act was passed in the Tenth Year of the Reign of Her present Majesty, intituled *An Act to empower the London and Birmingham Railway Company to make a Branch Railway from Coventry to Nuneaton*, the Powers and Authorities of which said last-mentioned Act are now vested in the *London and North-western Railway Company*: And whereas it would be attended with public and local Advantage if a Branch Railway were formed diverging from the Branch Line of the *London and North-western Railway* between *Coventry* and *Nuneaton*, as at present authorized, in the Parish of *Exhall* in the County of *Warwick*, and terminating at or near to a certain Colliery in the Parish of *Wyken* in the same County called the *Craven Colliery*, and if another Branch Railway were formed diverging from the said Branch Line of the *London and North-western Railway* between *Coventry* and *Nuneaton* in the Parish of *Bedworth* in the said County of *Warwick* near to the Town of *Bedworth*, and terminating in the said Parish of *Bedworth* at or near a certain Colliery called *Mount Pleasant Colliery*, and if a new Approach Road to the Station of the *London and North-western Railway* at *Tamworth* were made, and if the *Rugby Station* of the last-mentioned Railway were enlarged, and if the Approaches thereto and Conveniences connected therewith were improved; and the said *London and North-western Railway Company* are willing to construct the said proposed Branches and Works, but the same 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 all the Provisions of the said recited Acts relating to the *London and North-western Railway*, so far as the same are or may be applicable, and are now in force, and except such of them as are contrary to the Provisions of the "Railways Clauses Consolidation Act, 1845," and the "Lands Clauses Consolidation Act, 1845," and are by this Act repealed, altered, or otherwise provided for, shall extend to this Act, and to the several Purposes thereof, and to the several Matters and Things hereby authorized to be done, as fully and effectually as if the said Provisions were re-enacted in this Act in reference to such Purposes, Matters, and Things; and the said last-mentioned Acts and this Act shall be construed and read together as forming One Act.

Certain Provisions of recited Acts extended to this Act.

Provisions of 8 & 9 Vict. cc. 18. & 20. applied to this Act.

II. And be it enacted, That the Provisions of the "Railway Clauses Consolidation Act, 1845," and of the "Lands Clauses Consolidation Act, 1845," shall, so far as the same are applicable, and are not modified by this Act, or inconsistent with the Provisions thereof, be held to apply to this Act, and shall be read and construed as forming Part of this Act.

Short Title.

III. And be it enacted, That in citing this Act in other Acts of Parliament, and legal Documents of every Description, it shall be sufficient to use the Expression "The *London and North-western Railway Branches Act, 1848.*"

IV. And



IV. And be it enacted, That, subject to the Provisions of this Act and of the said recited Acts and of the "Railway Clauses Consolidation Act, 1845," and the "Lands Clauses Consolidation Act, 1845," as extended to this Act, it shall be lawful for the said *London and North-western* Railway Company to make and maintain a Railway or Branch Railway, with all proper Works and Conveniences connected therewith, commencing and diverging from the Branch Line of the *London and North-western* Railway between *Coventry* and *Nuneaton* in the Parish of *Exhall* in the County of *Warwick*, and terminating in the Parish of *Wyken* in the same County at or near a certain Colliery called the *Craven* Colliery in the last-mentioned Parish; and also another Branch Railway diverging from the Branch Line of the *London and North-western* Railway between *Coventry* and *Nuneaton* as at present authorized to be made in the Parish of *Bedworth* in the said County of *Warwick* near to the Town of *Bedworth*, and terminating in the said Parish of *Bedworth* at or near a certain Colliery called *Mount Pleasant* Colliery; and also to make and maintain a new Approach Road to the Station of the said last-mentioned Company at *Tamworth* in the County of *Warwick*, with all necessary Works and Conveniences connected therewith, commencing at a Place or Street called *Gungate* in the Parish of *Tamworth* aforesaid and Township of *Bolehall*, or one of them, and terminating at the Station of the said *London and North-western* Railway Company in the said Parish of *Tamworth* and Township of *Bolehall*, or one of them, all in the same County of *Warwick*; and also to construct and maintain additional Works at or near the *Rugby* Station of the said last-mentioned Railway, for the Enlargement of the said Station and the Works connected therewith, and for making better Approaches thereto and Conveniences connected therewith, in the Parish of *Rugby* in the said County of *Warwick*.

Power to  
Company to  
construct  
certain  
Branch Rail-  
ways and  
Works.

V. And whereas Plans and Sections showing the Lines and Levels of the said proposed Branch Railways, Approaches, Enlargements, and Works hereby authorized to be made and constructed, together with Books of Reference to the said Plans containing the Names of the reputed Owners, Lessees, and Occupiers of the Lands which may be required to be taken for the Purposes aforesaid, have been deposited with the Clerk of the Peace for the County of *Warwick*: Be it therefore enacted, That, subject to the Provisions of this Act, and of "The Lands Clauses Consolidation Act, 1845," and of "The Railway Clauses Consolidation Act, 1845," it shall be lawful for the said Company to make and maintain such Branch Railways, Approaches, Enlargements, and Works in the Lines and to the Extent and in the Course shown on the said Plans deposited as aforesaid, and on the Levels described on the said Sections, and to construct all proper Works, Stations, Approaches to Stations, and Conveniences connected with such Branch Railways, Enlargements, and other Works, upon the Lands delineated on the said Plans and referred to in the said Books of Reference deposited as aforesaid, and to enter upon, take, and use such of the said Lands as may be requisite for the Purposes of this Act.

Railways  
and Works  
to be made  
according to  
deposited  
Plans.

VI. And



Certain  
Roads may  
be crossed on  
the Level.

VI. And be it enacted, That, subject to the Provisions in "The Railway Clauses Consolidation Act, 1845," contained, in reference to the crossing of Roads on the Level, it shall be lawful for the Company; in the Construction of the Railways by this Act authorized to be made, to carry the same across the several Turnpike Roads and Highways herein-after mentioned on the Level thereof; (that is to say,)

On the Branch to the *Craven* Colliery in the Parish of *Foleshill* the Road numbered Six on the said Plans, in the Parish of *Sowe* the Turnpike Road numbered One on the said Plans, and in the said Parish of *Sowe* the Road numbered Thirty-one on the said Plans, and in the Parish of *Wyken* the Road numbered Five on the said Plans :

On the Branch to *Mount Pleasant* Colliery in the Parish of *Bedworth* the Road numbered Eight on the said Plans.

Company to  
provide  
Stations or  
Lodges at  
level Cross-  
ings, and  
abide by  
Rules, &c.  
of Commis-  
sioners of  
Railways.

VII. 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 each Point where the said Railway shall cross on the Level of any of the before-mentioned Roads ; and the said Company shall be subject to and shall 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 to 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.

Land for  
extraordinary  
Purposes,

VIII. And be it enacted, That it shall be lawful for the Company to purchase, with the Consent of the Owners and Occupiers thereof, any Quantity of Land for extraordinary Purposes, connected with the Railways and Works by this Act authorized, not exceeding Thirty Acres.

Period for  
compulsory  
Purchase of  
Lands  
limited.

IX. And be it enacted, That the Powers of the Company for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Five Years from the passing of this Act.

Period for  
Completion  
of the Works.

X. And be it enacted, That the Railways and Works by this Act authorized shall be completed within Seven Years from the passing of this Act, and on the Expiration of such Period the Powers by this Act, or the Acts incorporated herewith or extended hereto, granted to the Company for executing the same Railways and Works, or otherwise in relation thereto, shall cease to be exercised, except as to so much of such Railways and Works as shall then have been completed, and except such Powers as are by the same Acts or any of them declared to be continued for a longer Period.

XI. And

XI. And be it enacted, That when the said Railways and Works, or any Part thereof, shall be completed, the same shall form Part of the *London and North-western* Railway, and shall be subject to all the Provisions in the said recited Acts contained with reference to the Maintenance, Use, or Protection of the said *London and North-western* Railway, save so far as the said Provisions may be modified by this Act.

Railways to form Part of *London and North-western* Railway.

XII. And be it enacted, That the Company may, subject to the Provisions in the said recited Acts contained, lawfully demand and receive, in respect of the Railways and Works hereby authorized to be made, for and in respect of all Articles, Matters, and Things conveyed upon the same or any Part thereof respectively, and in respect of all Passengers, Beasts, Cattle, and Animals conveyed in Carriages, and for Carriages conveyed on the same or any Part respectively; and for and in respect of locomotive Engines or other Powers supplied by the Company, and for the Conveyance upon the said Railways and Works or any Part thereof respectively of any Passenger, Cattle or other Animals, Goods, Wares, Merchandize, Articles, Matters, and Things, such Amount of Rates, Tolls, or other Charges as by the said recited Acts the Company are authorized to demand and receive in respect of the *London and North-western* Railway and the Works thereof; and all Provisions and Regulations in the said recited Acts contained relative to the Imposition, Collection, and Recovery of Tolls and Charges shall extend and be applicable to the Tolls and Charges to be levied by virtue of this Act.

Company to take the same Toll as on the *London and North-western* Railway.

XIII. And whereas the estimated Expense of the Works by this Act authorized is Thirty-four thousand Pounds: Be it enacted, That it shall be lawful for the said Company, at any Extraordinary Meeting or Meetings of the said Company, to raise, for the Purposes of the before-mentioned Railways and Works, by the Creation of new Shares or Stock, bearing, if the Company shall think fit, a guaranteed Dividend of such Amount as the Company may appoint not exceeding Six Pounds *per Centum per Annum*, which Sum shall be applicable only to the Objects and Purposes by this Act authorized, any Sum or Sums of Money not exceeding in the whole the Sum of Thirty-four thousand Pounds: Provided always, that any Guarantee of Dividend which may be granted in respect of such new Shares or Stock in pursuance hereof shall not prejudice or affect any Guarantee of Dividend or Interest which may have been granted by or in pursuance of any Act of Parliament passed prior to the Date of this Act: Provided always, that all and every Part of such Sum of Money so to be raised shall be applicable only to the Objects and Purposes by this Act authorized.

Power to raise Money by Creation of new Shares.

XIV. Provided always, and be it enacted, That Five Pounds *per* Share shall be the greatest Amount of any One Call which the Company may make on the Shareholders in respect of the Money by this Act authorized to be raised, and Three Months at the least shall be the Interval between successive Calls.

Calls.



Power to  
borrow  
Money on  
Mortgage.

XV. And be it enacted, That after the whole of the Capital in Shares or Stock by this Act and the said recited Acts limited or authorized to be raised shall have been subscribed for, and One Half thereof paid up, it shall be lawful for the Company to borrow on Mortgage such Sums of Money as shall from Time to Time be authorized to be borrowed by Order of a General Meeting of the Company, not exceeding in the whole, in addition to the Sums authorized to be borrowed by the said recited Acts, the Sum of Eleven thousand Pounds, and to secure the Payment of the Sums so to be borrowed, with Interest, by Mortgage of the Undertaking, as by the said recited Acts provided, and subject to the several Provisions therein contained as applicable to the Monies thereby authorized to be raised on Mortgage or Bond, and the Securities thereby authorized to be granted in respect of the same: Provided always, that all and every Part of such Sum of Money so to be borrowed, shall be applicable only to the Purposes by this Act authorized.

Old Mort-  
gages, &c. to  
have Priority.

XVI. Provided always, and be it enacted, That all Mortgages and Bonds, or Guarantees of Interest or Dividends on Shares or Stock, made or granted by the Company before the passing of this Act, and which shall be in force at the Time of the passing of this Act, shall during the Continuance of such Mortgages and Bonds respectively have Priority over any Security or Guarantees of Interest or Dividends on such new Shares or Stock respectively to be granted under the Powers of this Act.

Interest not  
to be paid on  
Calls paid up.

XVII. And be it enacted, That it shall not be lawful for the said Company, out of any Money by this Act or any other Act relating to the said 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 contained shall be deemed to prevent the said 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.

XVIII. And be it enacted, That it shall not be lawful for the said Company, out of any Money by this Act or any other Act relating to the said 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 of Parliament, for the Purpose of obtaining an Act authorizing the said Company to construct any other Railway or execute any other Work or Undertaking.

Saving the  
Rights of the  
Crown.

XIX. And be it enacted, That nothing contained in this Act, or in the Acts herein recited or referred to, 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,



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.

XX. And whereas the said Railway or Branch Railway diverging from the Branch Line of the *London and North-western* Railway between *Coventry* and *Nuneaton* as at present authorized in the Parish of *Exhall* in the County of *Warwick*, and terminating at or near to a certain Colliery in the Parish of *Wyken* in the same County called the *Craven* Colliery, is intended to pass over and near the Line of the *Coventry* Canal Navigation, and it is expedient to make the following Provisions in consequence thereof: Be it therefore enacted, That, except as hereby expressly authorized, nothing in this Act contained shall take away, diminish, alter, prejudice, or affect any of the Rights and Privileges, Powers or Authorities vested in the Company of Proprietors of the said *Coventry* Canal Navigation, or authorize or empower the said Railway Company to interfere with or alter the Line or Level of the said Canal, or the Towing Path thereto, or any Part or Parts thereof respectively, further than may be occasioned by the building of the Bridge which shall be required for carrying the said intended Railway over the said Canal, and then subject to the Provisions and Restrictions herein-after contained relating thereto, or to obstruct the Navigation of the said Canal or any Part thereof, or to divert any of the Waters therein, or take away any which now supply the said Canal, or to injure any of the Works of the said Canal, further than is herein provided; and it shall not be lawful for the said Company to make any Deviations from the Course or Direction of the said Railway as delineated in the Maps or Plans of the said Railway deposited with the Clerks of the Peace of the County through which the said Railway is intended to pass which shall cause any Diver- sion or Alteration of the Line of said *Coventry* Canal Navigation, without the Consent of the said Company of Proprietors of the said *Coventry* Canal Navigation, under their Common Seal, first had and obtained.

Not to inter-  
fere with  
Coventry  
Canal Navi-  
gation.

XXI. And be it enacted, That in carrying the said Railway or Branch Railway over the *Coventry* Canal Navigation the said Rail- way Company shall and they are hereby required, at their own Expense, to make, and at all Times for ever thereafter to maintain and keep in perfect Repair, a good and substantial Bridge or good and substantial Bridges over the said Canal and the Towing Path thereto, with proper Approaches, and the Span of the said Bridge or Bridges between the Abutments thereof shall not be less than Twenty-six Feet in the clear, allowing Sixteen Feet for the Width of the Canal at Surface Level, Eight Feet for the Width of the Towing Path, and Two Feet for the Width of the Off-side Benching, and that the Soffit of the Arch, for a Space of Twenty Feet in the Centre of the Opening, shall be at least Ten Feet from the Surface Water of the said Canal, and the Abutments of all the said Bridges and

Company to  
erect Bridge  
over Covent-  
ry Canal.



and the Walls of the Waterways shall be made parallel with the Line of the Canal at the respective Places where the said Bridges or Walls shall be respectively made; and in case of any imperfect Construction or Want of Repair to the said Bridge or Bridges or any Part thereof, or the Approaches, Slopes, Sides, or Banks of the said Railway next the said *Coventry* Canal, or any of them, or any Part thereof, other than and except arising from any Act or Default of the said Company of Proprietors of the *Coventry* Canal Navigation, or in case the Ground on which the said intended Bridge or Bridges over the same Canal shall be built shall sink or subside so as to bring the Soffit of the Arch of the same Bridge or Bridges for the Space of Twenty Feet in the Centre of the Opening to within a less Distance than Ten Feet of the Surface Water of the said Canal, and Notice thereof in Writing being given by any Agent of the said Company to the said Railway Company, or their Treasurer, Engineer, or Clerk, if the said Railway Company shall not for the Space of Fourteen Days after the Service of such Notice commence such Repairs, and complete the same with all reasonable Expedition, or if they shall not, within the like Space of Fourteen Days after the Receipt of such Notice, begin to and within a reasonable Time raise the Abutments of the said Bridge or Bridges, or to make and execute such other Works as may be required to raise the Centre of the Opening of such Bridge or Bridges so as to preserve the said Distance of Ten Feet between the Surface Water of the said Canal and the Soffit of the Arch of the same Bridge or Bridges for the said Space of Twenty Feet in the Centre, it shall be lawful for the said Company of Proprietors of the said Canal Navigation from Time to Time to make all such Repairs, and to raise the Abutments of the said Bridge or Bridges, and to do and execute such other Works as may be necessary to preserve the said Distance of Ten Feet between the Surface Water of the said Canal and the Soffit of the Arch of the said Bridge or Bridges for the said Space of Twenty Feet in the Centre thereof; and all the Expenses thereof shall be repaid by the said Railway Company to the said Canal Company within Fourteen Days after Demand in Writing served upon the Treasurer or Clerk of the said Railway Company, and in default of such Payment such Expenses may be sued for and recovered by the said Company of Proprietors of the said Canal Navigation, together with 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*.

Canal not to be obstructed during building or repairing Bridge over the same.

XXII. And be it enacted, That during the Erection of the said Bridge or Bridges, and at all future Times during any Repairs thereof or otherwise, a clear Waterway of not less than Ten Feet in Width, a Towing Path of not less than Six Feet in Width, and a clear Height of not less than Nine Feet from the Surface of the Water, shall be left for the Navigation of the said Canal.

Penalty on Company obstructing the *Coventry* Canal Navigation.

XXIII. 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 Bridge or Bridges, or if by any Act or Omission of the said Railway Company, or any of their Agents, Servants, or Workmen, the said *Coventry* Canal



Canal Navigation or the Towing Path thereof shall be so obstructed as that Boats, Barges, and other Vessels navigating or using the same cannot pass, or shall be delayed in the Passage along the same, then and in either of the said Cases the said Railway Company shall pay to the said Company of Proprietors of the *Coventry Canal Navigation*, as or by way of ascertained Damages or Loss of Tolls, the Sum of One hundred Pounds for every Twenty-four Hours during which such Obstruction shall continue on the said Canal, 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 within Seven Days after Demand in Writing made to the Treasurer or Clerk of the said Railway Company, the said Company of Proprietors of the *Coventry Canal Navigation* may sue for and recover the same, 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*.

XXIV. And whereas the said Railway is intended to pass over the *Oxford Canal Navigation*, and it is expedient to make the following Provisions in consequence thereof: Be it therefore enacted, except as hereby expressly authorized, 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 from the said Canal any of the Waters therein, or prevent a free Passage to the said Canal of any of the Waters 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 authorized, denoted, or implied hereby, or on or by the Maps or Plans or Sections of the said Railway deposited with the Clerks of the Peace of the several Counties through which the said Railway is intended to pass, and it shall not be lawful for the said Railway Company 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 to a greater Distance than Thirty Yards on either Side thereof, by which Deviation any Part of the said Canal, or any of the Locks, Side Ponds, Towing Paths, Bridges, Banks, Feeders, or other Works, of or belonging to the said Canal or any Part thereof, 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 (except as herein-after is mentioned).

Not to diminish the Powers of the *Oxford Canal Navigation*.

XXV. And be it enacted, That for the Purpose of carrying the said Railway across the said Canal the said Railway Company shall and they are hereby required, at their own Expense, to make, and at all Times for ever thereafter to maintain and keep in perfect Repair, a good and substantial Bridge over the said Canal, in the Parish of *Foleshill* in the County of *Warwick*, with proper Approaches thereto, which said Bridge shall be made either on the Line of Railway

Railway Company to construct and maintain Bridge over Canal.

[Local.]

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delineated



delineated on the said Maps or Plans and Sections; or within Thirty Yards of the said Line on either Side thereof; and it shall be lawful for the said Railway Company, without such Consent as aforesaid, to take so much of the Ground of the said Canal Company as shall be requisite for making the said Bridge and the said Approaches.

Regulation  
as to Con-  
struction of  
such Bridge.

XXVI. And be it enacted, That the said Bridge shall be made in such Manner that the Span thereof between the Abutments 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 Waterwings necessary for contracting the Canal at the said Bridge shall be built of substantial Brick or Stone Work, and extend at least Twenty-five 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, and the Abutments of the said Bridge shall be made parallel with the Line of the said Canal at the Place where the said Bridge shall be erected.

No Obstruc-  
tion to be  
caused to  
Navigation  
during the  
Construction  
or Repair of  
Bridge.

XXVII. And be it enacted, That during the Erection of the said Bridge, 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 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 of the said Canal, shall be left for the Navigation of the said Canal; and that the said Bridge shall be constructed, as regards its Position, Form, 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 said Canal.

In the event  
of Obstruc-  
tion of Navi-  
gation, Rail-  
way Com-  
pany to pay  
Expenses.

XXVIII. 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 Bridge or its 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 delayed in the Passage along the same or in case the Space under the said Bridge shall at any Time be contracted so as to be less in Width or Height than the Width or Height herein-before prescribed, and in consequence thereof such Obstruction or Delay shall take place, then and in either of the said Cases the said Railway Company shall pay to the said Canal Company, as or by way of ascertained Damages, the Sum of Fifty Pounds for every Twenty-four Hours during which such Obstruction or Contraction shall continue on the said Canal, and so in proportion for any less Time than Twenty-four Hours; and in default of Pay-  
ment



ment of the said Sum, or such Proportion thereof as shall become due, on Demand made by the Treasurer or Clerk of the said Canal Company, of the Treasurer or Clerk of the said Railway Company, the said 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*; and in case the said Bridge over the said Canal or any Part thereof, or the Approaches, Sides, Slopes, or Banks of the said Railway next the said Canal, or any or either of them, or any Part thereof respectively, shall not be kept in good and substantial Repair by the said Railway Company, and any Agent of the said Canal Company shall give Notice in Writing to the said Railway Company, their Clerk or Agent, to do the needful Repairs, and the said Railway Company shall not within the Space of Fourteen Days after the Delivery of such Notice commence such Repairs, and proceed with all reasonable Expedition to the Completion thereof, it shall be lawful for the said Canal Company, from Time to Time as often as the Case shall happen, to do the needful Repairs, and to recover the Amount of the Expensés 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*.

XXIX. And be it enacted, That, notwithstanding anything herein contained, it shall not be lawful for the *London and North-western Railway Company* to take, use, or enter upon any of the Lands or Property which the *Great Western Railway Company* are authorized to purchase for the Purposes of the *Oxford and Rugby Line* of the *Great Western Railway*, so as in any way to interfere with the Construction of the said *Oxford and Rugby Line*, and the Formation of a good and sufficient Station for the last-mentioned Line, and other Works at present authorized or required; and in case of Difference between the said Two Companies as to the Lands which the *London and North-western Railway Company* are to be empowered to take, the Matter in dispute shall be settled by Arbitration in the Manner provided by "The Railways Clauses Consolidation Act, 1845," with reference to the Settlement of Disputes by Arbitration.

Company not to take Lands authorized to be taken for the Oxford and Rugby Line.

XXX. Whereas the *London and North-western Railway Company* have it in contemplation to establish a School for the Education of the Children of their Workmen at *Coventry*, and it would be advantageous to the Inhabitants of the said City if the Benefits of the said School were extended to other poor Persons there: And whereas the Trustees of Sir *Thomas White's* Charity Estate in the City of *Coventry* are the Owners of certain Lands taken or intended to be taken by the said *London and North-western Railway Company*, under the Powers contained in "The *London and Birmingham Railway, Coventry and Nuneaton Railway Act, 1846*," and of a Portion of the Land intended to be taken for the Purposes of this Act, and it would be beneficial if the said Trustees were empowered to contribute towards the Funds of the said intended School out of the Purchase Money to be paid for the said Charity Lands so required as aforesaid: Be it therefore enacted, That the said Trustees shall and they are hereby authorized and empowered, if they shall in their Discretion think it advisable so to do, with the Consent of the Court of Chancery, to appropriate

Power to establish a School for Education of Children of Workmen of London and North-western Railway Company, and empowering the Trustees of Sir Thomas White's Charity to contribute to the Funds of the same.



appropriate the whole or such Part of the Purchase Money to be paid by the Company for or in respect of the said Charity Land so required as aforesaid, not exceeding the Sum of One thousand Pounds, as the Court of Chancery shall, upon a Petition to be presented in a summary Way, direct, in aid of and for and towards the Establishment and Maintenance of a School or Schools in connexion with the said *London and North-western Railway Company at Coventry* as aforesaid.

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.  
cc. 57. 105.

XXXI. 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 Mails by Railways*; 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 any succeeding Sessions of Parliament, and for other Purposes relating to Railways*; and another Act was passed in the Session of the Eighth and Tenth Years of the Reign of Her present Majesty, intituled *An Act for regulating the Gauge of Railways*; and another Act was passed in Session of the Ninth and Tenth Years of the Reign of Her present Majesty, intituled *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 and  
Works not  
exempt from  
Provisions of  
future gene-  
ral Acts.

XXXII. Provided always, and be it enacted, That nothing herein contained shall be deemed to exempt the Railways and Works hereby authorized, or the *London and North-western Railway Company*, from the Provisions of any general Act relating to this Act or to the said recited Acts relating to the same Company, or of any general Act relating to Railways, now in force or which may 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.

Expenses  
of Act.

XXXIII. And be it enacted, That all the Costs, Charges, and Expenses of and attending the passing of this Act or incidental thereto shall be paid by the said Company, *pari passu* with the Costs, Charges, and Expenses of any other Act of Parliament passed in the present Session to which they may be liable, out of the first Monies that shall come to their Hands, and in preference to any other Payment whatsoever.

Public Act.

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