



## CHAPTER ccx.

An Act to authorise the construction of a Railway from A.D. 1883.  
Oxford to Aylesbury and for other purposes.

[20th August 1883.]

**W**HEREAS the construction of the railway herein-after described in the counties of Oxford and Bucks would be of public and local advantage :

And whereas the persons herein-after named with others are willing at their own expense to construct the said railways and it is expedient that they should be incorporated into a Company and that the powers herein-after contained should be conferred on them for that purpose :

And whereas it is expedient that the powers herein-after contained should be conferred upon the Company hereby incorporated to run over and use the railway and stations herein-after mentioned and that they should be empowered to enter into agreements with the other companies herein-after mentioned with respect to the matters in this Act specified :

And whereas plans and sections showing the lines and levels of the railway authorised by this Act and also a book of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act were duly deposited with the clerks of the peace for the counties of Oxford and Bucks and are herein-after respectively referred to as the deposited plans sections and book of reference :

And whereas the purposes of this Act cannot be effected without the authority of Parliament :

May it therefore please Your Majesty that it may be enacted and be it enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows :—

[Ch. ccx.] *Oxford, Aylesbury, and Metropolitan* [46 & 47 VICT.]  
*Junction Railway Act, 1883.*

A.D. 1883.

Short title.

1. This Act may be cited as the Oxford Aylesbury and Metropolitan Junction Railway Act 1883.

Incorporation of general Acts.

2. The Companies Clauses Consolidation Act 1845 Parts I. and III. of the Companies Clauses Act 1863 (relating respectively to cancellation and surrender of shares and to debenture stock) as amended by the Companies Clauses Act 1869 the Lands Clauses Consolidation Acts 1845 1860 and 1869 the Railways Clauses Consolidation Act 1845 and Part I. (relating to the construction of a railway) and Part III. (relating to working agreements) of the Railways Clauses Act 1863 are (except where expressly varied by or inconsistent with this Act) incorporated with and form part of this Act.

Interpretation.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partly incorporated herewith have the same respective meanings unless there be something in the subject or context repugnant to such construction. The expression "the Company" means the Company incorporated by this Act the expressions "the railway" and "the undertaking" mean respectively the railway and the undertaking by this Act authorised and for the purposes of this Act the expression "superior courts" or "court of competent jurisdiction" or any other like expression in this Act or any Act wholly or partly incorporated herewith shall be read and have effect as if the debt or demand with respect to which the expression is used were a simple contract debt and not a debt or demand created by statute.

Company incorporated.

4. The Most Noble Richard Plantagenet Campbell Duke of Buckingham and Chandos Sir Harry Verney Baronet Baron Ferdinand de Rothschild Henry Arthur Herbert and all other persons and corporations who have already subscribed to or shall hereafter become proprietors in the undertaking and their executors administrators successors and assigns respectively shall be and are hereby united into a Company for the purpose of making and maintaining the railway and for other the purposes of this Act and for those purposes shall be and are hereby incorporated by the name of "the Oxford Aylesbury and Metropolitan Junction Railway Company" and by that name shall be a body corporate with perpetual succession and a common seal and with power to purchase take hold and dispose of lands and other property for the purposes of this Act and their undertaking shall be called "the Oxford Aylesbury and Metropolitan Junction Railway."

Power to make railway.

5. Subject to the provisions of this Act the Company may make and maintain in the lines and according to the levels shown on the deposited plans and sections the railway herein-after described with



all proper stations sidings approaches works and conveniences connected therewith and may enter upon take and use such of the lands delineated on the said plans and described in the deposited book of reference as may be required for that purpose. The railway hereinbefore referred to and authorised by this Act is—

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A railway (17 miles 4 furlongs and 8 chains or thereabouts in length) commencing in the parish of St. Clement's Oxford in the garden of the house and premises No. 12 High Street St. Clement's and terminating in the parish of Quainton by a junction with the Aylesbury and Buckingham Railway.

6. Subject to the provisions in the Railways Clauses Consolidation Act 1845 and in Part I. (relating to the construction of a railway) of the Railways Clauses Act 1863 contained in reference to the crossing of roads on the level the Company may in the construction of the railway carry the same with a single line only whilst the railway shall consist of a single line and afterwards with a double line only across and on the level of the road numbered on the deposited plans 17 in the parish of Waddesdon. Provided that the Company shall construct a footbridge over the railway on the eastern side of the said road.

Power to cross a certain road on the level.

7. The Company may divert alter or stop up any roads and footpaths within the limits of deviation delineated on the deposited plans and described in the deposited book of reference in the manner shown on the deposited plans and sections.

Diversion of roads.

8. Notwithstanding anything shown on the deposited plans the Company shall not purchase or take more than a quarter of an acre of Peasmoor Piece in the parish of Marston in the county of Oxford.

Limiting quantity of commonable lands to be taken.

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

Power to take easements by agreement.

10. For the protection of the Thames Valley Drainage Commissioners (in this section called "the Commissioners") the following provisions shall have effect:—

For the protection of the Thames Valley Drainage Commissioners.

(1.) The Company shall not take enter upon or use either temporarily or permanently the bed soil or banks of the River Cherwell numbered 2 on the deposited plans in the parish of

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Saint Clement's and numbered 8 on the deposited plans in the place known as King's Mill without the consent in writing in every instance for that purpose first had and obtained of the Commissioners under their common seal.

- (2.) The Company shall not construct any works within thirty feet of the edge of the left bank of the River Cherwell numbered 1 2 3 4 5 and 7 on the deposited plans in the said place known as King's Mill nor in the lands or premises lying between Caroline Street and Bath Street Oxford nor in the property numbered 352 on the deposited plans in the parish of St. Clement's without the consent in writing in every instance for that purpose first had and obtained of the Commissioners under their common seal which consent shall not be unreasonably withheld.
- (3.) If the Commissioners at any time desire to widen the River Cherwell on the left bank thereof to the extent of five feet or to deepen the said river the Company shall not be entitled to claim any compensation for any structural injury caused to any building or for any damage or injury caused to any stores or materials of the Company by reason of such widening or deepening Provided that the Commissioners shall rebuild any portion of any retaining wall they may remove or injure in or for the purpose of effecting such widening or deepening.
- (4.) The Company shall sell to the Commissioners any land of the Company on the left bank of the said river which may be required for such widening thereof at the price paid for the same by the Company or at such other price as may be agreed on between the Company and the Commissioners.
- (5.) If any difference arise between the Commissioners and the Company touching the construction of this section or anything to be done or not done thereunder such difference shall be determined by an engineer to be agreed on between the parties or in default of agreement to be appointed on the application of either of them by the President for the time being of the Institution of Civil Engineers and the costs of and in relation to such determination shall be borne as the arbitrator shall direct.
- (6.) Except as by this Act expressly provided nothing in this Act contained shall extend to or be construed to extend to prejudice or derogate from the rights or interests of the Commissioners or to prohibit defeat alter or diminish any powers authority or jurisdiction which at the time of the passing of this Act the Commissioners did or might lawfully claim use or exercise.



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Protecting  
property of  
Magdalen  
College  
Oxford.

11. For the protection of the College of St. Mary Magdalen in the University of Oxford and the President and Scholars of the said College for the time being the Company shall notwithstanding anything to the contrary contained in this Act or anything shown on the deposited plans and sections be subject except in so far as may be otherwise agreed between the said President and Scholars and the Company to the following conditions and stipulations:—

- (1.) The Company shall not take compulsorily under the powers of this Act the property shown on the deposited plans and numbered 4 on the said plans and described in the deposited book of reference as garden ground in the place known as King's Mill but may acquire the same only with the consent in writing of the said President and Scholars of the said College.
- (2.) The Company shall not without such consent as aforesaid use for station purposes any part of the properties numbered 1 2 3 4 5 6 and 7 on the deposited plans in the said extra-parochial place taken or acquired by them under this Act but such properties so taken or acquired by them shall be used only for making and maintaining the line of the railway.
- (3.) The Company shall construct the railway to the east of and at a distance of not less than thirty feet from any part of the present eastern boundary fence of the said property numbered 4 on the deposited plans in the said place known as King's Mill and the railway shall in traversing the properties numbered 1, 2, and 3 on the deposited plans in the said extra-parochial place be constructed in a cutting so that the surface of the rails shall not be raised higher above Ordnance datum than is indicated upon the deposited sections and the Company shall erect and maintain a good iron-wire fence on either side of the said cutting to the satisfaction of the surveyor for the time being of the said President and Scholars of the said College.
- (4.) The Company shall construct and maintain an occupation bridge at a point forty-seven chains or thereabouts from the commencement of the railway for the purpose of carrying over the railway the road numbered 3 on the deposited plans in the said place known as King's Mill and such bridge shall be not less than twelve feet in width and the approaches to such bridge shall not be steeper than 1 in 15 and the slopes of the embankment to such bridge shall be planted with shrubs and maintained in good order and such shrubs shall from time to time be replaced as occasion may require and the stipulations of this sub-section shall be carried into effect by the Company to the satisfaction of the said surveyor of the said College.



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(5.) The Company shall pay to the said President and Scholars of the said College all reasonable costs to be incurred by them and their surveyor in or about carrying into effect the stipulations of this section.

Protecting  
the Wotton  
Tramway  
against  
obstruction.

12. The Company shall not during the construction of the railway obstruct or interfere with the Wotton Tramway between the Quainton Road Station and Brill and the branches and sidings connected therewith or the traffic thereon further or otherwise than is actually necessary nor in any case until they shall have provided a proper substituted line of rails for any part of the said tramway which they may require to obstruct or interfere with and have properly connected the same with the said tramway..

Purchase of  
Wotton  
Tramway  
and  
branches.

13. Before interfering with any part of the said Wotton Tramway the Company shall if required by the Duke of Buckingham and Chandos purchase the whole of the main line of the said tramway between Quainton Road and Brill and also any branches sidings or works connected therewith belonging to him which he may require to be taken on such terms as (if not agreed upon) shall be determined by arbitration.

Capital.

14. The capital of the Company shall be three hundred thousand pounds in thirty thousand shares of ten pounds each.

Shares not  
to be issued  
until one  
fifth paid.

15. The Company shall not issue any share created under the authority of this Act nor shall any such share vest in the person or Corporation accepting the same unless and until a sum not being less than one fifth of the amount of such share is paid in respect thereof.

Calls.

16. One fifth of the amount of a share shall be the greatest amount of a call and two months at least shall be the interval between successive calls and three fifths of the amount of a share shall be the utmost aggregate amount of the calls made in any year upon any share.

Receipt in  
case of per-  
sons not  
sui juris.

17. If any money is payable to a shareholder being a minor idiot or lunatic the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Company.

Power to  
divide  
shares.

18. Subject to the provisions of this Act the Company with the authority of three fourths of the votes of the shareholders present in person or by proxy at a general meeting of the Company specially convened for the purpose may from time to time divide any share in their capital into half shares of which one shall be called "preferred half share" and the other shall be called "deferred half share" but the Company shall not so divide any share under the authority of



this Act unless and until not less than sixty per centum upon such share has been paid up and upon every such division fifty per centum upon the entire share shall be carried to the credit of the deferred half share (being the whole amount payable thereon) and the residue to the credit of the preferred half share.

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**19.** The dividend which would from time to time be payable on any divided share if the same had continued an entire share shall be applied in payment of dividends on the two half shares in manner following (that is to say) first in payment of dividend after such rate not exceeding six per centum per annum as shall be determined once for all at a general meeting of the Company specially convened for the purpose on the amount for the time being paid up on the preferred half share and the remainder (if any) in payment of dividend on the deferred half share and the Company shall not pay any greater amount of dividend on the two half shares than would have from time to time been payable on the entire share if the same had not been divided.

Dividends  
on half  
shares.

**20.** Each preferred half share shall be entitled out of the profits of each year to the dividend which may have been attached to it by the Company as aforesaid in priority to the deferred half share bearing the same number but if in any year ending the thirty-first day of December there shall not be profits available for the payment of the full amount of dividend on any preferred half share for that year no part of the deficiency shall be made good out of the profits of any subsequent year or out of any other funds of the Company.

Dividends  
on preferred  
half shares  
to be paid  
out of the  
profits of  
the year  
only.

**21.** Forthwith after the creation of any half shares the same shall be registered by the directors and each half share shall bear the same number as the number of the entire share certificate in respect of which it was issued and the directors shall issue certificates of the half shares accordingly and shall cause an entry to be made in the register of the entire shares of the conversion thereof but the directors shall not be bound to issue a certificate of any half share until the certificate of the existing entire share be delivered to them to be cancelled unless it be showed to their satisfaction that such certificate is destroyed or lost and on any certificate being so delivered up the directors shall cancel it.

Half shares  
to be regis-  
tered and  
certificates  
issued.

**22.** The terms and conditions on which any preferred half share or deferred half share created under this Act is issued shall be stated on the certificate of each such half share.

Terms of  
issue to be  
stated in  
certificates.

**23.** The provisions of the Companies Clauses Consolidation Act 1845 with respect to the forfeiture of shares for non-payment of

Forfeiture  
of preferred  
half shares.

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A.D. 1883. calls shall apply to all preferred half shares created under the authority of this Act and every such preferred half share shall for that purpose be considered an entire share distinct from the corresponding deferred half share and until any forfeited preferred half share shall be sold by the directors all dividends which would be payable thereon if the same had not been forfeited shall be applied in or towards payment of any expenses attending the declaration of forfeiture thereof and of the arrears of calls for the time being due thereon with interest.

Preferred half shares not to be cancelled or surrendered. Half shares to be half shares in capital.

24. No preferred half share created under the authority of this Act shall be cancelled or be surrendered to the Company.

25. The several half shares under this Act shall be half shares in the capital of the Company and every two half shares (whether preferred or deferred or one of each) held by the same person shall confer such right of voting at meetings of the Company and (subject to the provisions herein-before contained) shall confer and have all such other rights qualifications privileges liabilities and incidents as attach and are incident to an entire share.

Power to borrow.

26. The Company may from time to time borrow on mortgage of the undertaking any sums not exceeding in the whole one hundred thousand pounds but no part of any such sum shall be borrowed until the whole of the capital by this Act authorised is issued and accepted and one half thereof paid up and the Company have proved to the justice who is to certify under the fortieth section of the Companies Clauses Consolidation Act 1845 before he so certifies that the whole of such capital has been issued and accepted and that one half thereof has been paid up and that not less than one-fifth part of the amount of each separate share in such capital has been paid on account thereof before or at the time of the issue or acceptance thereof and that such capital was issued bonâ fide and is held by the persons or corporations to whom the same was issued or their executors administrators successors or assigns and that such persons or corporations or their executors administrators successors or assigns are legally liable for the same and upon production to such justice of the books of the Company and of such other evidence as he shall think sufficient he shall grant a certificate that the proof aforesaid has been given which certificate shall be sufficient evidence thereof.

For appointment of a receiver.

27. The mortgagees of the Company may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a receiver In order to authorise the appointment of a receiver in respect of arrears of principal the



amount owing to the mortgagees by whom the application for a receiver is made shall not be less than ten thousand pounds in the whole. A.D. 1883.

**28.** The Company may create and issue debenture stock subject to the provisions of Part III. of the Companies Clauses Act 1863 but notwithstanding anything therein contained the interest of all debenture stock and of all mortgages at any time created and issued or granted by the Company under this or any subsequent Act shall (subject to the provisions of any subsequent Act) rank *pari passu* without respect to the dates of the securities or of the Acts of Parliament or resolutions by which the stock and mortgages were authorised and shall have priority over all principal moneys secured by such mortgages. Debenture stock.

**29.** All moneys raised under this Act whether by shares debenture stock or borrowing shall be applied for the purposes of this Act only. Application of moneys.

**30.** The first ordinary meeting of the Company shall be held within six months after the passing of this Act. First ordinary meeting.

**31.** The quorum of meetings of the Company shall be ten shareholders present in person or by proxy holding in the aggregate not less than twenty thousand pounds in the capital of the Company. Quorum of meeting of Company.

**32.** The number of directors shall be five but the Company may from time to time increase or reduce that number provided it be not more than seven nor less than three. Number of directors.

**33.** The qualification of a director shall be the possession in his own right of not less than thirty shares. Qualification of directors.

**34.** The quorum of a meeting of directors shall be three so long as their number is more than four and two when it is four or less than four. Quorum.

**35.** The Most Noble Richard Plantagenet Campbell Duke of Buckingham and Chandos Sir Harry Verney Baronet and Henry Arthur Herbert and two others to be nominated by them and consenting to such nomination shall be the first directors of the Company and shall continue in office until the first ordinary meeting held after the passing of this Act At that meeting the shareholders present in person or by proxy may either continue in office the directors appointed by this Act or nominated as aforesaid or any of them or may elect a new body of directors or directors to supply the place of those not continued in office the directors appointed by this Act or nominated as aforesaid being if qualified re-eligible and at the first ordinary meeting to be held in every year after the first First directors.  
Election of directors.



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A.D. 1883. — ordinary meeting the shareholders present in person or by proxy shall (subject to the power herein-before contained for increasing or reducing the number of directors) elect persons to supply the places of the directors then retiring from office agreeably to the provisions of the Companies Clauses Consolidation Act 1845 and the several persons elected at any such meeting being neither removed nor disqualified nor having resigned shall continue to be directors until others are elected in their stead in manner provided by the same Act.

Lands for extraordinary purposes.

**36.** The quantity of land to be taken by the Company by agreement for the extraordinary purposes mentioned in the Railways Clauses Consolidation Act 1845 shall not exceed five acres.

Period for compulsory purchase of lands.

**37.** 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 three years from the passing of this Act.

Notice to be given of taking houses of labouring classes.

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

Company to procure accommodation for persons of the labouring classes to be displaced.

**39.** Before taking in any parish fifteen houses or more occupied either wholly or partially by persons belonging to the labouring classes as tenants or lodgers who may for the time being be the occupier or occupiers of any house or part of any house which the Company are by this Act authorised to acquire the Company shall (unless the Company and such person or persons otherwise agree) procure sufficient accommodation elsewhere for such person or persons. Provided always that if any question shall arise as to the sufficiency of such accommodation the same shall be determined by a justice and the Company may for the purpose of procuring such accommodation appropriate any lands for the time being belonging to them or which they have power to acquire and may purchase by agreement such further lands as may be necessary for such purpose and may on such lands erect labouring class dwellings and may let or otherwise dispose of such lands and dwellings and may apply for the purposes of this section or any of them any moneys they have already raised or are authorised to raise.



**40.** Whereas pursuant to the Standing Orders of both Houses of Parliament and to an Act of the ninth year of the reign of Her present Majesty chapter twenty a sum of fourteen thousand nine hundred and thirty six pounds three pounds per centum consolidated bank annuities being equal to five pounds per centum upon the amount of the estimate in respect of the railway has been deposited with the Chancery Division of the High Court of Justice in England in respect of the application to Parliament for this Act which sum is referred to in this Act as the deposit fund Be it enacted that notwithstanding anything contained in the said Act the said deposit fund shall not be paid or transferred to or on the application of the person or persons or the majority of the persons named in the warrant or order issued in pursuance of the said Act or the survivors or survivor of them which persons survivors or survivor are or is in this Act referred to as the depositors unless the Company shall previously to the expiration of the period limited by this Act for completion of the railways open the same for the public conveyance of passengers Provided that if within such period as aforesaid the Company open any portion of the railway for the public conveyance of passengers then on the production of a certificate of the Board of Trade specifying the length of the portion of the railway opened as aforesaid and the portion of the deposit fund which bears to the whole of the deposit fund the same proportion as the length of the railway so opened bears to the entire length of the railway the Chancery Division shall on the application of the depositors or the majority of them order the portion of the deposit fund specified in the certificate to be paid or transferred to them or as they shall direct and the certificate of the Board of Trade shall be sufficient evidence of the facts therein certified and it shall not be necessary to produce any certificate of this Act having passed anything in the above-mentioned Act to the contrary notwithstanding.

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 Deposit fund  
 not to be  
 repaid  
 except so far  
 as railway  
 is opened.

**41.** If the Company do not previously to the expiration of the period limited for the completion of the railway complete and open the same for the public conveyance of passengers then and in every such case the deposit fund or so much thereof as shall not have been paid to the depositors shall be applicable and after due notice in the London Gazette shall be applied towards compensating any landowners or other persons whose property has been interfered with or otherwise rendered less valuable by the commencement construction or abandonment of the railway in respect of which the default is made or any portion thereof or who have been subjected to injury or loss in consequence of the compulsory powers of taking property

Application  
 of deposit.

A.D. 1882. — conferred upon the Company by this Act and for which injury or loss no compensation or inadequate compensation has been paid and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the Chancery Division of the High Court of Justice in England may seem fit and if no such compensation is payable or if a portion of the deposit fund has been found sufficient to satisfy all just claims in respect of such compensation then the deposit fund or such portion thereof as may not be required as aforesaid shall either be forfeited to Her Majesty and accordingly be paid or transferred to or for the account of Her Majesty's Exchequer in such manner as the Court thinks fit to order on the application of the Solicitor of Her Majesty's Treasury and shall be carried to and form part of the Consolidated Fund of the United Kingdom or in the discretion of the Chancery Division if the Company is insolvent and has been ordered to be wound up or a receiver has been appointed shall wholly or in part be paid or transferred to such receiver or to the liquidator or liquidators of the Company or be otherwise applied as part of the assets of the Company for the benefit of the creditors thereof Provided that until the deposit fund has been repaid to the depositors or has become otherwise applicable as herein-before mentioned any interest or dividends accruing thereon shall from time to time and as often as the same shall become payable be paid to or on the application of the depositors.

Period for  
completion  
of railway.

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

Tolls.

**43.** The Company may demand and take in respect of the use of the railway any tolls not exceeding the following (that is to say):

In respect of passengers and animals conveyed upon the railways or any part thereof as follows:

Class 1. For every person conveyed in a first-class carriage per mile twopence:

Class 2. For every person conveyed in a second-class carriage per mile one penny halfpenny:

Class 3. For every person conveyed in a third-class carriage per mile one penny:

Class 4. For every horse mule or ass or other beast of draught or burden conveyed in or upon any carriage per mile twopence:



Class 5. For every ox cow bull or neat cattle conveyed in or upon any carriage per mile one penny halfpenny : [A.D. 1883.]

Class 6. For every calf pig sheep or lamb or other small animal conveyed in or upon any carriage per mile one halfpenny.

In respect of goods conveyed on the railways :

Class 7. For all coals coke culm slack cannel cinders lime limestone sand clay (except fire clay) chalk dung compost and all sorts of common manure and all undressed materials for the repair of highways clay ironstone and iron ore per ton per mile one penny :

Class 8. For all pig iron bar iron and all other similar descriptions of iron and iron castings not manufactured into utensils or other articles of merchandise guano and artificial manures undressed stones for building pitching and paving bricks tiles common slates fire clay charcoal bats copper tin lead and other ores per ton per mile one penny halfpenny :

Class 9. For all sugar grain corn flour potatoes hides (dried and salted) dye woods timber staves and deals metals (except iron) tinned plates nails anvils vices hoop iron sheet iron and chains per ton per mile twopence :

Class 10. For lace furs silk drapery millinery china glass cotton wool manufactured goods drugs and all other wares merchandise fish articles matters or things per ton per mile threepence :

In respect of carriages conveyed on the railway :

Class 11. 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 belonging to the Company if having more than two wheels per mile fourpence and if having only two wheels per mile threepence and for every additional quarter of a ton up to four tons which any such carriage weighs one penny per mile in addition if such carriage have more than two wheels and three farthings per mile in addition if the same have only two wheels.

44. For carriages supplied by the Company the Company may (in addition to the other tolls by this Act authorised) demand or take for or in respect of goods articles matters or things persons or animals comprised in either of the classes herein-before specified any tolls not exceeding the tolls next herein-after mentioned in Tolls for carriages &c.

A.D. 1883. connexion with the class in which such goods articles matters or things persons or animals are respectively comprised (to wit) :—

For Class 1 for each person per mile one penny :

For Class 2 for each person per mile three farthings :

For Class 3 for each person per mile one halfpenny :

For Class 4 for each animal per mile one penny :

For Class 5 for each animal per mile one penny :

For Class 6 for each animal per mile one halfpenny :

For Class 7 per ton per mile one halfpenny :

For Class 8 per ton per mile one halfpenny :

For Class 9 per ton per mile three farthings :

For Class 10 per ton per mile one penny :

For Class 11 for each carriage per mile twopence.

Tolls for  
propelling  
power.

45. The toll which the Company may demand for the use of engines for propelling carriages on the railway shall not exceed one penny per mile for each passenger or animal or for each ton of goods in addition to the several other tolls or sums by this Act authorised to be taken.

Regulations  
as to tolls.

46. The following provisions and regulations shall apply to the fixing of all tolls and charges payable under this Act (that is to say) :

Short  
distances.

For all passengers animals or goods conveyed on the railway for a less distance than three miles the Company may demand tolls and charges as for three miles ;

Fractional  
parts of a  
mile.

For a fraction of a mile beyond three miles or beyond any greater number of miles the Company may demand tolls and charges on animals and goods for such fraction in proportion to the number of quarters of a mile contained therein and if there be a fraction of a quarter of a mile such fraction shall be deemed a quarter of a mile and in respect of passengers every fraction of a mile beyond an integral number of miles shall be deemed a mile ;

Fractional  
parts of a  
ton.

For a fraction of a ton the Company may demand tolls 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 ;

General  
weight.

With respect to all articles except stone and timber the weight shall be determined according to the usual avoirdupois weight ;

Weight of  
stone and  
timber.

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.



47. With respect to small parcels not exceeding five hundred pounds in weight and single articles of great weight notwithstanding the rates prescribed by this Act the Company may demand and take any tolls not exceeding the following (that is to say):—

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Tolls for  
small parcels and  
articles of  
great weight.

For the carriage of small parcels on the railway or any part thereof as follows:—

For any parcel not exceeding seven pounds in weight three-pence:

For any parcel exceeding seven pounds and not exceeding fourteen pounds in weight fivepence:

For any parcel exceeding fourteen pounds but not exceeding twenty-eight pounds in weight sevenpence:

For any parcel exceeding twenty-eight pounds but not exceeding fifty-six pounds in weight ninepence:

For any parcel exceeding fifty-six pounds but not exceeding one hundred and twelve pounds in weight one shilling and fourpence:

For any parcel exceeding one hundred and twelve pounds but not exceeding two hundred and fifty pounds in weight one shilling and eightpence:

For any parcel exceeding two hundred and fifty pounds but not exceeding five hundred pounds in weight 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 that term shall apply only to single parcels in separate packages:

For the carriage of single articles of great weight as follows:—

For any 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.

48. The maximum rate of charge to be made by the Company for the conveyance of passengers upon the railway including the tolls for the use of the railway and for carriages and locomotive

Maximum  
rate for  
passengers.

A.D. 1883. power and every other expense incidental to such conveyance shall not exceed the following (that is to say) :

For every passenger conveyed in a first-class carriage the sum of threepence per mile :

For every passenger conveyed in a second-class carriage the sum of twopence per mile :

For every passenger conveyed in a third-class carriage the sum of one penny per mile.

Maximum  
rates for  
animals  
and goods.

**49.** The maximum rate of charge to be made by the Company for the conveyance of animals and goods on the railway including the tolls for the use of the railway and for waggons or trucks and locomotive power and for every other expense incidental to the conveyance (except a reasonable charge for loading and unloading goods at any terminal station in respect of such goods and for delivery and collection and any other service incidental to the business or duty of a carrier where any such service is performed by the Company) shall not exceed the following sums (that is to say) :—

Class 4. For each animal fourpence per mile :

Class 5. For each animal twopence per mile :

Class 6. For every calf or pig one penny per mile and for every other small animal three farthings per mile :

Class 7. One penny halfpenny per ton per mile :

Class 8. Twopence halfpenny per ton per mile :

Class 9. Threepence per ton per mile :

Class 10. Fourpence per ton per mile :

Class 11. For every carriage if having more than two wheels and not weighing more than one ton and a half fivepence and one penny farthing for every additional quarter of a ton and if having only two wheels fourpence per mile and one penny for every additional quarter of a ton.

Passengers  
luggage.

**50.** Every passenger travelling upon the railway may take with him his ordinary luggage not exceeding one hundred and twenty 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.

Terminal  
station.

**51.** No station shall be considered a terminal station in regard to any goods conveyed on the railway unless such goods have been received thereat direct from the consignor or are directed to be delivered thereat to the consignee.



**52.** The restrictions as to the charges to be made for passengers shall not extend to any special train run upon the railway in respect of which the Company may make such charges as they think fit but shall apply only to the ordinary and express trains appointed from time to time by the Company for the conveyance of passengers and goods upon the railway. A.D. 1883.  
Foregoing charges not to apply to special trains.

**53.** Nothing in this Act shall prevent the Company from taking any increased charges over and above the charges by this Act limited for the conveyance of animals or goods of any description by agreement with the owners or persons in charge thereof either by reason of any special service performed by the Company in relation thereto or in respect of the conveyance of animals or goods (other than small parcels) by passenger trains. Company may take increased charges by agreement.

**54.** Subject to the provisions of this Act the Company may run over and use with their engines and carriages of every description and with their clerks officers and servants the Aylesbury and Buckingham Railway together with all stations roads platforms points signals water water engines engine sheds standing room for engines booking and other offices warehouses sidings junctions machinery works and conveniences of or connected with the said railway. Power to use Aylesbury and Buckingham Railway.

**55.** Subject to the provisions of this Act the Company may run into and use with their engines and carriages of every description the Aylesbury station used by the Aylesbury and Buckingham and Great Western Railway Companies and the Great Western Railway Company shall accommodate the traffic of the Company whether arising on or destined for the undertaking of the Company in the said station and shall provide all necessary services including clerks porters and other staff and afford all necessary and proper facilities for the working of the said traffic in the said station. Power to use Aylesbury Station.

**56.** The terms conditions and regulations to which the Company shall be subject in respect of the said use and in respect of the accommodation in the said Aylesbury Station and of the staff provided services performed and facilities afforded for the working of the traffic and incident thereto and the tolls and other consideration to be paid to the Great Western Railway Company for the same shall if not agreed upon between the Company and the Great Western Railway Company be from time to time determined by a single arbitrator to be appointed on the application of either party by the Attorney General for the time being and the decision of such arbitrator shall be binding and conclusive on the parties in difference and the costs and expenses of such arbitration shall be defrayed as



A.D. 1883. the arbitrator shall direct and either of the parties who shall refuse or neglect to perform observe and conform to any decision given or regulation made by any such arbitrator in the premises shall forfeit and pay to the other of them as the arbitrator shall determine any sum not exceeding fifty pounds for every such offence and twenty pounds for every day during which such offence shall continue.

Bye-laws to be observed.

**57.** In running over and using any portions of railway and in using any of the said stations and conveniences in accordance with the provisions herein-before contained the regulations and byelaws for the time being in force on the undertaking so used shall be at all times observed so far as such byelaws shall be applicable.

Facilities to be afforded for traffic of Great Western Railway Company and the Company.

**58.** In order to facilitate the transmission of traffic coming to or from the railways of the Great Western Railway Company the Great Western Railway Company shall for the purposes of all traffic whatever whether passengers goods minerals or other things from time to time and at all times hereafter have the right to book and invoice through from any station or place on their railways to any station or place on the railway of the Company and the Company shall for and in respect of all such traffic of the Great Western Railway Company at all times afford to and for that Company all needful accommodation facilities and conveniences at and over the railway of the Company or any part thereof and at the stations works and conveniences thereon by the trains of the Company and by through booking and invoicing through rates and fares and so far as reasonably may be through waggons and carriages and shall at all times and in all respects conduct forward and carry on and accommodate all such traffic on equal terms with and as if it were their own proper traffic and the Great Western Railway Company shall afford the like accommodation facilities and conveniences for the purposes of all traffic whatever of the Company from any station or place on their railways as aforesaid provided that such mutual facilities shall not be applicable (except by consent of both the said Companies) to traffic arising at or destined for any town or place at which both of the said Companies have a station and the rates and other sums to be charged by the Company to the Great Western Railway Company and by the Great Western Railway Company to the Company shall be agreed upon between such Companies and failing agreement shall be settled from time to time by arbitration by a single arbitrator to be appointed on the application of either Company by the Attorney General for the time being and the decisions of such arbitrator shall be binding and conclusive on all the parties in difference and the costs and expenses of such arbitration shall be defrayed as the arbitrator shall direct and either of the said Companies who shall



refuse or neglect to perform or observe and conform to any decision given or regulation made by any such arbitrator in the premises shall forfeit and pay to such person or Company as the arbitrator shall determine any sum not exceeding fifty pounds for any such refusal or neglect and twenty pounds for every day during which such refusal or neglect shall continue.

A.D. 1883.

**59.** In order to facilitate the transmission of traffic over and beyond their respective undertakings the Company and the Aylesbury and Buckingham Railway Company shall at all times afford to each other all needful accommodation facilities and conveniences including through booking and invoicing through rates and fares and so far as reasonably may be through waggons and carriages and shall at all times and in all respects conduct forward and carry on and accommodate all such traffic on equal terms with and as if it were their own proper traffic upon such terms and conditions as failing agreement shall be settled from time to time by arbitration.

Facilities to be afforded by the Company and the Aylesbury and Buckingham Railway Company.

**60.** Subject to the provisions of this Act the Company may if they so think fit on giving three months previous notice in writing to the Aylesbury and Buckingham Railway Company construct lay down work and use an additional line or lines of rails and works alongside the existing line and works of that Company and may use for that purpose any land of that Company upon such terms and conditions as in default of agreement between them may be determined by arbitration. Provided that if within two months after the receipt by them of any such notice the Aylesbury and Buckingham Railway Company shall by notice in writing require the Company before laying down such additional line or lines of rails to enter into an agreement to purchase the undertaking of the Aylesbury and Buckingham Railway Company subject to the approval of Parliament on terms to be defined in default of agreement by arbitration and also to apply to Parliament for the confirmation of such agreement then such additional line or lines shall not be laid down (without the consent in writing of the Aylesbury and Buckingham Railway Company) until the Company shall have entered into such an agreement.

Additional rails &c. on Aylesbury and Buckingham Railway.

The Company on the one hand and the Aylesbury and Buckingham Railway Company and the Great Western Railway Company or either of them on the other hand may enter into arrangements upon such terms as may be agreed between them for laying down additional rails on the Aylesbury and Buckingham Railway and making any necessary improvements therein and as to improving the Aylesbury Station but not so as to alter the line or level of the said railway.

A.D. 1883.

Company to  
submit plans  
&c. to engi-  
neer of  
Aylesbury  
and Buck-  
ingham  
Railway  
Company.

**61.** At the time of giving any such notice to the Aylesbury and Buckingham Railway Company the Company shall deliver to the engineer of the Aylesbury and Buckingham Railway Company for his approval plans sections and specifications of the intended works and the said engineer shall thereupon approve the same or signify to the Company the modifications which he requires in such plans sections and specifications and should the said engineer fail within twenty-one days to approve the said plans or to furnish to the Company a statement of the modifications which he requires therein then such plans sections and specifications shall be submitted for the approval of an engineer to be appointed by the Board of Trade for that purpose who shall approve the same with or without modification and such approval shall be binding on the Company and the Aylesbury and Buckingham Railway Company and such works respectively shall be carried out in accordance with the plans sections and specifications so approved or modified and all such works shall be constructed to the reasonable satisfaction of the engineer for the time being of the Aylesbury and Buckingham Railway Company.

Company  
to satisfy  
engineer of  
Aylesbury  
and Buck-  
ingham  
Railway  
Company as  
to sufficiency  
of works.

**62.** The Company in the construction of any works on or at the railway or stations of the Aylesbury and Buckingham Railway Company shall obey all reasonable orders regulations and instructions from time to time given to them by the engineer of that Company and also all byelaws rules and regulations of that Company so far as they may affect anything to be done in connexion with the construction of the said works and after the works shall have been commenced they shall be carried on with all due despatch and the said works shall so far as regards the Aylesbury and Buckingham Railway be completed within two years after the same shall have been commenced failing which the Company shall pay to the Aylesbury and Buckingham Railway Company the sum of ten pounds per day for every day after the expiration of the time limited for the construction of such works respectively as aforesaid until the same works are so far as regards the said railway completed.

Arbitration  
in case of  
difference.

**63.** Any difference which may from time to time arise between the Company and the Aylesbury and Buckingham Railway Company with respect to the terms conditions and regulations for the use of the Aylesbury and Buckingham Railway and the Aylesbury Station or either of them and the tolls or other consideration to be paid for the same or with respect to the accommodation or services to be provided or facilities to be afforded by the said Companies respectively shall be from time to time determined by a single arbitrator to be appointed on the application of either party by the Attorney



General for the time being and the decision of such arbitrator shall be binding and conclusive on the parties in difference and the costs and expenses of such arbitration shall be defrayed as the arbitrator shall direct and either of the parties who shall refuse or neglect to perform observe and conform to any decision given or regulation made by any such arbitrator in the premises shall forfeit and pay to the other of them as the arbitrator shall determine any sum not exceeding fifty pounds for every such offence and twenty pounds for every day during which such offence shall continue.

A.D. 1883.

**64.** The Company on the one hand and the Aylesbury and Buckingham Railway Company and the Metropolitan Railway Company or either of those Companies on the other hand may subject to the provisions of Part III. of the Railways Clauses Act 1863 as amended or varied by the Regulation of Railways Act 1873 from time to time enter into and carry into effect contracts agreements and arrangements with respect to the working use management and maintenance of the railway or any part thereof the management regulation interchange collection transmission and delivery of traffic upon or coming from or destined for the railways of the contracting Companies the supply and maintenance of engines stock and plant necessary for the working and use of the railway or any part thereof by either of the contracting Companies the fixing collection payment appropriation apportionment and distribution of tolls rates income and profits arising from the respective railways of the contracting Companies and the employment of officers and servants.

Working  
agreements.

**65.** During the continuance of any agreement to be entered into under the provisions of this Act for the working or use of the railway or during the exercise of the running powers herein-before given the railways of the contracting Companies shall for the purposes of short distance tolls and charges be considered as one railway and in estimating the amount of tolls and charges in respect of traffic conveyed partly on the railway by this Act authorised and partly on the railways of the other contracting Companies or any of them for a less distance than three miles tolls and charges may only be charged as for three miles and in respect of passengers for every mile or fraction of a mile beyond three miles tolls and charges as for one mile only and in respect of animals and goods for every quarter of a mile or fraction of a quarter of a mile beyond three miles tolls and charges as for a quarter of a mile only and no other short distance charge shall be made for the conveyance of passengers animals or goods partly on the railway and partly on the railways of the other contracting Companies.

Short dis-  
tance tolls.

[Ch. ccx.] *Oxford, Aylesbury, and Metropolitan* [46 & 47 VICT.]  
*Junction Railway Act, 1883.*

A.D. 1883.

Classification  
table to be  
open to  
inspection  
and copies  
to be sold.

Terminal  
charges (if  
any) to be  
specified on  
application.

Penalty.

Interest not  
to be paid  
on calls  
paid up.

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

Provision as  
to general  
Railway  
Acts.

**66.** The book tables or other document in use for the time being containing the general classification of goods carried by goods or merchandise train on the railway shall during all reasonable hours be open to the inspection of any person without the payment of any fee at every station at which goods or merchandise are received for transmission and such book tables or other document as annually revised shall be kept on sale at the principal office of the Company at a price not exceeding one shilling.

The Company shall within one week after application in writing made to them by any person interested in the carriage of any goods which have been or are intended to be carried over the railway render an account to the person so applying in which the charge made or claimed by the Company for the carriage of such goods shall be divided and the charge for conveyance over the railway shall be distinguished from the terminal charges if any and if any terminal charge is included in such account the nature and detail of the terminal expenses in respect of which it is made shall be specified.

If the Company fail to comply with the provisions of this section they shall for each offence and in the case of a continuing offence for every day during which the offence continues be jointly and severally liable to a penalty not exceeding five pounds which penalty shall be recovered and applied in the same manner as penalties imposed by section 14 of the Regulation of Railways Act 1873.

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

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

**69.** Nothing in this Act contained shall exempt the Company or the railways from the provisions of any general Act relating to railways or the better and more impartial audit of the accounts of railway companies now in force or which may hereafter pass during



this or any future session of Parliament or from any future revision A.D. 1883.  
or alteration under the authority of Parliament of the maximum  
rates of fares and charges or of the rates for small parcels.

**70.** All the costs charges and expenses of and incident to the Costs of  
preparing for obtaining and passing of this Act or otherwise in Act.  
relation thereto shall be paid by the Company.

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