ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

****

Cap. clxxv.

An Act for providing additional Station Accommodation at *Birmingham* in connexion with the *Birmingham and Oxford Junction* Railway; and for enabling the *Great Western* Railway Company to use a Portion of the *Oxford, Worcester, and Wolverhampton* Railway; and for making better Provision with reference to the Joint Station at *Wolverhampton;* and for other Purposes.

[4th *August* 1853.]

WHEREAS by "The *Birmingham and Oxford Junction* Railway Act, 1846," and "The *Birmingham and Oxford Junction* (*Birmingham* Extension) Railway Act, 1846," the *Birmingham and Oxford Junction* Railway Company were incorporated, with Powers to make a Railway in continuation of the *Oxford and Rugby* Line of the *Great Western* Railway from *Fenny Compton* to *Birmingham*, and Powers were granted to the *Great Western* Railway Company to purchase or lease such Railway, subject to the Provisions in the said Acts contained: And whereas it is expedient that Powers should be granted for the Purchase of

certain Lands in the Parish of *Aston-juxta-Birmingham*, for the Purpose of providing additional Station and other Accommodation in connexion with the *Birmingham and Oxford Junction* Railway and the *Warwick and Birmingham* Canal: And whereas by "The *Birmingham, Wolverhampton, and Dudley* Railway Act, 1846," the *Birmingham, Wolverhampton, and Dudley* Railway Company were incorporated for making a Railway from *Birmingham* to join the Line of the *Oxford, Worcester, and Wolverhampton* Railway in the Parish of *Wolverhampton* and also in the Parish of *Dudley*, and the Provisions of the said last-mentioned Act were amended and enlarged by "The *Birmingham, Wolverhampton, and Dudley* Railway Act, 1847:" And whereas the said last-mentioned Railway forms a Continuation of the Line of the said *Birmingham and Oxford Junction* Railway, and by "The *Great Western* Railway (Amendment and Extensions) Act, 1847," the *Great Western* Railway Company were authorized to purchase the said *Birmingham, Wolverhampton, and Dudley* Railway: And whereas by an Act passed in the Session held in the Eleventh and Twelfth Years of the Reign of Her present Majesty, (Local and Personal Acts) Chapter One hundred and fifty-nine, after reciting that the said *Birmingham and Oxford Junction* Railway would be connected at *Fenny Compton* with the *Oxford and Rugby* Line of the *Great Western* Railway, which last-mentioned Line was authorized to be constructed on the same Gauge as the said *Great Western* Railway, with additional Rails suited to the Gauge of the *London and North-western* Railway, and also that the said *Birmingham, Wolverhampton, and Dudley* Railway would form a Junction at or near *Priestfield* Furnaces with the *Oxford, Worcester, and Wolverhampton* Railway, which last-mentioned Line was also authorized to be constructed upon the Gauge of the said *Great Western* Railway and also of the *London and North-western* Railway, and that the said *Birmingham and Oxford* and *Birmingham, Wolverhampton, and Dudley* Railways were intended to be worked by the *Great Western* Railway Company continuously with the said *Oxford Worcester, and Wolverhampton* Railway and with the said *Oxford and Rugby* and *Great Western* Railways, it was enacted, that the said *Birmingham and Oxford* and *Birmingham, Wolverhampton, and Dudley* Railways might be constructed on the Gauge of Seven Feet, as well as and in addition to the Gauge of Four Feet Eight and a Half Inches: And whereas by the last-recited Act a certain Agreement, entered into between the Directors of the *Great Western* Railway Company and the Directors of the said *Birmingham and Oxford Junction* Railway Company and of the said *Birmingham, Wolverhampton, and Dudley* Railway Company respectively, for the Purchase by the said *Great Western* Railway Company of the Undertakings of the Two last-

last-mentioned Companies respectively, was ratified and confirmed: And whereas it is also expedient that the *Great Western* Railway Company and the Holders for the Time being or any of them of the Securities granted by the *Great Western* Railway Company under the Provisions of the said recited Act passed in the Session of Parliament held in the Eleventh and Twelfth Years of the Reign of Her present Majesty, Chapter One hundred and fifty-nine, should be empowered to make Arrangements and Agreements for extending the Period within which the Payment of the Monies due and owing in respect of such Securities or any of them shall be made: And whereas it is expedient that further Provision should be made with reference to the Joint Station at *Wolverhampton* authorized by "The *Oxford, Worcester, and Wolverhampton* Railway Deviation Act 1848," and with respect to the Construction, Maintenance, Conduct, Management, Use, and Working of the said Joint Station: And whereas it is also expedient that the *Great Western* Railway Company, in whom the *Birmingham, Wolverhampton, and Dudley* Railway is now vested, should be empowered to use those Portions of the *Oxford, Worcester, and Wolverhampton* Railway which lie between the Junction thereof with the Line of the *Birmingham, Wolverhampton, and Dudley* Railway near *Priestfield* Furnaces in the Parish of *Wolverhampton* and the said Joint Station, and between the said Joint Station and a certain Field numbered on the Plans referred to in "The *Oxford, Worcester, and Wolverhampton* Railway Deviation Act, 1848," 13 in the Parish of *Wolverhampton*, and the Conveniences connected therewith; but the Objects and Purposes aforesaid 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:

Short Title.

I. That in citing this Act for any Purpose whatever it shall be sufficient to use the Expression "The *Birmingham and Oxford, Birmingham, Wolverhampton, and Dudley*, and *Great Western* Railways Act, 1853."

8 & 9 Vict. c. 16. incorporated.

II. That "The Lands Clauses Consolidation Act, 1845," shall be incorporated with and form Part of this Act.

Power to purchase Lands for Station Accommodation, &c.

III. And whereas Plans showing certain Lands and Houses in the Parish of *Aston-juxta-Birmingham* intended to be taken for the Purpose of providing additional Station Accommodation, and lying near the *Warwick and Birmingham* Canal and on the East Side thereof, and

and between the *Bristol and Birmingham* Branch of the *Midland* Railway and the Road numbered 359 in the said Parish of *Aston-juxta-Birmingham* on the Plans referred to in "The *Birmingham and Oxford Junction* Railway Act, 1846," with a Book of Reference to such Plans, containing the Names of the Owners, Lessees, and Occupiers of the said Lands and Houses, have been deposited with the Clerk of the Peace for the County of *Warwick*: Be it enacted, That it shall be lawful for the *Great Western* Railway Company, subject to the Provisions in this Act contained, to enter upon, take, and use such Lands and Houses, or any Part or Parts thereof, for the Purposes of their Undertaking.

Power for Great Western Railway Company to agree with the Holders of Securities in Birmingham and Oxford, and Birmingham Wolverhampton, and Dudley Railways, for Extension of Time for Payment.

IV. That it shall be lawful for the *Great Western* Railway Company and the Holders for the Time being or any of them of the Securities granted by the said Company under the Provisions of the recited Act of the Eleventh and Twelfth *Victoria*, Chapter One hundred and fifty-nine, to make and enter into any Arrangement or Agreement for extending, for such Period and upon such Terms and Conditions as may be mutually agreed upon, the Time within which the Payment of the Monies due and owing in respect of such Securities is by the said Act required to be made, or for granting other Securities in lieu of the Securities granted under the said recited Act; and the Money payable upon any such Security shall be recoverable at the Period to which the Payment thereof may be postponed, in the same Manner in all respects as the same may be recovered if no such Agreement as aforesaid shall be come to.

Further Provision with reference to Joint Station at Wolverhampton.

V. And whereas by "The *Oxford, Worcester, and Wolverhampton* Railway (Deviation) Act, 1848," it is provided, that the Station to be made at *Wolverhampton* in connexion with the Line of Railway thereby authorized should be constructed under the Superintendence of a Joint Committee, such Committee to consist of Three Directors of the *Oxford, Worcester, and Wolverhampton* Railway Company, to be appointed by the Directors of such Company, and Three Directors of the *Birmingham, Wolverhampton, and Dudley* Railway Company, to be appointed by the Directors of that Company, and Three Directors of the *Shrewsbury and Birmingham* Railway Company, to be appointed by the Directors of that Company, and that all Powers which by that Act might be exercised by the *Oxford, Worcester, and Wolverhampton* Railway Company in respect to the Construction, Maintenance, and Use of the said new Line of Railway should be transferred to and exercised by the said Committee in reference to the Construction, Maintenance, and Use of the said Station, and that the *Oxford, Worcester, and Wolverhampton, Birmingham, Wolverhampton,*

verhampton, and Dudley, and *Shrewsbury and Birmingham* Railway Companies should have, maintain, use, and enjoy the said Station in such Manner and upon and subject to such Terms and Conditions as might have been or might be mutually agreed upon between them, and that the said Companies should contribute and pay rateably in equal Proportions the Sums which might be necessary for the Construction of the said Station, at such Times and in such Manner as might be required by the said Joint Committee, and that such Sums should be recoverable by the Members of such Joint Committee by Action of Debt against such Companies: And whereas the *Birmingham, Wolverhampton, and Dudley* Railway, and all the Powers, Rights, and Privileges of the *Birmingham, Wolverhampton, and Dudley* Railway Company in reference to the said Joint Station and otherwise, are now vested in the *Great Western* Railway Company: And whereas it is expedient that Provision should be made with reference to the Construction, Maintenance, Use, and Enjoyment of the said Station, in the event of any of the Companies interested therein neglecting to nominate Members of the said Joint Committee: Be it enacted, That in case the *Oxford, Worcester, and Wolverhampton* Railway Company, or the *Great Western* Railway Company, or the *Shrewsbury and Birmingham* Railway Company, shall refuse or neglect, for a Period of Fourteen Days after being requested so to do by both or either of the other Companies, to nominate Members of the Joint Committee so to be appointed as aforesaid, it shall be lawful for the Persons who shall have been appointed by one or both of the other Companies (as the Case may be) Members of such Joint Committee to proceed to exercise the Powers, Rights, and Privileges by the said Act vested in the Joint Committee, as fully and effectually in all respects as if the said Three Companies had appointed Members of such Joint Committee; and if any Dispute or Difference shall arise between the said Three Companies or any Two of them with respect to the Situation, Construction, Cost, or Use of the said Joint Station, or the Lands required for the Purposes thereof, or the Sums paid in respect of such Lands, or the Apportionment of Parts thereof for their separate Use, or the Terms on which, as between the said Three Companies or any Two of them, the same shall be separately used, or otherwise in relation to the said Joint Station, the same shall, on the Application of either of the said Three Companies, be settled and determined by an Arbitrator to be appointed by the Board of Trade, whose Decision shall be final and conclusive between the said Three Companies.

Power for the Great Western Railway

VI. That it shall be lawful for the *Great Western* Railway Company to use and pass over, with their Engines and Carriages of every Description,

Company to use certain Portions of the Oxford, Worcester, and Wolverhampton Railway.

Description, those Portions of the Railway of the *Oxford, Worcester, and Wolverhampton* Railway Company which lie between the Junction thereof with the Line of the *Birmingham, Wolverhampton, and Dudley* Railway near *Priestfield* Furnaces in the Parish of *Wolverhampton* and the said Joint Station, and between the said Joint Station and a certain Field numbered on the Plans referred to in "The *Oxford, Worcester, and Wolverhampton* Railway Deviation Act, 1848," 13 in the Parish of *Wolverhampton* in the County of *Stafford*, and to use the Stations, Sidings, Watering Places, Water and other Works and Conveniences thereto belonging, upon such Terms and Conditions, and upon Payment of such Tolls, Rates, and Charges in respect thereof, as shall be settled and determined by an Arbitrator, to be appointed for that Purpose by the Board of Trade.

Great Western Railway Company, using the Line of the Oxford, Worcester, and Wolverhampton Railway Company, to be subject to the Byelaws of that Company.

VII. That the Times at which the Trains of the *Great Western* Railway Company shall run upon the before-mentioned Portions of the *Oxford, Worcester, and Wolverhampton* Railway shall be subject to the Byelaws and Regulations of the *Oxford, Worcester, and Wolverhampton* Railway Company; but in the event of Objection by the *Great Western* Railway Company to any of the Byelaws and Regulations of the *Oxford, Worcester, and Wolverhampton* Railway Company, as affecting them the said *Great Western* Railway Company, or in the event of Difference of Opinion between the said Companies as to the Time or Manner of running any such Trains as aforesaid, or as to any of the said Byelaws and Regulations, as affecting them, such Objection or Difference shall be settled by an Arbitrator to be appointed by the Board of Trade.

Power to Oxford, Worcester, and Wolverhampton Railway Company to use Portions of the Great Western Railway, &c.

VIII. And whereas the *Oxford, Worcester, and Wolverhampton* Railway, which has been constructed on the Mixed Gauge, is connected at *Wolvercot* with the Line of the *Great Western* Railway, which, from thence to the Passenger Station of the said Railway at *Oxford*, is also constructed on the said Mixed Gauge, and is now used by the *Oxford, Worcester, and Wolverhampton* Railway Company for the Passage of their Engines and Carriages thereon; and it is expedient, for the Benefit of the Public, that Access should be afforded for the Traffic of the *Oxford, Worcester, and Wolverhampton* Railway Company to the Goods Station of the *Great Western* Railway Company at *Oxford*: Be it therefore enacted, That it shall be lawful for the *Oxford, Worcester, and Wolverhampton* Railway Company to use and pass over, with their Engines and Carriages of every Description, those Portions of the Railway of the *Great Western* Railway Company which lie between the Junction of the *Oxford, Worcester, and Wolverhampton* Railway at or near *Wolvercot* and the *Oxford* Stations of the

the *Great Western* Railway Company, and to use the Passenger Station and the Goods Station at *Oxford* belonging to the *Great Western* Railway Company, and the Sidings, Watering Places, Water and other Works and Conveniences thereto belonging, with such reasonable Facilities for the Accommodation and Transmission of the Traffic of the *Oxford, Worcester, and Wolverhampton* Railway Company to and from the said Stations, upon such Terms and Conditions, and upon Payment of such Tolls, Rates, and Charges in respect thereof, as shall be settled and determined by an Arbitrator to be appointed for that Purpose by the Board of Trade; and the *Great Western* Railway Company shall, within such Time as shall be fixed by such Arbitrator, lay down and maintain such additional Rails adapted to the Narrow Gauge of Four Feet Eight Inches and a Half, with all necessary Points and Crossings, as may give to any Engines and Carriages of the *Oxford, Worcester, and Wolverhampton* Railway Company, or to any Engines or Carriages using their Railway which may be adapted to the Narrow Gauge, convenient Communication into and from the said Passenger Station and the said Goods Station at *Oxford* used by the *Great Western* Railway Company; and the Nature and Extent of such Works and Conveniences, and the Payments to be made to the *Great Western* Railway Company for or in respect of any Works to be executed by them, as before mentioned, shall be settled, in case of Dispute, by an Arbitrator to be appointed in manner aforesaid.

Oxford, Worcester, and Wolverhampton Railway Company, using the Line of the Great Western Railway Company, to be subject to the Byelaws of that Company.

IX. That the Times at which the Trains of the *Oxford, Worcester, and Wolverhampton* Railway Company shall run upon the before-mentioned Portions of the *Great Western* Railway shall be subject to the Byelaws and Regulations of the *Great Western* Railway Company; but in the event of Objection by the *Oxford, Worcester, and Wolverhampton* Railway Company to any of the Byelaws and Regulations of the *Great Western* Railway Company as affecting them the said *Oxford, Worcester, and Wolverhampton* Railway Company, or in the event of Difference of Opinion between the said Companies as to the Time or Manner of running any such Trains as aforesaid, or as to any of the said Byelaws and Regulations as affecting them, such Objection or Difference shall be settled by an Arbitrator to be appointed by the Board of Trade.

Power for Great Western Railway Company to purchase and hold additional Land for the Purposes of their Undertaking.

X. That it shall be lawful for the *Great Western* Railway Company to purchase and hold for extraordinary Purposes connected with their Undertaking, by Agreement with the Owners, Lessees, and Occupiers thereof, or other Parties interested therein, in addition to the Lands which they are at present authorized to purchase and hold, any additional Lands which they may think necessary, not exceeding in the whole Fifty Acres.

XI. That

Power to raise additional Capital by Creation of new Shares.

XI. That for the Purposes of the additional Station Accommodation at *Birmingham* it shall be lawful for the *Great Western* Railway Company from Time to Time to raise by creating new Shares, in addition to the Sums of Money which they are authorized to raise under and by virtue of the existing Acts relating to their Undertaking, or any of them, or which they may be authorized to receive under or by virtue of any other Act to be passed in the present Session of Parliament, any Sum of Money not exceeding in the whole the Sum of Eight thousand Pounds.

Mode in which new Shares are to be allotted.

XII. That the new Shares so to be created shall be of such nominal Value as the Company may determine, and shall be allotted to and amongst such Persons as the Company may determine, such Shares to be allotted at such Times and in such Manner as the Company may direct.

Calls.

XIII. That Five Pounds *per* Share shall be the greatest Amount of any One Call which the *Great Western* Railway Company may make on the Shareholders in respect of the Money by this Act authorized to be raised, and Three Fifths of the Amount of a Share shall be the utmost aggregate Amount of Calls that may be made in any One Year upon any Share, and Two Months at the least shall be the Interval between successive Calls.

Power for Great Western Railway Company to apply their Corporate Funds to the Purposes of this Act.

XIV. That it shall be lawful for the *Great Western* Railway Company to appropriate for or towards all or any of the Objects and Purposes of this Act any Sums of Money which they are authorized to raise or which shall have been raised by them under the Provisions of any Act or Acts in force with relation to the said Company, and which may not be required for the Purposes to which they are by any such Act or Acts made specially applicable.

Interest not to be paid on Calls paid up.

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

XVI. That

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

XVI. That it shall not be lawful for the *Birmingham and Oxford Junction* Railway Company, the *Birmingham, Wolverhampton, and Dudley* Railway Company, or the *Great Western* Railway Company, out of any Money by any existing Act relating to either of such Companies authorized to be raised for the Purposes of such Act, to pay or deposit any Sum of Money which by any Standing Order of either House of Parliament, now in force or hereafter to be in force, may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing either of such Companies to construct any other Railway or execute any other Work or Undertaking.

Railway 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., 9 & 10 Vict. c. 57., and 14 & 15 Vict. c. 64.

XVII. And whereas an Act was passed in the Second Year of the Reign of Her present Majesty, intituled *An Act to provide for the Conveyance of the Mails by 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 succeeding Sessions of Parliament, and for other Purposes in relation to Railways*; and another Act was passed in the Session of Parliament held in the Ninth and Tenth Years of the Reign of Her said Majesty, intituled *An Act for regulating the Gauge of Railways*; and another Act was passed in the Session of Parliament held in the Fourteenth and Fifteenth Years of the Reign of Her said Majesty, intituled *An Act to repeal the Act for constituting Commissioners of Railways*: Be it enacted, That nothing in this Act contained shall be held to exempt the *Birmingham and Oxford Junction* Railway, the *Birmingham, Wolverhampton, and Dudley* Railway, or the *Great Western* Railway, or the Company or Companies to whom the said Railways respectively belong, from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect to the said Railways and Companies respectively, so far as the same are applicable thereto.

Railways not exempt from Provisions of future General Acts.

XVIII. That nothing herein contained shall be deemed or construed to exempt the *Birmingham and Oxford Junction* Railway, the *Birmingham, Wolverhampton, and Dudley* Railway, or the *Great Western* Railway, or the Company or Companies to whom the said Railways respectively belong, from the Provisions of any General Act relating to the said Railways or Companies respectively, or of any General

The Birmingham and Oxford, Birmingham, Wolverhampton, and Dudley, and Great Western Railways Act, 1853.

Acts relating to Railways, or to the better and more impartial Audit of the Accounts of Railway Companies, now in force or which may hereafter pass during this or any other future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges, or of the Rates for small Parcels, authorized by the recited Acts.

Expenses of Act.

XIX. That the Costs, Charges, and Expenses of preparing and passing this Act and incidental thereto shall be paid by the *Great Western* Railway Company.

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