



CHAPTER c.

An Act for vesting the undertaking of the London A.D. 1912.
Tilbury and Southend Railway Company in the Mid-
land Railway Company and for other purposes.

[7th August 1912.]

WHEREAS the undertaking of the Midland Railway Company (in this Act called "the Company") comprises a system of railways extending from the metropolis through the midland counties to the north of England and elsewhere:

And whereas the London Tilbury and Southend Railway Company (in this Act called "the Tilbury Company") who were incorporated by the London Tilbury and Southend Railway Act 1862 are owners of a system of railways extending from London to Shoeburyness in the county of Essex and are also jointly interested with the Company in the Tottenham and Forest Gate Railway which forms part of the route connecting the system of the Tilbury Company with that of the Company:

And whereas the Tilbury Company have been authorised to raise and have raised for the purposes of their undertaking the amounts and descriptions of capital specified in the schedule to this Act:

And whereas the system of the Tilbury Company could be more efficiently worked in the hands of the Company and it would be of public and local advantage and it is expedient that the undertaking of the Tilbury Company should be transferred to and vested in the Company as by this Act provided:

And whereas the Company and the Tilbury Company are willing that such transfer and vesting should be effected upon the terms and conditions hereinafter set forth:

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And whereas it is expedient for the purpose of giving effect to the said transfer that the Company should be empowered to create debenture and preference stocks and to apply their funds to the purposes of this Act:

And whereas the objects 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 King'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.

1. This Act may be cited for all purposes as the Midland Railway (London Tilbury and Southend Railway Purchase) Act 1912.

Incorporation of general Acts.

2. The following parts of Acts are except where the same are inconsistent with or expressly varied by this Act incorporated with and form part of this Act (that is to say):—

Part V. (relating to amalgamation) of the Railways Clauses Act 1863;

The provisions of the Companies Clauses Consolidation Act 1845 with respect to the following matters (namely):—

The transfer or transmission of shares; and

Part II. (relating to additional capital) and Part III. (relating to debenture stock) of the Companies Clauses Act 1863 as amended by subsequent Acts.

Interpretation.

3. In this Act unless there be something in the subject or context repugnant to such construction the several words and expressions to which meanings are assigned by the Acts partially incorporated herewith have the same respective meanings And—

The expression "the date of vesting" means the first day of January one thousand nine hundred and twelve;

The expression "the Tilbury undertaking" means the undertaking of the Tilbury Company and includes all railways docks works lands stations sidings buildings telegraphic and telephonic apparatus plant rolling stock steam and other vessels ferries machinery books stores real and personal property estate and effects moneys book

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and other debts assets rights running and other powers and privileges liabilities and obligations of what nature and kind soever belonging to or vested in or held used enjoyed or exerciseable by the Tilbury Company or to which that company is subject whether with reference to the separate undertaking works or property of the Tilbury Company or any undertaking works or property held or enjoyed by the Tilbury Company jointly with any other company body or person or in which the Tilbury Company have an interest and also the interests of the Tilbury Company in other railway undertakings or portions of undertakings stations and works and the interests of the Tilbury Company with respect to the use management and maintenance of or otherwise in relation to such undertakings or portions of undertakings stations and works and with reference to the purchase of lands construction and maintenance of works and levying of tolls rates and charges ;

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The expression "the Midland undertaking" means the undertaking of the Company exclusive of the Tilbury undertaking ;

The expression "revenue assets" means unissued stores balances on revenue account cash in hand special revenue funds or accounts debts owing to or accruing due to the Tilbury Company and other revenue assets.

4.—(1) As on and from the date of vesting the Tilbury undertaking is transferred to and vested in the Company upon and subject to the terms and conditions contained in this Act and as on and from such date the Tilbury Company is dissolved except for the purpose of winding up their affairs as provided by this Act.

Vesting in Company of Tilbury undertaking.

(2) The said vesting shall be deemed to be an amalgamation of the Tilbury undertaking with the Midland undertaking within the meaning of Part V. (relating to amalgamation) of the Railways Clauses Act 1863 and the provisions of the said Part V. shall extend and apply thereto accordingly subject to the provisions contained in this Act.

5. Notwithstanding anything contained in this Act the directors of the Tilbury Company in office at the passing of this Act and the survivors of them shall continue in office with-

Tilbury directors to continue in office.

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A.D. 1912. — out re-election for the purposes only of exercising and may and shall exercise all powers necessary for winding up the affairs of the Tilbury Company in pursuance of this Act and so soon as conveniently may be after the date of vesting the affairs of the Tilbury Company shall be wound up accordingly and on the completion of such winding up the Tilbury Company shall be by virtue of this Act finally dissolved and cease to exist.

For the purposes of this section the directors of the Tilbury Company shall have the services of the staff of that company free of charge.

If the number of directors of the Tilbury Company be reduced by death resignation or otherwise below three before the completion of such winding-up the continuing directors shall choose a person or persons who immediately before the date of the passing of this Act was or were a shareholder or shareholders of the Tilbury Company to fill the vacancy or vacancies so caused.

As to debts
and divi-
dends.

6.—(1) Notwithstanding anything to the contrary in this Act contained the Tilbury Company shall manage the Tilbury undertaking in the ordinary manner up to the date of the passing of this Act and shall discharge all contracts obligations debts and liabilities of every description of the Tilbury Company up to such date.

(2) All interest rents and charges becoming due and payable at and prior to the date of the passing of this Act and which if this Act had not been passed would have been payable out of the revenue and revenue assets of the Tilbury Company shall be borne by and paid out of such revenue and revenue assets.

(3) Any balance of revenue and revenue assets remaining in the hands of the Tilbury Company after payment of the dividends at the authorised rate on their preference stock and dividends on their ordinary stock at a rate not exceeding six per centum per annum in respect of the year one thousand nine hundred and eleven and in respect of the half year ending the thirtieth day of June one thousand nine hundred and twelve and making the payments provided for by this section shall belong to the Company and be handed over by the Tilbury Company accordingly.

Stocks to be
created and
issued for

7.—(1) Upon the passing of this Act there shall be created by virtue of this Act without further or other authority and in

addition to any other capital which the Company are authorised to raise such amounts of Midland Railway two and a half per centum consolidated perpetual preference stock and of Midland Railway two and a half per centum debenture stock as may be necessary for giving effect to the purposes of this Act and the stocks so created shall form part of and shall rank *pari passu* with and shall confer the like privileges and shall bear the same dividend and be subject to the like restrictions as the existing Midland Railway two and a half per centum consolidated perpetual preference stock and the existing Midland Railway two and a half per centum debenture stock respectively except that all stock created by virtue of this Act shall rank for dividend as from the first day of July one thousand nine hundred and twelve.

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—
purposes of
vesting.

(2) As soon as conveniently may be after the passing of this Act the Company shall issue to the respective registered holders of the debenture and preference and ordinary stocks of the Tilbury Company certificates for the undermentioned amounts of stock of the Company on production of the certificates and in exchange for the stock now held by such holders respectively (that is to say):—

To the respective registered holders of four per centum debenture stock of the Tilbury Company certificates for such an amount of Midland Railway two and a half per centum debenture stock as that the interest thereon at such last-mentioned rate per centum will yield to such holders respectively an amount of interest equal to that produced by the stock in exchange for which such certificates are issued:

To the respective registered holders of four per centum consolidated preference stock and of four per centum preference stock (1904) of the Tilbury Company certificates for such an amount of Midland Railway two and a half per centum consolidated perpetual preference stock as that the interest thereon at such last-mentioned rate per centum will yield to such holders respectively an amount of dividend equal to that produced by the stock in exchange for which such certificates are issued:

To the respective registered holders of ordinary stock of the Tilbury Company certificates for two hundred and forty pounds of Midland Railway two and a half per

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centum consolidated perpetual preference stock in exchange for each one hundred pounds nominal value of ordinary stock in exchange for which such certificates are issued and so in proportion for any greater or less sum than one hundred pounds :

The certificates for the stocks of the Tilbury Company so exchanged shall upon such exchange be cancelled :

Provided that where the Company are for twelve months after the passing of this Act unable after diligent inquiry to ascertain the person to whom any certificate of stock ought to be issued as aforesaid or cannot obtain a sufficient discharge for the same the Company may transfer such stock to the Paymaster-General for and on behalf of the Supreme Court under any Act for the time being in force for the relief of trustees and every such transfer shall conclusively discharge the Company from all further liability with respect to any stock so transferred and for the purposes of this Act such stock shall be deemed to have been issued to the person entitled thereto and any person afterwards showing to the satisfaction of the court that he is entitled thereto may obtain transfer thereof accordingly.

(3) Notwithstanding anything in this Act contained no person shall become entitled under the provisions of this Act to any fractional part of a pound of Midland Railway two and a half per centum debenture stock or Midland Railway two and a half per centum consolidated perpetual preference stock but in every case in which any such person would but for this enactment have become entitled to a fractional part of a pound of any such stock the Company may at their option receive from such person such a further sum in cash as will make up an even pound of stock or pay to such person in cash the market value of such fractional part.

(4) If any certificate of any stock of the Tilbury Company in exchange for which any stock of the Company is to be issued under this Act be lost or destroyed then upon proof thereof and upon an indemnity being given against any claim in respect of such lost or destroyed certificate to the reasonable satisfaction of the directors of the Company the Company shall deliver to the person entitled to such certificate a certificate or certificates of the stock or stocks of the Company to which he would be entitled under this Act as if such first-mentioned certificate had been delivered by him as hereinbefore provided.

(5) All stock issued and cash paid to holders of stock of the Tilbury Company under this Act shall be held subject to the same trusts and obligations as those upon or to which the stock in respect of which such stock or stock and cash is or are substituted were immediately before the issue to the said holders of the substituted stock held or subject and so as to give effect to and not revoke any deed or other instrument or any testamentary disposition of or affecting any such stock and every deed or other instrument or testamentary disposition of or affecting such stock shall take effect with reference to the whole or a proportionate part of the stock so substituted therefor as the case may be. A.D. 1912.

(6) Trustees executors and administrators being holders of any stock of the Tilbury Company in exchange for which any stock of the Company is issued under this Act may and shall accept the stock of the Company issued or the stock of the Company issued and cash paid to them under the provisions of this Act in substitution for and in full satisfaction for such stock of the Tilbury Company and may and shall hold dispose of or otherwise deal with the same in all respects as they might have held disposed of or otherwise dealt with the stock for which such stock is so issued or such stock is so issued and such cash is so paid by the Company.

8.—(1) All officers clerks and servants of the Tilbury Company who are in the permanent employment of that company at the date of the passing of this Act (except such of them as have signified in writing to the Company their acceptance of any arrangement made with them individually) shall at such date become officers clerks and servants of the Company with the same rights and subject to the same obligations and incidents in respect to such employment as they would have had or been subject to in their capacities of officers clerks or servants of the Tilbury Company. As to officers
&c. of
Tilbury
Company.

(2) If during the period of three years from the date of the passing of this Act any clerk or servant of the Tilbury Company or of the Company who prior to the date of vesting was in the permanent employ of the Tilbury Company or of the Company shall be discharged by reason of the passing of this Act he shall be entitled to compensation as hereinafter provided but nothing in this subsection shall confer any right to compensation on any clerk or servant who is dismissed for

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(3) Any question as to whether any and if so what compensation is payable under the last preceding subsection shall in default of agreement be settled by a single arbitrator under the Arbitration Act 1889.

(4) The Company shall in respect of those retired members of the Tilbury staff who are at the date of the passing of this Act in receipt of pensions or retiring allowances from the Tilbury Company continue such pensions to such members on the conditions on which they were originally granted by the Tilbury Company.

(5) The Company shall have power to grant such pensions or to make such compensation as may be deemed expedient to any director of the Tilbury Company and to any officer clerk or servant or any other person regularly employed by the Tilbury Company.

(6) Notwithstanding the transfer of the Tilbury undertaking to the Company the officers clerks and servants of the Tilbury Company taken over by the Company who at the date of the passing of this Act are contributing members to the railway clearing system superannuation fund shall be entitled to remain contributing members of that fund upon the same conditions and with the right to the same retiring or superannuation allowances and other benefits as if they had remained officers clerks or servants of the Tilbury Company and the Company shall make and the Railway Clearing System Superannuation Fund Corporation shall accept similar contributions and payments on account of the said officers clerks and servants to the said fund as have been theretofore made by the Tilbury Company. The Company in conjunction with the Superannuation Fund Association of the Company the Railway Clearing System Superannuation Fund Corporation and any one or more of such officers clerks or servants may arrange terms for such one or more of the said officers clerks and servants ceasing to be contributing members of the railway clearing system superannuation fund and upon such terms being arranged such one or more of the said officers clerks and servants shall become contributing members of the Midland Railway superannuation fund

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and shall be treated as regards retiring or superannuation allowances and other benefits on the same basis as the officers clerks and servants of the Company employed in the same or the like capacities and the previous membership of the said officers clerks and servants of the Tilbury Company in the railway clearing system superannuation fund shall be considered equivalent to previous membership of the same length in the Midland Railway superannuation fund.

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9.—(1) All statutory rights powers and privileges vested in and exercisable by the Tilbury Company in relation to the Tilbury undertaking shall by virtue and subject to the provisions of this Act and except as by this Act is otherwise provided be transferred to and vested in the Company and may be enjoyed and exercised by the Company as fully and effectually in all respects as the Tilbury Company might have exercised the same if this Act had not been passed.

Application
of special
Acts.

(2) The provisions of the Acts of the Tilbury Company relating to the constitution and to the general meetings and directors of the Tilbury Company shall subject to the provisions of this Act be repealed.

(3) Except so far as is by this Act expressly provided none of the provisions of any Act or agreement limiting or restricting the powers rights privileges authorities or charges of the Company or of the Tilbury Company or relating to any traffic on over or from the Midland undertaking or the Tilbury undertaking respectively or to any charges or payments to be made to or by the Company or the Tilbury Company in respect of or in relation to any such traffic shall be deemed to apply to any part of the Midland undertaking or the Tilbury undertaking or to any traffic charges or payments to which such provisions would not have applied if this Act had not been passed.

(4) Nothing contained in this section shall derogate from any of the provisions of the Railway and Canal Traffic Acts 1854 to 1888.

10. On and after the passing of this Act the railways of the Tilbury Company shall for the purposes of maximum rates and charges for merchandise traffic (including perishable merchandise by passenger train) be part of the railway of the Company

Rates and
charges on
Tilbury Rail-
way.

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A.D. 1912. as if the same had been part of the Midland Railway at the date of the passing of the Midland Railway Company (Rates and Charges) Order Confirmation Act 1891 and shall for all other purposes be part of the undertaking of the Company as authorised by the Midland Railway Consolidation Act 1844 but notwithstanding anything contained in this Act the provisions of the Acts of the Tilbury Company relating to passenger fares and to the conveyance of small parcels by passenger train and passengers luggage shall continue to apply to the railways of the Tilbury Company.

Capital powers
of Tilbury
Company re-
pealed.

11. All unexercised powers of raising money conferred upon the Tilbury Company by any Act of Parliament are subject to the provisions of this Act hereby repealed.

Saving for
Postmaster-
General.

12. Nothing in this Act shall affect the rights of His Majesty's Postmaster-General under the Telegraph Act 1878 and the existing agreements with the Tilbury Company to place and maintain telegraphic lines in under upon along over or across such of the railways and works comprised in the Tilbury undertaking as have been authorised by an Act of Parliament passed after the first day of January one thousand eight hundred and seventy-eight and from time to time to alter such telegraphic lines and to enter upon the land and works comprised in such undertaking as aforesaid for the purposes in the Telegraph Act 1878 specified and the Postmaster-General shall after the passing of this Act be at liberty to exercise all the rights aforesaid notwithstanding that the Tilbury undertaking is transferred to and vested in the Company as freely and fully in all respects as he was entitled to do before the passing of this Act.

For pro-
tection of
Southend-
on-Sea Cor-
poration and
others.

13. Notwithstanding anything contained in this Act the following provisions for the protection and benefit of the mayor aldermen and burgesses of the borough of Southend-on-Sea (in this section referred to as "the borough") the urban district council of Leigh-on-Sea the Southend-on-Sea and District Chamber of Commerce the Westcliff-on-Sea Tradesmen's Association and the Southend and District Railway Travellers' Association shall unless otherwise agreed apply and have effect (that is to say) :—

The Company shall at all times provide work and run an adequate service of passenger trains to and from the stations of the Tilbury Company in the borough and at

Leigh-on-Sea from and to Fenchurch Street Station and shall so long as circumstances require maintain and as and when circumstances require improve and increase (so far as the accommodation for the time being available at Fenchurch Street Station will admit of their so doing) the service of passenger trains between those stations which was provided worked and run by the Tilbury Company during the period of twelve months immediately preceding the passing of this Act. A.D. 1912.

14.—(1) The Great Northern Railway Company (in this section called “the Great Northern Company”) may run over and use with their engines carriages and waggons officers and servants for the purposes of goods and merchandise traffic between places on or beyond the system of the Great Northern Company and the Tilbury Docks or any extension of such docks which may be hereafter constructed by the Port of London Authority—

Running powers to Great Northern Railway Company.

So much of the railway of the Tilbury Company as extends from the junction at Bromley of that railway with the railway of the North London Railway Company by way of Barking and Purfleet to the junction of the said railway of the Tilbury Company with the railways of the Port of London Authority at the said docks;

together with such apparatus works and conveniences on or connected with the said portion of railway as may be necessary for the purpose of such traffic and the Great Northern Company may as regards such traffic demand and take upon and in respect of the said portion of railway the same rates and charges as the Company are or may be entitled to demand and take for the like traffic.

(2) The schedule of times at which trains may be run by the Great Northern Company under this section and the terms conditions and regulations to be observed and fulfilled and the tolls charges rent or other considerations to be paid by the Great Northern Company for and in respect of the use of the said portion of railway and such apparatus works and conveniences as aforesaid shall be such as may be agreed upon between the Company and the Great Northern Company or failing agreement as may be determined on the application of either of the companies by the Railway and Canal Commissioners or any two of them.

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(3) In running over and using the said portion of railway in accordance with the provisions hereinbefore contained the regulations and byelaws for the time being in force on the railway so used shall be at all times observed so far as such regulations and byelaws shall be applicable.

(4)—(i) When any part of the said portion of railway which has not yet been converted and adapted for being worked by electrical power shall have been so converted and adapted the Company may by notice in writing require the Great Northern Company as from a date to be named in such notice to adapt their steam engines worked on such part of the said portion of railway for working electrical signalling apparatus or to use electrical traction instead of steam traction on such part of the said portion of railway:

If the Great Northern Company object to any such requirement and shall within two months from the receipt by them of the notice containing the same give notice in writing to the Company of such objection thereupon the matter in difference shall unless the same is agreed between the Company and the Great Northern Company be determined on the application of either company by the Railway and Canal Commissioners or any two of them:

If the Great Northern Company shall not give any such notice of objection as aforesaid or if such commissioners shall determine that the Great Northern Company are to so adapt their steam engines so worked as aforesaid or to use electrical traction instead of steam traction on such part of the said portion of railway then from and after such date as the case may be as shall be fixed in the notice given by the Company to the Great Northern Company or as shall be agreed between the two companies or as shall be fixed by such commissioners the Great Northern Company shall not as the case may be use on such part of the said portion of railway any steam engine not so adapted or use thereon any traction other than electrical traction:

Provided that the Company shall not be empowered to serve any notice on the Great Northern Company in pursuance of this subsection which shall require the Great Northern Company to conform to any requirements not conformed to by the Company for their own similar traffic in respect of the same portion of railway or to adapt their steam engines in any

manner other than that in which the steam engines of the Company used on the same portion of railway shall have been adapted. A.D. 1912.

(ii) The Company if required by the Great Northern Company shall supply the Great Northern Company with the electrical current necessary for working the trains which they are under this section empowered to work on such terms and subject to such conditions as failing agreement may be determined by such commissioners.

(5) If at any time hereafter the Port of London Authority shall construct any new dock and such dock is connected with the railways of the Tilbury Company the provisions of this section shall be read and have effect in all respects as if the portion of railway of the Tilbury Company and any railway connecting such portion of railway with such new dock by which the Company from time to time works its own similar traffic to such new dock were in relation to such new dock included in the portion of the railway of the Tilbury Company over which powers are hereinbefore in this section conferred upon the Great Northern Company.

15. Whether the running powers by this Act granted to the Great Northern Railway Company (in this section called "the Great Northern Company") shall be exercised or not— Facilities to Great Northern Railway Company.

In order to facilitate the transmission of traffic passing or intended to pass to or from places on or beyond the London Tilbury and Southend Railway (including the Tilbury Docks or any extension thereof or any new docks that may be constructed on the north bank of the River Thames by the Port of London Authority and connected with the railways of the Tilbury Company) from or to places on or beyond the railways of the Great Northern Company the Company shall at all times hereafter afford to the Great Northern Company all proper reasonable and necessary facilities for the convenient working forwarding and conveyance of such traffic viâ existing points of exchange including among other things through bookings through tickets and invoices through rates and fares and as far as reasonably may be through waggons the efficient working of trains at convenient times and so far as practicable in due connection so as to satisfy the reasonable requirements of the public for the reception

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forwarding transmission conveyance and delivery of such traffic and shall accommodate manage and forward such traffic and give such facilities as effectually regularly and expeditiously as if it were their own proper traffic The existing facilities for the interchange of traffic and the arrangements as to routes and invoicing of traffic between the Great Northern Railway and the London Tilbury and Southend Railway which have been in operation between the Great Northern Company and the Tilbury Company immediately prior to the passing of this Act shall be continued by and be binding upon the Company as if the Company had been parties to the said facilities and arrangements and similar facilities and arrangements shall extend and apply to all railways docks quays wharves or other works which may hereafter be constructed in extension of or in connection with the existing railways of the Tilbury Company Provided that in respect of competitive traffic the through rates and charges shall be in no case higher than those charged by the Company either by themselves or in connection with any other railway company by any competing route or routes.

For protection of Great Western Railway Company.

16. In order to facilitate the transmission of traffic passing or intended to pass to or from places on or beyond the London Tilbury and Southend Railway from or to places on or beyond the railways of the Great Western Railway Company (in this section called "the Great Western Company") the Company shall at all times hereafter afford to the Great Western Company all proper reasonable and necessary facilities for the convenient working forwarding and conveyance of such traffic viâ Acton and Woodgrange Park and viâ Acton and Bromley including among other things through booking through tickets and invoices through rates and fares and as far as reasonably may be through waggons the efficient working of trains at convenient times and so far as practicable in due connection so as to satisfy the reasonable requirements of the public for the reception forwarding transmission conveyance and delivery of such traffic and shall accommodate manage and forward such traffic and give such facilities as effectually regularly and expeditiously as if it were their own proper traffic Provided that the existing facilities for the interchange of traffic and the arrangements as to routes and invoicing of traffic which have been in operation between the Great Western Company and the

Tilbury Company prior to the passing of this Act shall be continued by and be binding upon the Company as if the Company had been parties to the said facilities and arrangements and that similar facilities and arrangements shall extend and apply to all railways docks quays wharves or other works which may hereafter be constructed in extension of or in connection with the existing railways of the Tilbury Company Provided also that in respect of competitive traffic the through rates and charges shall be in no case higher than those charged by the Company either by themselves or in connection with any other railway company by any competing route or routes and the tolls for the passage of traffic over the railways of the Company between the railways of the Great Western Company and the railways of the Tilbury Company shall be in no case higher than those charged by the Company to any other company.

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17. For the protection of the Great Central Railway Company (in this section called "the Great Central Company") the following provisions shall unless otherwise agreed in writing between the Company and the Great Central Company apply and have effect (that is to say):—

For protection of Great Central Railway Company.

- (1) The Great Central Company may at all times canvass for and obtain traffic of all descriptions which in consequence of the amalgamation of the undertakings of the Company and the Tilbury Company by this Act authorised will become local traffic of the Company:
- (2) In order to facilitate the transmission of traffic passing or intended to pass to or from places on or beyond the London Tilbury and Southend Railway from or to places on or beyond the railways of the Great Central Company the Company shall at all times hereafter afford to the Great Central Company all proper reasonable and necessary facilities for the convenient working forwarding and conveyance of such traffic including among other things through booking through tickets and invoices through rates and fares and so far as reasonably may be through waggons the efficient working of trains at convenient times and so far as practicable in due connection so as to satisfy the reasonable requirements of the public for the reception forwarding transmission conveyance and delivery of such traffic and shall accommodate

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manage and forward such traffic and give such facilities as effectually regularly and expeditiously as if it were their own proper traffic and the existing facilities for the interchange of traffic and the arrangements as to routes and invoicing of traffic which have been in operation between the Great Central Company and the Tilbury Company prior to the passing of this Act shall continue to be binding upon the Company as if the Company had been parties to the said facilities and arrangements and similar facilities and arrangements shall extend and apply to all railways docks quays wharves or other works which may hereafter be constructed in extension of or in connection with the existing railways of the Tilbury Company and in respect of competitive traffic the through rates and charges shall be in no case higher than those charged by the Company either by themselves or in connection with any other railway company by any competing route or routes.

For protection of London and South Western Railway Company.

18.—(1) In order to facilitate the transmission of traffic passing or intended to pass to or from places on or beyond the Tilbury undertaking from or to places on or beyond the railways of the London and South Western Railway Company (in this section called “the South Western Company”) the Company shall at all times hereafter afford to the South Western Company all proper reasonable and necessary facilities for the convenient working forwarding and conveyance of such traffic by the route or routes in operation prior to the passing of this Act (viz.) viâ Bromley (London Tilbury and Southend Railway) the North London Railway and Kew Junction and viâ Woodgrange Park (London Tilbury and Southend Railway) the Midland Railway and Kew Junction including among other things through booking through tickets and invoices through rates and fares and as far as reasonably may be through waggons the efficient working of trains at convenient times and so far as practicable in due connection so as to satisfy the reasonable requirements of the public for the reception forwarding transmission conveyance and delivery of such traffic and shall accommodate manage and forward such traffic and give such facilities as effectually regularly and expeditiously as if it were their own proper traffic Provided that the existing facilities for the interchange of traffic and the arrange-

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ments as to routes and invoicing of traffic which have been in operation between the South Western Company and the Tilbury Company prior to the passing of this Act shall be continued by and be binding upon the Company as if the Company had been parties to the said facilities and arrangements and that similar facilities and arrangements shall extend and apply to all railways docks quays wharves or other works which may hereafter be constructed in extension of or in connection with the existing Tilbury undertaking Provided also that in respect of competitive traffic the through rates and charges shall be in no case higher than those charged by the Company either by themselves or in connection with any other railway company by any competing route or routes. A.D. 1912.

(2) Any question or difference arising under this section shall be determined by an arbitrator to be agreed or failing agreement appointed by the Board of Trade on the application of either party whose decision shall be final and the provisions of the Arbitration Act 1889 shall apply to any such arbitration.

19. In order to facilitate the transmission of traffic passing or intended to pass to or from places on or beyond the London Tilbury and Southend Railway from or to places on or beyond the railways of the Great Eastern Railway Company (in this section called "the Great Eastern Company") the Company shall at all times hereafter afford to the Great Eastern Company all proper reasonable and necessary facilities for the convenient working forwarding and conveyance of such traffic viâ existing points of exchange including among other things through bookings through tickets and invoices through rates and fares and as far as reasonably may be through waggons the efficient working of trains at convenient times and so far as practicable in due connection so as to satisfy the reasonable requirements of the public for the reception forwarding transmission conveyance and delivery of such traffic and shall accommodate manage and forward such traffic and give such facilities as effectually regularly and expeditiously as if it were their own proper traffic The existing facilities for the interchange of traffic and the arrangements as to routes and invoicing of traffic between the Great Eastern Railway and the London Tilbury and Southend Railway which have been in operation between the Great Eastern Company and the Tilbury Company immediately prior to the passing of this Act shall be continued by and be binding

For protection of Great Eastern Railway Company.

[Ch. c.] *Midland Railway (London Tilbury [2 & 3 GEO. 5.]
and Southend Railway Purchase) Act, 1912.*

A.D. 1912. upon the Company as if the Company had been parties to the said facilities and arrangements and that similar facilities and arrangements shall extend and apply to all railways docks quays wharves or other works which may hereafter be constructed in extension of or in connection with the existing railways of the Tilbury Company Provided that in respect of competitive traffic the through rates and charges shall be in no case higher than those charged by the Company either by themselves or in connection with any other railway company by any competing route or routes.

For protection of other railway companies.

20. In order to facilitate the transmission of traffic passing or intended to pass to or from places on or beyond the London Tilbury and Southend Railway from or to places on or beyond the railways of any other railway company (other than the Great Northern Railway Company the Great Western Railway Company the Great Central Railway Company the London and South Western Railway Company and the Great Eastern Railway Company) the Company shall at all times hereafter afford to any such other company all proper reasonable and necessary facilities for the convenient working forwarding and conveyance of such traffic including among other things through booking through tickets and invoices through rates and fares and as far as reasonably may be through waggons the efficient working of trains at convenient times and so far as practicable in due connection so as to satisfy the reasonable requirements of the public for the reception forwarding transmission conveyance and delivery of such traffic and shall accommodate manage and forward such traffic and give such facilities as effectually regularly and expeditiously as if it were their own proper traffic Provided that the existing facilities for the interchange of traffic and the arrangements as to routes and invoicing of traffic which have been in operation between such other company and the Tilbury Company prior to the passing of this Act shall be continued by and be binding upon the Company as if the Company had been parties to the said facilities and arrangements and that similar facilities and arrangements shall extend and apply to all railways docks quays wharves or other works which may hereafter be constructed in extension of or in connection with the existing railways of the Tilbury Company Provided also that in respect of competitive traffic the through rates and charges shall be in no case higher than those charged by the

Company either by themselves or in connection with any other railway company by any competing route or routes. A.D. 1912.

21. The Company shall forthwith prepare a scheme for working traffic by electrical power by the direct route between Fenchurch Street Station and Southend-on-Sea and shall apply to Parliament for such powers as may be necessary in relation thereto including powers to construct two additional lines of railway between Gas Factory Junction and Stepney and such application shall be made not later than the session of 1914 and after obtaining the necessary powers the Company shall carry out and complete such scheme within seven years of obtaining such powers or within such extended time as may hereafter be prescribed by Parliament. Company to electrify portion of Tilbury Railway.

22. The Company may apply for or towards all or any of the purposes of this Act to which capital is properly applicable any sums of money which they have already raised or are authorised to raise by any of their Acts and which are not required for the purposes to which they are by those Acts made specially applicable. Company may apply corporate funds.

23. Nothing in this Act contained shall exempt the Company or their railways from the provisions of any general Act relating to railways or the better or more impartial audit of the accounts of railway companies passed before or after the commencement of this Act or from any future revision or alteration under the authority of Parliament of the maximum rates of fares and charges or of the rates for small parcels authorised to be taken by the Company. Provision as to general Railway Acts.

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

[Ch. c.] *Midland Railway (London Tilbury [2 & 3 GEO. 5.]
and Southend Railway Purchase) Act, 1912.*

A.D. 1912. The SCHEDULE referred to in the foregoing Act.

STATEMENT OF THE CAPITAL AND BORROWING POWERS OF THE
TILBURY COMPANY ON 13TH DECEMBER 1911.

A.—CAPITAL AUTHORISED TO BE RAISED BY ORDINARY AND
PREFERENCE STOCK.

Capital authorised.	Classes of Stock.	Stock issued and Capital raised thereby.	Stock created but unissued.	Capital authorised but not created and Stock or Shares by which it may be raised.
£ 4,717,450	Consolidated ordinary stock.	£ 2,111,840	£ 51,510	£ 750,000 new ordinary or new preference shares or stock or partly by one or more of such stocks or shares.
	Four per centum consolidated preference stock.	1,204,100	—	
	Four per centum preference stock (1904).	600,000	—	
		£3,915,940	£51,510	
				£750,000

B.—AMOUNT AUTHORISED TO BE BORROWED BY LOANS AND
DEBENTURE STOCK.

Amount authorised to be borrowed.	Amount borrowed by issue of Four per Centum Debenture Stock.	Available Borrowing Powers.
£1,586,000	£1,336,000	£250,000

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