



ANNO DECIMO NONO

# VICTORIÆ REGINÆ.

\*\*\*\*\*

## Cap. xv.

An Act to enable the *Eastern Counties* and *London and Blackwall* Railway Companies to raise a further Sum of Money for the Purposes of the *London, Tilbury, and Southend* Extension Railway; to amend the Acts relating to such Undertaking; and for other Purposes. [5th June 1856.]

**W**HEREAS an Act was passed in the Fifteenth Year of the  
 Reign of Her present Majesty, intituled "The *London, 15 & 16 Vict.*  
*Tilbury, and Southend* Extension Railway Act, 1852;" c. lxxxiv.  
 and another Act was passed in the Seventeenth and Eighteenth Years  
 of the Reign of Her present Majesty, intituled "The *London, Tilbury, 17 & 18 Vict.*  
*and Southend* Railway Deviation and Amendment Act, 1854," whereby c. cxxxiii.  
 the *Eastern Counties* and *London and Blackwall* Railway Companies  
 were empowered jointly to construct a Railway from the *Eastern*  
*Counties* Railway at *Ilford* to *Tilbury* and *Southend*, and to purchase  
 a Branch Railway to *Thames Haven*, and to construct certain Works,  
 and were empowered to raise a separate and distinct Capital for such  
 Purposes, and to grant a Lease of the Railway and Works for a Term  
 of Twenty-one Years to certain Persons named in the lastly-recited  
 [Local.] S s Act:

*The London, Tilbury, and Southend Railway (Amendment)  
Act, 1856.*

Act: And whereas the Companies have proceeded with the Execution of the said Acts, and have constructed such Railway and Works, and have opened the same for the Use of the Public: And whereas the Portion of Railway between *Tilbury* and *Southend* was originally intended to be constructed and used with a single Line of Rails, but Power was reserved to the Board of Trade to require the laying down of an additional Line of Rails, and in consequence of the Regulations of such Board, and the large Amount of Traffic on the Railway, it has become necessary to provide double Lines of Rails upon the whole of the Railway: And whereas the Companies are authorized to raise for the Purposes of the *London, Tilbury, and Southend Extension Railway* the following Sums, (that is to say,) by Shares, the Sum of Four hundred and fifty-two thousand Pounds; by Mortgage of the Undertaking, the Sum of One hundred thousand Pounds; and they have raised and expended nearly the whole of such Sums: And whereas the Capital of the Companies authorized to be raised by the said Acts relating to such Railway is insufficient to enable the Companies to complete the Undertaking as authorized by the same Acts, and it is expedient that the Companies be enabled to increase the Capital of such Undertaking, and to borrow a further Sum of Money on the Credit thereof, and that Arrangements with the Lessees or intended Lessees of such Undertaking should be authorized for an Increase in the Rent, Interest, or Dividend payable under the Lease authorized to be granted as herein-before mentioned in respect of the Expenditure of the said additional Capital on the Undertaking: And whereas the Companies have obtained a Supply of Water at *Southend* by means of Borings, and certain Parts of the Town of *Southend* being badly supplied with Water, it would be of Advantage to the Inhabitants if the Companies were enabled to supply Water to any Company or Persons desirous of contracting with the Companies: And whereas the several 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; (that is to say,)

Construction  
of certain  
Terms.

I. The following Words and Expressions in this Act shall have, for the Purposes of this Act, the following Meanings, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

“The Companies” shall mean the *Eastern Counties Railway Company* and the *London and Blackwall Railway Company*:

“Extension Railway” shall include the Railways and Branch Railways,

*The London, Tilbury, and Southend Railway (Amendment) Act, 1856.*

Railways, Piers, and Works by the recited Acts and this Act authorized to be made and purchased :

“The recited Acts” shall mean “The *London, Tilbury, and Southend* Extension Railway Act, 1852,” and “The *London, Tilbury, and Southend* Railway Deviation and Amendment Act, 1854 :”

“The Lessees” shall mean the several Persons who, under the Provisions of “The *London, Tilbury, and Southend* Railway Deviation and Amendment Act, 1854,” are or shall be Lessees of the Extension Railway.

II. In citing this Act for any Purpose it shall be sufficient to use the Expression “The *London, Tilbury, and Southend* Railway (Amendment) Act, 1856.” Short Title.

III. It shall be lawful for the Companies to raise for the Purposes of this Act and the recited Acts, by creating new Shares, in addition to the Sums of Money which they are already authorized to raise by the recited Acts, any further Sum of Money not exceeding in the whole the Sum of Sixty thousand Pounds. Power to raise additional Capital by Creation of new Shares.

IV. Such additional Capital shall be raised by the further Issue of *London, Tilbury, and Southend* Extension Shares, and the same shall be divided into Six thousand Shares of Ten Pounds each, and shall be considered as Part of the Capital authorized to be raised by the recited Acts, and shall be subject to the same Provisions, and confer the same Privileges, Benefits, and Advantages in all respects from and after their Issue as if such Shares had been Part of the original *London, Tilbury, and Southend* Extension Shares ; and the same shall be registered by the Companies in equal Proportions. New Shares to be considered same as original Shares.

V. The additional Shares to be created under the Authority of this Act shall be offered to the then Holders of the *London, Tilbury, and Southend* Extension Shares, in such Manner as will conveniently allow the same to be apportioned amongst such Holders in proportion to the then existing Shares held by them respectively, and such Offers shall be made by Letter, under the Hand of the Secretary of the Joint Committee, given to or sent by Post, addressed to each Shareholder according to his Address as entered in the Shareholders Address Book, or left at his usual or last known Place of Abode in *England*, and every such Offer made by Letter sent by Post shall be considered as made on the Day on which such Letter in the due Course of Delivery ought to reach the Place to which it shall be addressed. New Shares to be offered to original Shareholders.

VI. Such Shares so to be created shall vest in and belong to those Holders of *London, Tilbury, and Southend* Extension Shares who shall accept the same, and who shall pay the Amount thereof to the Shares to vest in Parties accepting, otherwise to be disposed of.

*The London, Tilbury, and Southend Railway (Amendment)  
Act, 1856.*

the Companies at the Time or Times and by the Instalments which shall be fixed by the Joint Committee, and if any Shareholder shall fail for One Month after such Offer of new Shares to accept the same, or to pay the Instalments called for in respect thereof within One Month after the same shall respectively become due, it shall be lawful for the Joint Committee to dispose of such Shares, by Public Auction or by Private Contract, to any Party willing to become the Purchaser thereof, for such Sums as the Joint Committee can obtain for the same.

Shareholders may be permitted to take new Shares after Time specified in case of their Absence abroad.

VII. It shall be lawful for the Joint Committee, in case they shall think proper so to do, but not otherwise, to permit any Shareholder who from Absence abroad, or any other Cause satisfactory to the Joint Committee, may have omitted or neglected (within the Time limited by this Act) to signify his Acceptance of the new Share or Shares which may have been offered to him, or to which he may be entitled by virtue of this Act, to accept such Share or Shares, and to pay for each such Share the Sum at which the same shall have been allotted to him, notwithstanding the Time limited for such Acceptance or for the Payment of such Sum may have expired.

As to Meetings of Tilbury Shareholders.

VIII. All Meetings of the Proprietors of *London, Tilbury, and Southend* Extension Shares shall be held separately from the Meetings of the other Shareholders in the *Eastern Counties* Railway Company and *London and Blackwall* Railway Company, and such Extension Shares shall not confer any Right to attend or vote at Meetings of such last-mentioned Companies; and all such Meetings of the Proprietors of the said Extension Shares shall be called and held, and the Proprietors shall be entitled to vote thereat in the Manner prescribed in "The Companies Clauses Consolidation Act, 1845," with respect to the General Meetings of the Company and the Exercise of the Right of voting by the Shareholders, and the Chairman at every such Meeting shall be the Member of the Joint Committee who presided at the Meeting of the Joint Committee immediately preceding such Meeting of Proprietors, or, in his Absence, some Member of the Joint Committee to be chosen for that Purpose by the Meeting of Proprietors, or in the Absence of all the Members of the Joint Committee, any Proprietor of *London, Tilbury, and Southend* Extension Shares, to be chosen for that Purpose by a Majority of the Proprietors of such Shares present at such Meeting.

8 & 9 Viet. c. 16. incorporated.

IX. "The Companies Clauses Consolidation Act, 1845," except the Provisions thereof with respect to the Appointment and the Rotation of Directors, shall be incorporated with and form Part of this Act, and shall extend to the Objects and Purposes of this Act and of the recited Acts.

X. The

*The London, Tilbury, and Southend Railway (Amendment)  
Act, 1856.*

X. The Companies may borrow on Mortgage of the Undertaking by the recited Acts and this Act authorized, and the Tolls and Sums of Money arising by virtue of such Acts, in addition to the said Sum of One hundred thousand Pounds authorized to be borrowed by the first-recited Act, the further Sum of Forty thousand Pounds, but no Sum of Money shall be raised upon Mortgage under this Act until the whole of the additional Share Capital by this Act authorized to be created shall have been subscribed for, and One Half thereof shall have been paid up.

Power to borrow on Mortgage.

XI. All Mortgages or Bonds granted under the Authority of any Act already passed relating to the Extension Railway shall, during the Continuance thereof, have Priority over any Mortgages or Bonds to be created by virtue of this Act.

Former Mortgages to have Priority.

XII. All the Money to be raised by virtue of this Act, by the Creation of Shares or by Mortgage, shall be applied to the Purposes of the Undertaking of the Extension Railway, and to no other Purpose whatsoever.

Application of Monies.

XIII. It shall be lawful for the Companies and their Lessees to enter into and carry into effect any Agreement or Arrangement with respect to an Increase in the Rent, Interest, or Dividend now payable by such Lessees to the Companies or the Shareholders in the Extension Railway for or in consideration of the Expenditure of the additional Capital by this Act authorized to be raised upon the Extension Railway.

Power to agree with Lessees.

XIV. Except as by this Act expressly provided, the Joint Committee acting under the recited Acts shall exercise all the Powers and Authorities by this Act conferred upon the Companies as if the Joint Committee were the Directors of the Companies, in the same Manner and with the same Powers, and under the same Provisions and Restrictions, as are contained in the recited Acts with reference to such Joint Committee.

Joint Committee to act.

XV. The Companies or the Lessees may, if they think fit, sell Water from their Works at the *Southend* Station to any Company or any Person or Persons upon such Terms and Conditions as they may think proper, and may recover the Rents or Sums of Money from Time to Time payable in respect of any such Supply of Water in any Court of competent Jurisdiction: Provided always, that nothing herein contained shall authorize the Companies to lay down, or to expend any of their Capital in laying down any Pipes for the Conveyance of such Water beyond the Limits of the Property of the Companies, nor prevent the Owners, Lessees, or Occupiers of any

Supply of Water at Southend.

[Local.]

T t

adjoining

---

*The London, Tilbury, and Southend Railway (Amendment)  
Act, 1856.*

---

adjoining Lands from obtaining a Supply of Water for themselves or others by means of Wells, Shafts, or other Works.

Interest not  
to be paid on  
Calls paid up.

XVI. It shall not be lawful for the said Companies, out of any Money by this Act 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 said Companies from paying to any Shareholder such Interest on Money advanced by him beyond the Amount of the Calls actually made as shall be in conformity with the Provisions in "The Companies Clauses Consolidation Act, 1845," in that Behalf contained.

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

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

Railway not  
exempt from  
Provisions of  
present and  
future Gene-  
ral Acts.

XVIII. Nothing herein contained shall be deemed or construed to exempt the said Extension Railway by this or the said recited Acts authorized to be made from the Provisions of any General Act relating to such Acts, or of any General Act relating to Railways, 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 future Session of Parliament, or from any future Revision and Alteration under the Authority of Parliament of the maximum Rates of Fares and Charges authorized by this Act or by the said recited Acts, or the Rates, Tolls, and Charges in respect of small Parcels.

Expenses of  
Act.

XIX. All the Costs, Charges, and Expenses of obtaining and passing this Act, or incident thereto, shall be paid by the Companies out of the Funds arising in respect of the Extension Railway.

---

LONDON :

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,  
Printers to the Queen's most Excellent Majesty. 1856.