

[14 & 15 GEO. 5.] *London Midland* [Ch. lxxix.]
and Scottish Railway (Dock Charges Scotland) Order
Confirmation Act, 1924.



CHAPTER lxxix.

An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the London Midland and Scottish Railway (Dock Charges Scotland). A.D. 1924.
[1st August 1924.]

WHEREAS His Majesty's Secretary for Scotland has made the Provisional Order set forth in the schedule hereunto annexed under the provisions of the Private Legislation Procedure (Scotland) Act 1899 and it is requisite that the said Order should be confirmed by Parliament: 62 & 63 Vict. c. 47.

Be it therefore 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:—

1. The Provisional Order contained in the schedule hereunto annexed shall be and the same is hereby confirmed. Confirmation of Order in schedule.

2. This Act may be cited as the London Midland and Scottish Railway (Dock Charges Scotland) Order Confirmation Act 1924. Short title.

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SCHEDULE.

LONDON MIDLAND AND SCOTTISH RAILWAY
(DOCK CHARGES SCOTLAND).

*Provisional Order to make provision as to the rates dues
tolls and charges leviabie at certain of the Harbours
Docks and Piers of the London Midland and Scottish
Railway Company in Scotland.*

WHEREAS the London Midland and Scottish Railway Company (in this Order referred to as "the Company") were incorporated by the North Western Midland and West Scottish Group Amalgamation Scheme 1923 made in pursuance of the Railways Act 1921 :

And whereas the undertaking of the Company includes the following harbour dock and pier undertakings namely Ayr Harbour Bowling Harbour Grangemouth Harbour Kentallen Pier Kyle of Lochalsh Pier Largs Harbour Oban Harbour Renfrew Wharf Stranraer Harbour and Troon Harbour :

And whereas the maximum rates dues tolls and charges which the Company are authorised to levy and make in respect of the said undertakings are prescribed by the Acts and Orders specified in the schedule to this Order :

And whereas the rates dues tolls and charges which the Company may levy and make in respect of the said undertakings have from time to time been increased or altered by Orders made by the Minister of Transport under the Harbours Docks and Piers (Temporary Increase of Charges) Acts 1920 to 1922 :

And whereas the London Midland and Scottish Railway Harbours Docks and Piers (Temporary Increase of Charges) Order 1924 relating to the said undertakings was made under the said Acts on the twelfth day of February one thousand nine hundred and twenty-four

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which Order will expire on the fifteenth day of February A.D. 1924.
one thousand nine hundred and twenty-five :
—

And whereas in order to enable the Company thereafter to levy and make adequate rates dues tolls and charges in respect of the said undertakings it is expedient that the operation of the said Order should be continued subject to the provisions in this Order contained for revision of the rates and charges authorised by the said Order :

And whereas the purposes aforesaid cannot be effected without an Order of the Secretary for Scotland confirmed by Parliament under the provisions of the Private Legislation Procedure (Scotland) Act 1899 :

Now therefore in pursuance of the powers contained in the last-mentioned Act the Secretary for Scotland orders as follows :—

1. This Order may be cited for all purposes as the Short title.
London Midland and Scottish Railway (Dock Charges Scotland) Order 1924.

2. The *London Midland and Scottish Railway Harbours Docks and Piers (Temporary Increase of Charges) Order 1924* so far as it relates to the respective undertakings specified in the Schedule to this Order shall notwithstanding anything contained in the *Harbours Docks and Piers (Temporary Increase of Charges) Acts 1920 to 1922* but subject to the provisions of this Order continue in operation until the first day of October one thousand nine hundred and twenty-nine. Rates and charges.

3. The Company shall until the first day of October one thousand nine hundred and twenty-nine keep open for public inspection at their principal office at every harbour dock or pier mentioned in the Schedule to this Order the book or list specifying the charges to which the *London Midland and Scottish Railway Harbours Docks and Piers (Temporary Increase of Charges) Order 1924* relates and which were in operation at such harbour dock or pier on the thirty-first day of December one thousand nine hundred and thirteen and the conditions attaching to any such charges and the Company shall deposit on or before the thirty-first day of December one thousand nine hundred and twenty-four a certified Deposit of lists of pre-war charges.

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Revision of rates and charges.

4.—(1) If at any time it is represented in writing to the Minister of Transport (in this section referred to as "the Minister") :—

(a) by any chamber of commerce or shipping or any representative body of traders or any person who in the opinion of the Minister is a proper person for the purpose; or

(b) by the Company;

that under the circumstances then existing all or any of the rates dues tolls or charges authorised in pursuance of this Order should be revised the Minister may if he thinks fit at any time after the fifteenth day of February one thousand nine hundred and twenty-five make an Order revising all or any of such rates dues tolls or charges as aforesaid and may fix the date as from which such Order shall take effect and thenceforth such Order shall be observed until the same expires or is revoked or modified by a further Order of the Minister made in pursuance of this section. Provided that before making an Order under this section the Minister shall cause an inquiry to be held with reference thereto in pursuance of the Board of Trade Arbitrations &c. Act 1874 as applied by this section.

(2) No application may be made under this section for a general revision of rates dues tolls and charges for the time being authorised under this Order within twelve months after the date of an Order made by the Minister for a general revision thereof and no application may be made for a revision of any particular rates dues tolls or charges within twelve months after the date of an Order made by the Minister for a general revision or of any previous application for a revision of the particular rates dues tolls or charges in question.

(3) The provisions of Part I. of the Board of Trade Arbitrations &c. Act 1874 shall apply for the purposes of this section—

(a) as if the Minister were referred to therein in lieu of the Board of Trade;

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(b) as if the person or persons duly authorised to hold any inquiry thereunder were the rates advisory committee constituted under the Ministry of Transport Act 1919 or any sub-committee thereof to which the said advisory committee may under section 2 of the Harbours Docks and Piers (Temporary Increase of Charges) Act 1920 have delegated their powers or in the event of the said advisory committee ceasing to exist some persons with similar qualifications to be appointed for the purpose by an order of the Minister under section 2 of the said Act of 1874; and

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(c) as if in section 4 of the said Act of 1874 the words "under the seal of the Minister of Transport" were substituted for the words "by writing under the hand of the President or of one of the secretaries of the Board."

(4) An application made to the Minister under this section shall be accompanied by such information and particulars as the Minister may consider relevant certified in such manner as he may require and the Minister and the body or persons holding an inquiry for the purposes of this section may call for such documents and accounts as they may consider relevant and may hear such witnesses as they shall think fit and shall have power to take evidence on oath and for that purpose may administer oaths.

5. All costs charges and expenses of and incident to the preparing for obtaining and confirming of this Order or otherwise in relation thereto shall be paid by the Company. Costs of Order.

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A.D. 1924. The SCHEDULE referred to in the foregoing Order.

Acts and Orders.	Undertaking to which applicable.
Ayr Harbour Amendment Act 1879 -	} Ayr Harbour.
Ayr Harbour Act 1893 - - - - -	
Glasgow and South Western Railway (Ayr Harbour Transfer) Order Confirmation Act 1919 - - - - -	
Forth and Clyde Navigation Act 1846 -	} Bowling Harbour.
Caledonian Railway and Forth and Clyde Navigation Companies Act 1867 -	
Caledonian Railway (Grangemouth Harbour) Act 1876 - - - - -	} Grangemouth Harbour.
Caledonian Railway Act 1897 - - - - -	
Leitir Mhor Pier Order 1901 confirmed by Pier and Harbour Orders Confirmation (No. 1) Act 1901 - - - - -	} Kentallen Pier.
Caledonian Railway Act 1905 - - - - -	} Kyle of Lochalsh Pier.
Highland Railway Act 1893 - - - - -	
Largs Harbour Act 1832 - - - - -	} Largs Harbour.
Glasgow and South Western Railway Act 1899 - - - - -	
Callander and Oban Railway Act 1878 -	} Oban Harbour.
Callander and Oban Railway Act 1897 -	
Glasgow and South Western Railway Consolidation Act 1855 - - - - -	} Renfrew Wharf.
Burgh Harbours (Scotland) Act 1853 -	} Stranraer Harbour.
Portpatrick Railway Act 1877 - - - - -	
London and North Western Railway Act 1893 - - - - -	
Portpatrick and Wigtownshire Joint Railway Order Confirmation Act 1902	} Troon Harbour.
Troon Harbour Act 1808 - - - - -	
Glasgow and South Western Railway Order Confirmation Act 1904 - - - - -	

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