



CHAPTER xci.

An Act to empower the Highland Railway Company to construct an extension of their Railway from Strome Ferry to Kyle of Lochalsh to erect a Pier at Kyle and for other purposes. A.D. 1893.
[29th June 1893.]

WHEREAS it is expedient that the Highland Railway Company in this Act called the Company should be authorised to make and maintain an extension of their railway from Strome Ferry in the county of Ross and Cromarty to Kyle of Lochalsh in the same county and also to erect and maintain a pier in connexion therewith at Kyle of Lochalsh :

And whereas it is expedient that the Company should be authorised to purchase and acquire the ferry between Kyle of Lochalsh and Kyleakin in the island of Skye and all the rights powers and privileges connected therewith and to work the same by steam vessels as herein-after provided :

And whereas by the Highland Railway (Steam Vessels) Act 1877 the Company were authorised to build purchase hire provide charter employ and maintain steam and other vessels of every description and to navigate work and use the same and therein and thereby to convey and carry passengers animals goods merchandise and things of every description between the ports and places in the said Act mentioned and which Act has not been repealed :

And whereas it is expedient that the Company should be authorised to build provide maintain work and manage and to lease hotels at or near their Aviemore Station in the county of Inverness and at Kyle of Lochalsh in the county of Ross and Cromarty :

And whereas it is expedient that the time limited by the Highland Railway (Further Powers) Act 1890 for the compulsory purchase of additional lands in the counties of Inverness Elgin and Ross and Cromarty should be extended :

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And whereas it is expedient that the Company should be authorised to raise additional capital for the purposes of this Act and for the general purposes of their undertaking :

And whereas plans and sections showing the lines and levels of the railway pier and works authorised by this Act and also books of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act were duly deposited with the principal sheriff clerk for the county of Ross and Cromarty and are herein-after respectively referred to as the deposited plans sections and books of reference :

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

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

Short title.

1. This Act may be cited as the Highland Railway Act 1893.

Incorporation of Acts.

2. The Lands Clauses Acts the Railways Clauses Consolidation (Scotland) Act 1845 and Part I. (relating to construction of a railway) and Part IV. (relating to steam vessels) of the Railways Clauses Act 1863 the Harbours Docks and Piers Clauses Act 1847 with the exception of sections sixteen to nineteen and sections twenty-five and twenty-six are unless the Board of Trade otherwise require and except where expressly varied by this Act incorporated with and form part of this Act.

Interpretation.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings unless there be something in the subject or context repugnant to such construction The expressions "the extension railway" and "the railway" mean respectively the extension railway by this Act authorised the expression "the pier" means the pier by this Act authorised the expression "the undertaking" means the undertaking of the Company.

Power to make railway and pier.

4. Subject to the provisions of this Act the Company may make and maintain in the lines and according to the levels shown on the deposited plans and sections the railway pier and works herein-after described with all proper stations junctions sidings approaches wharves landing-places works and conveniences connected therewith respectively and may enter upon take and use such of the lands delineated on the deposited plans and described in the deposited

books of reference as may be required for that purpose The railway herein-before referred to and authorised by this Act is—

(1.) A railway 10 miles 3 furlongs 7 chains in length commencing by a junction with the Highland Railway at or near its termination at Strome Ferry and terminating at Kyle of Lochalsh :

(2.) A pier commencing at or near the terminus of the railway at Kyle of Lochalsh at a point two hundred and ten yards or thereabouts south-eastward of Kyle Inn thence proceeding in a southerly direction for a distance of one hundred and ten yards or thereabouts and there terminating on the bed of the sea.

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

Power to take easements &c. by agreement.

6. The quantity of land to be taken by the Company by agreement for the extraordinary purposes mentioned in the Railways Clauses Consolidation (Scotland) Act 1845 shall not exceed ten acres but nothing in that Act or in this Act shall exempt the Company from any indictment action or other proceeding for nuisance in the event of any nuisance being caused by them upon any land so taken.

Lands for extraordinary purposes.

7. The powers of the Company for the compulsory purchase of lands for the purposes of this Act shall cease after the expiration of three years from the passing of this Act.

Period for compulsory purchase of lands.

8. In altering for the purposes of this Act the roads next herein-after mentioned the Company may make the same of any inclinations not steeper than the inclinations herein-after mentioned in connexion therewith respectively (that is to say) :—

Inclination of roads.

No. on deposited Plan.	Parish.-	Description of Road.	Intended Inclination.
21	Lochalsh	Public - -	1 in 12 on one side and 1 in 15 on the other.
241	Lochalsh	Public - -	1 in 12.

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Restriction
on taking
houses of
labouring
class.

9. The Company shall not under the powers of this Act or under the powers of any former Act extended by this Act purchase or acquire ten or more houses which on the fifteenth day of December last before the passing of this Act or of the respective former Act by which such purchase or acquisition was originally authorised as the case may be were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers or except with the consent of the Secretary for Scotland ten or more houses which were not so occupied on the respective fifteenth day of December aforesaid but have been or shall be subsequently so occupied.

For the purposes of this section the expression "labouring class" means and includes mechanics artizans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any such persons who may be residing with them.

Penalty im-
posed unless
railway
opened
within the
time limited.

10. If the Company fail within the period limited by this Act to complete the railway the Company shall be liable to a penalty of fifty pounds a day for every day after the expiration of the period so limited until the railway is completed and opened for the public conveyance of passengers or until the sum received in respect of such penalty amounts to five per centum on the estimated cost of the works and the said penalty may be applied for by any landowner or other person claiming to be compensated or interested in accordance with the provisions of the next following section of this Act and in the same manner as the penalty provided in section three of the Railway and Canal Traffic Act 1854 and every sum of money recovered by way of such penalty as aforesaid shall be paid under the warrant or order of such court or judge as is specified in that section to an account opened or to be opened in the name of the Queen's and Lord Treasurer's Remembrancer on behalf of the Court of Exchequer in Scotland in the bank and to the credit specified in such warrant or order and shall not be paid thereout except as herein-after provided but no penalty shall accrue in respect of any time during which it shall appear by a certificate to be obtained from the Board of Trade that the Company were prevented from completing or opening such line by unforeseen accident or circumstances beyond their control Provided that the want of sufficient funds shall not be held to be a circumstance beyond their control.

Application
of penalty.

11. Every sum of money so recovered by way of penalty as aforesaid shall be applicable and after due notice in the Edinburgh

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Gazette shall be applied towards compensating any landowners or other persons whose property has been interfered with or otherwise rendered less valuable by the commencement construction or abandonment of the railway or any portion thereof or who have been subjected to injury or loss in consequence of the compulsory powers of taking property conferred upon the Company by this Act and for which injury or loss no compensation or inadequate compensation has been paid and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the Court of Exchequer in Scotland may seem fit and if no such compensation is payable or if a portion of the sum or sums of money so recovered by way of penalty as aforesaid has been found sufficient to satisfy all just claims in respect of such compensation then the said sum or sums of money recovered by way of penalty or such portion thereof as may not be required as aforesaid shall if a judicial factor has been appointed or the Company is insolvent or the railway or any part thereof has been abandoned be paid or transferred to such judicial factor or be applied in the discretion of the court as part of the assets of the Company for the benefit of the creditors thereof and subject to such application shall be repaid or retransferred to the Company.

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

Period for completion of railway and pier.

13. Subject to the provisions of this Act the railway and pier by this Act authorised shall for all purposes be and be deemed to be part of the undertaking of the Company.

Railway and pier to be part of Company's undertaking.

14. The Company may build provide and maintain as part of their undertaking the following hotels or one of them (that is to say) First an hotel at or connected with their Aviemore station in the parish of Duthil and Rothiemurchus and county of Inverness Second an hotel in connexion with their railway at Kyle of Lochalsh and may furnish stock equip manage and conduct the same respectively and the business thereof and may employ officers managers and servants therein or in connexion therewith and they may from time to time lease the same respectively to any person for a term of years or otherwise and the Company may apply their corporate funds for those purposes or any of them but so that capital shall be applied only to purposes to which capital is properly applicable.

Power to erect hotels at Aviemore and Kyle of Lochalsh.

15. Subject to the provisions of this Act the Company may take on lease for any term not exceeding ninety-nine years or may

Power to lease or

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purchase
Kyleakin
Ferry.

purchase and acquire hold and use the ferry between Kyle of Lochalsh and Kyleakin in the island of Skye and all rights powers and privileges of every kind connected therewith or such of them as the Company may think proper and may alter and improve the same so far as may be necessary for the purposes of the Company and the owners and lessees of the said ferry including such persons as are incapacitated from selling lands under the provisions of the Lands Clauses Acts may sell and transfer or lease and sell dispose and convey their respective rights and interests in the ferry to the Company. Provided always that in case of a lease granted by any person under any disability or incapacity the rent to be reserved in that lease shall not be less than shall be certified by a surveyor to be appointed by the sheriff of the county of Ross and Cromarty to be a sufficient consideration for or in respect of the property so leased and the covenants in such lease shall be such as the sheriff shall approve.

Company
may provide
and use
steam vessels
for the
purposes of
Kyleakin
Ferry.

16. The Company may in the event of their acquiring the rights of ferry between Kyle of Lochalsh and Kyleakin under the provisions of this Act from time to time buy or hire and may use maintain and work or enter into arrangements for using maintaining and working steam vessels for the purpose of carrying on a convenient and efficient communication by means thereof between Kyle of Lochalsh and Kyleakin in the island of Skye and may take and levy reasonable tolls rates duties and charges in respect of those steam vessels.

Power to
levy rates for
use of pier.

17. The Company may demand levy and recover in respect of every ship vessel steamboat sailing or other craft using the pier and of all passengers goods merchandise fish animals and other articles matters and things loaded or unloaded at the pier any sums not exceeding the several rates specified in Schedule (A.) to this Act annexed and as to all goods which shall not be specified in the said schedule the Company may demand a rate equal to the rate for the time being payable in request of goods of a similar nature package and quality and every such rate shall be payable by the owner of the goods.

Rates to be
charged for
use of ware-
houses cranes
and weighing
machines at
Kyle of
Lochalsh.

18. The Company may demand for the use of any of their warehouses sheds wharves and weighing machines at Kyle of Lochalsh of and from the owner or person having the charge of the goods deposited therein or loaded unloaded or weighed by means thereof such reasonable rates as the Company shall from time to time appoint not exceeding the several rates in Schedule (B.) to this Act annexed.

19. The sections of the Railways Clauses Consolidation (Scotland) Act 1845 numbered respectively eighty-three eighty-five eighty-six and eighty-nine to ninety-five shall extend and apply to the rates and dues for the pier as fully and effectually as to the tolls on the railway and for this purpose in construing those sections the word "toll" shall be deemed to include the rates and dues the expression "the railway" shall include the pier the word "goods" shall include animals commodities matters and things and the section numbered ninety-four shall extend to the owner of or person having the charge of any animals goods commodities matters or things liable to those rates.

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 Provisions of Railways Clauses Consolidation (Scotland) Act extended to such rates.

20. The limits of the pier shall extend to one hundred yards measured in a straight line along the coast on each side of the pier and the same distance seaward from the extreme end of the pier nearest to the sea Provided that the existing ferry pier at Kyle of Lochalsh and the ferry and the area within a distance of one hundred yards from any part of the ferry pier and the approaches thereto shall be excluded from the limits of rating and jurisdiction defined by this Act.

Limits of pier.

21. The powers granted to the Company by the Highland Railway (Further Powers) Act 1890 for the compulsory purchase of the additional lands houses and buildings in the counties of Inverness Elgin and Ross and Cromarty referred to in section 5 of that Act are hereby extended and may be exercised by the Company for and during a period of two years from the fourth day of July one thousand eight hundred and ninety-three and at the expiration of that period shall cease.

Extension of time for purchase of additional lands authorised by the Highland Railway (Further Powers) Act 1890.

22. The Company may apply to the purposes of this Act to which capital is properly applicable any moneys which they now have in their hands or which they have power to raise by shares or mortgage by virtue of any Acts relating to the Company and which may not be required for the purposes to which they are by any such Acts made specially applicable.

Power to apply corporate funds to purposes of Act.

23. The Company may from time to time raise any additional capital not exceeding in the whole two hundred thousand pounds by the issue at their option of new ordinary shares or stock or new preference shares or stock or wholly or partially by any one or more of those modes respectively and the clauses and provisions of the Companies Clauses Consolidation (Scotland) Act 1845 with respect to the following matters (that is to say):—

Power to the Company to raise additional capital.

The distribution of the capital of the Company into shares ;

The transfer or transmission of shares ;

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The payment of subscriptions and the means of enforcing the payment of calls ;

The forfeiture of shares for nonpayment of calls ;

The remedies of creditors of the Company against the shareholders ;

The borrowing of money by the Company on mortgage or bond ;

The conversion of the borrowed money into capital ;

The consolidation of the shares into stock ;

The general meetings of the Company and the exercise of the right of voting by the shareholders ;

The making of dividends ;

The giving of notices ; and

The provision to be made for affording access to the special Act by all parties interested :

Part I. (relating to the cancellation and surrender of shares) Part II. (relating to additional capital) Part III. (relating to debenture stock) of the Companies Clauses Act 1863 shall extend and apply to the Company and to the additional capital which they are by this Act authorised to raise.

Shares not to be issued till one-fifth part thereof shall have been paid.

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

Receipt in case of persons not sui juris.

25. If any money is payable to a shareholder or mortgagee or debenture stockholder being a minor idiot or lunatic the receipt of his tutor or curator or curator bonis shall be a sufficient discharge to the Company.

New shares or stock to be subject to the same incidents as other shares or stock.

26. Except as by this Act otherwise provided the capital in new shares or stock created by the Company under this Act and the new shares or stock therein and the holders thereof respectively shall be subject and entitled to the same powers provisions liabilities rights privileges and incidents whatsoever in all respects as if that capital were part of the now existing capital of the Company of the same class or description and the new shares or stock were shares or stock in that capital The capital in new shares or stock so created shall form part of the capital of the Company.

Dividends on shares or stock.

27. Every person who becomes entitled to new shares or stock shall in respect of the same be a holder of shares or stock in the Company and shall be entitled to a dividend with the other holders of shares or stock of the same class or description proportioned to the whole amount from time to time called and paid on such new shares or to the whole amount of such stock as the case may be

Provided always that the special general meeting of the Company authorising the creation and issue of such new shares or stock may attach thereto or to any portion thereof respectively such terms and conditions as may be determined by resolution passed at such meeting Provided also that the terms and conditions on which such shares or stock respectively are issued shall be stated on the certificates thereof.

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28. Except as otherwise expressly provided by the resolution creating the same no person shall be entitled to vote in respect of any new shares or stock to which a preferential dividend shall be assigned.

Restriction as to votes in respect of preferential shares or stock.

29. Subject to the provisions of any Act already passed by which the Company are authorised to raise capital by new shares or stock and to the provisions of this Act and any other Act passed in the present session of Parliament whether before or after the passing of this Act by which the Company may be authorised to raise capital by new shares or stock the Company may if they think fit raise by the creation and issue of new shares or stock of one and the same class all or any part of the aggregate capital which they are by such other Act and this Act respectively authorised to raise by the creation and issue of new shares or stock.

New shares or stock issued under this Act and any other Acts may be of same class.

30. The Company may in respect of the additional capital of two hundred thousand pounds which they are by this Act authorised to raise from time to time borrow on mortgage of the undertaking any sum not exceeding in the whole sixty-six thousand six hundred pounds but no part thereof shall be borrowed until shares for so much of the additional capital as is to be raised by means of shares are issued and accepted and one half of such capital is paid up and the Company have proved to the sheriff who is to certify under the forty-second section of the Companies Clauses Consolidation (Scotland) Act 1845 before he so certifies that shares for the whole of such capital have been issued and accepted and that one half of such capital has been paid up and that not less than one fifth part of the amount of each separate share in such capital has been paid on account thereof before or at the time of the issue or acceptance thereof and until stock for one half of so much of the said additional capital as is to be raised by means of stock is fully paid up and that the Company have proved to such sheriff as aforesaid before he so certifies that such shares or stock as the case may be were issued and accepted and to the extent aforesaid paid up bonâ fide and are held by the persons or corporations to whom the same were issued or their executors administrators successors or assignees and also in so far as the said additional capital is raised by shares that such

Power to borrow.

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For appointment of a judicial factor.

31. Every provision in any Act passed before the present session of Parliament whereby the Company is authorised to raise money by borrowing for the purposes of their undertaking with respect to the appointment of a judicial factor for enforcing payment by the Company of arrears of principal or interest or principal and interest shall be and the same is hereby repealed but without prejudice to any appointment which has been made or to the continuance of any proceedings which have been commenced prior to the passing of this Act under such provision. The mortgagees of the undertaking may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a judicial factor. In order to authorise the appointment of a judicial factor in respect of arrears of principal the amount owing to the mortgagees by whom the application for a judicial factor is made shall not be less than ten thousand pounds in the whole.

Debenture stock.

32. The Company may create and issue debenture stock subject to the provisions of Part III. of the Companies Clauses Act 1863 but notwithstanding anything therein contained the interest of all debenture stock at any time after the passing of this Act created and issued by the Company shall rank *pari passu* with the interest of all mortgages at any time after the passing of this Act granted by the Company and shall have priority over all principal moneys secured by such mortgages.

Existing mortgages to have priority.

33. All mortgages and bonds granted by the Company in pursuance of the powers of any Act of Parliament before the passing of this Act and subsisting at the passing hereof shall during the continuance of such mortgages and bonds and subject to the provisions of the Acts under which such mortgages and bonds were respectively granted have priority over any mortgages granted by virtue of this Act but nothing in this section contained shall affect any priority of the interest of any debenture stock at any time created and issued by the Company.

Application of moneys.

34. All moneys raised under this Act whether by shares stock debenture stock or borrowing shall be applied for the purposes of this Act and for the general purposes of the undertaking of the Company to which capital is properly applicable.

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35. The North Eastern Railway Company and the Great Northern Railway Company or either of them shall have and be entitled to the same facilities rights and privileges over the railway by this Act authorised as are conferred on those companies respectively by the twenty-ninth section of the Highland Railway (Northern Lines Amalgamation) Act 1884.

For the protection of the North Eastern and Great Northern Railway Companies.

36. The several rights powers facilities and privileges by the Highland Railway (Northern Lines Amalgamation) Act 1884 granted secured and provided as regards the traffic of the North British Railway Company shall extend and apply in all respects to the pier by this Act authorised to be constructed and to the ferry by this Act authorised to be leased purchased or acquired by the Company if and when so leased purchased or acquired and the piers and jetties connected therewith and to the vessels used in working the said ferry as well as to the railway by this Act authorised And for the purposes of that Act as extended by this Act the expression "the Highland Railway" in this Act shall include the said pier jetties works and vessels as well as the railway by this Act authorised.

Extending facilities for North British Railway traffic.

37. The several rights powers facilities and privileges by the Highland Railway (Northern Lines Amalgamation) Act 1884 granted secured and provided as regards Caledonian traffic shall extend and apply in all respects to the pier by this Act authorised to be constructed and to the ferry by this Act authorised to be leased purchased or acquired by the Company if and when so leased purchased or acquired and the piers and jetties connected therewith and to the vessels used in working the said ferry as well as to the railway by this Act authorised And for the purposes of that Act as extended by this Act the expression "the Highland Railway" in that Act shall include the said pier ferry jetties works and vessels as well as the railway by this Act authorised.

Extending facilities for Caledonian Railway traffic.

38. If at any time the Board of Trade deems it expedient for the purposes of this Act to order a survey and examination of a work constructed by the Company on in over through or across tidal lands or tidal water or of the intended site of any such work the Company shall defray the expense of the survey and examination and the amount thereof shall be a debt due from the Company to the Crown and be recoverable accordingly with costs or the same may be recovered with costs as a penalty is recoverable from the Company.

Survey of works by Board of Trade.

39. If a work constructed by the Company under the powers of this Act on in over through or across tidal lands or tidal water is abandoned or suffered to fall into decay the Board of Trade may

Abatement of work abandoned or decayed.

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abate and remove the work or any part of it and restore the site thereof to its former condition at the expense of the Company and the amount of such expense shall be a debt due from the Company to the Crown and be recoverable accordingly with costs or the same may be recovered with costs as a penalty is recoverable from the Company.

Company to exhibit lights.

40. The Company shall at the outer extremity of their works hereby authorised below high-water mark exhibit and keep burning from sunset to sunrise such lights (if any) as the Commissioners of Northern Lighthouses shall from time to time direct.

If the Company fail to comply in any respect with the provisions of this section they shall for each night in which they so fail be liable to a penalty not exceeding twenty pounds.

Lights on works.

41. The Company shall on or near the works below high-water mark hereby authorised during the whole time of the constructing altering or extending the same exhibit and keep burning at their own expense every night from sunset to sunrise such lights (if any) as the Board of Trade from time to time require or approve.

If the Company fail to comply in any respect with the provisions of this section they shall for each night in which they so fail be liable to a penalty not exceeding twenty pounds.

Provision against danger to navigation.

42. In case of injury to or destruction or decay of the pier or works or any part thereof the Company shall lay down such buoys exhibit such lights or take such other means for preventing so far as may be danger to navigation as shall from time to time be directed by the Commissioners of Northern Lighthouses and shall apply to those Commissioners for directions as to the means to be taken and the Company shall be liable to a penalty not exceeding ten pounds for every month during which they omit so to apply or refuse or neglect to obey any direction given in reference to the means to be taken.

Works below high-water mark not to be commenced without consent of Board of Trade.

43. The Company shall not under the powers of this Act construct on the shore of the sea or of any creek bay arm of the sea or navigable river communicating therewith where and so far up the same as the tide flows and reflows any work without the previous consent of the Board of Trade to be signified in writing under the hand of one of the Secretaries or Assistant Secretaries of the Board of Trade and then only according to such plan and under such restrictions and regulations as the Board of Trade may approve such approval being signified as last aforesaid and where any such work may have been constructed the Company shall not at any time alter or extend the same without obtaining previously to making any such alteration or extension the like consents or

approvals If any such work be commenced or completed contrary to the provisions of this Act the Board of Trade may abate and remove the same and restore the site thereof to its former condition at the costs and charges of the Company and the amount of such costs and charges shall be a debt due from the Company to the Crown and shall be recoverable accordingly with costs.

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44. Nothing contained in this Act shall authorise the Company to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any right in respect thereof belonging to the Queen's most Excellent Majesty in right of Her Crown and under the management of the Board of Trade without the previous consent in writing of the Board of Trade on behalf of Her Majesty (which consent the Board of Trade may give) neither shall anything in this Act contained extend to take away prejudice diminish or alter any of the estates rights privileges powers or authorities vested in or enjoyed or exerciseable by the Queen's Majesty Her heirs or successors.

Saving rights of the Crown in the fore-shore.

45. No interest or dividend shall be paid out of any share or loan capital which the Company are by this Act or any other Act authorised to raise to any shareholder on the amount of the calls made in respect of the shares held by him but nothing in this Act shall prevent the Company from paying to any shareholder such interest on money advanced by him beyond the amount of the calls actually made as is in conformity with the Companies Clauses Consolidation (Scotland) Act 1845.

Interest not to be paid on calls paid up.

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

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

47. Nothing in this Act contained shall exempt the Company or the railway from the provisions of any general Act relating to railways or the better and more impartial audit of the accounts of railway companies now in force or which may hereafter pass during this or any future session of Parliament or from any future revision or alteration under the authority of Parliament of the maximum rates of fares and charges or of the rates for small parcels.

Provision as to general Railway Acts.

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

Expenses of Act.

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SCHEDULES referred to in the foregoing Act.

SCHEDULE (A.)

RATES ON VESSELS USING THE PIER AT KYLE OF LOCHALSH.

	s.	d.
Every vessel other than open or undecked vessels using the pier or discharging or shipping goods within the limits shall pay		
per ton burden	0	2

RATES ON PASSENGERS.

For every person landing from or embarking in any vessel and using the pier	0	2
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RATES ON ANIMALS AND GOODS SHIPPED OR UNSHIPED RECEIVED OR DELIVERED AT THE PIER.

Ale beer or porter	- - - - -	per cwt.	0	1
Asphalte	- - - - -	per ton	0	6
Ballast	- - - - -	per ton	0	1
Bark in bulk or bag	- - - - -	per ton	0	10
Beef fresh or salt or other provisions	- - - - -	per cwt.	0	2
Biscuit and bread	- - - - -	per cwt.	0	2
Bones	- - - - -	per ton	0	6
Bone dust	- - - - -	per ton	0	8
Books and stationery	- - - - -	per cwt.	0	4
Bottles	- - - - -	per cwt.	0	1
Bricks	- - - - -	per ton	0	8
Butter	- - - - -	per cwt.	0	2
Carriages with four wheels	- - - - -	each	0	8
Carriages with two wheels	- - - - -	each	0	6
Cattle viz. :—				
Bulls	- - - - -	each	0	2
Cows and oxen	- - - - -	each	0	2
Calves	- - - - -	each	0	0½
Horses asses and mules	- - - - -	each	0	2
Pigs	- - - - -	each	0	0½
Sheep	- - - - -	per score	0	6
Lambs	- - - - -	per score	0	3
Cement	- - - - -	per cwt.	0	1
Chimney cans	- - - - -	per cwt.	0	1
Clay	- - - - -	per ton	0	6
Cheese	- - - - -	per cwt.	0	4
Cloth haberdashery &c.	- - - - -	per cwt.	0	1
Clover seed	- - - - -	per cwt.	0	1

RATES ON ANIMALS AND GOODS—*continued.*

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		s.	d.
Corks	per cwt.	0	1
Coach or cart wheels	per pair	0	2
Coal	per ton	0	3
Copper and brass	per ton	1	4
Cordage	per ton	0	3
Corn	per cwt.	0	1
Crystal and crockery	per cwt.	0	1
Dogs (sporting only)	each	0	2
Drugs	per cwt.	0	1
Dissolved bones	per ton	0	8
Earthenware	per cwt.	0	1
Eggs	per cwt.	0	1
Fish fresh salted or dry	per cwt.	0	1
Flax	per cwt.	0	1
Flour	per cwt.	0	1
Freestone	per ton	0	2
Fruit	per cwt.	0	1
Fowls and ducks live	per dozen	0	2
Gates	each	0	2
Geese and turkeys live	each	0	1
Glass	per cwt.	0	1
Grain viz. :—			
Wheat barley bear peas beans oats and all other descriptions of grain	per cwt.	0	1
Grates or stoves	each	0	2
Gravel	per ton	0	1
Grease and greaves	per cwt.	0	1
Groceries	per cwt.	0	1
Guano and artificial manures	per ton	0	8
Gunpowder	per cwt.	0	1
Hardware	per cwt.	0	1
Hares and rabbits	per dozen or any less quantity	0	2
Hay	per ton	0	6
Hemp and cotton unwrought	per ton	1	4
Hides	per ton	1	4
Ditto	each	0	0½
Household furniture	per cwt.	0	1
Hurdles	each	0	1
Husbandry utensils	per ton	1	4
Iron all kinds	per ton	1	0
Kelp	per ton	0	8
Lathwood	per cwt.	0	1
Lead of all kinds and zinc	per ton	1	4
Leather	per cwt.	0	1
Lime	per cwt.	0	1
Limestone	per ton	0	3
Machinery	per ton	1	4

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RATES ON ANIMALS AND GOODS—*continued.*

								s.	d.
Manure	-	-	-	-	-	-	per ton	0	2
Masts and spars	-	-	-	-	-	-	each	1	6
Meal	-	-	-	-	-	-	per cwt.	0	1
Meat	-	-	-	-	-	-	per cwt.	0	2
Millstones	-	-	-	-	-	-	each	0	6
Oakum	-	-	-	-	-	-	per cwt.	0	1
Oil	-	-	-	-	-	-	per cwt.	0	2
Oilcake	-	-	-	-	-	-	per ton	0	8
Oysters	-	-	-	-	-	-	per cwt.	0	2
Passenger's luggage not exceeding one cwt.	<i>free.</i>								
Passenger's luggage all above one cwt.	-	-	-	-	-	-	per cwt.	0	1
Peats	-	-	-	-	-	-	per ton	0	4
Peas and beans	-	-	-	-	-	-	per cwt.	0	1
Potatoes	-	-	-	-	-	-	per ton	0	6
Poultry including pigeons game and other birds	-	-	-	-	-	-	per dozen	0	1
Rape cakes	-	-	-	-	-	-	per ton	0	8
Rags	-	-	-	-	-	-	per cwt.	0	1
Ropes	-	-	-	-	-	-	per cwt.	0	3
Rye grass seeds	-	-	-	-	-	-	per cwt.	0	1
Salt	-	-	-	-	-	-	per cwt.	0	0½
Sand	-	-	-	-	-	-	per ton	0	3
Seaware or wreck	-	-	-	-	-	-	per ton	0	1
Seeds not enumerated	-	-	-	-	-	-	per cwt.	0	1
Skins dried	-	-	-	-	-	-	per ton	1	4
Slates under size	-	-	-	-	-	-	per ton	0	8
Soda-water or lemonade	-	-	-	-	-	-	per cwt.	0	1
Spirits	-	-	-	-	-	-	per cwt.	0	1
Spokes and felloes	-	-	-	-	-	-	per ton	1	6
Steel	-	-	-	-	-	-	per ton	1	4
Stones pavement	-	-	-	-	-	-	per ton	0	4
Stones	-	-	-	-	-	-	per ton	0	2
Straw	-	-	-	-	-	-	per ton	0	4
Stucco	-	-	-	-	-	-	per cwt.	0	1
Sugar	-	-	-	-	-	-	per cwt.	0	1
Tallow	-	-	-	-	-	-	per ton	1	4
Tar pitch or rosin	-	-	-	-	-	-	per cwt.	0	1
Tea	-	-	-	-	-	-	per cwt.	0	6
Tiles or pipes	-	-	-	-	-	-	per ton	0	8
Timber unwrought of all kinds	-	-	-	-	-	-	per ton	0	8
Tin of all kinds	-	-	-	-	-	-	per ton	1	4
Turnips	-	-	-	-	-	-	per ton	0	6
Turpentine	-	-	-	-	-	-	per cwt.	0	1
Tobacco	-	-	-	-	-	-	per ton	2	6
Vitriol	-	-	-	-	-	-	per cwt.	0	1
Whisky	-	-	-	-	-	-	per cwt.	0	1
Wine in cask	-	-	-	-	-	-	per cwt.	0	1
Ditto in bottle	-	-	-	-	-	-	per cwt.	0	2

RATES ON ANIMALS AND GOODS—*continued.*

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								s.	d.
Wool	-	-	-	-	-	-	-	per cwt.	0 4
Yarn	-	-	-	-	-	-	-	per cwt.	0 1
All other unenumerated articles to pay at landing or shipping:—									
If by weight	-	-	-	-	-	-	-	per ton	1 4

Exemptions from the foregoing rates:—

All open boats conveying passengers goods and fish to or from the pier.

All consignments of seed corn potatoes and meal in quantities not exceeding five hundredweight for each consignment.

SCHEDULE (B.)

RATES FOR THE USE OF SHEDS CRANES AND WEIGHING MACHINES.
1. SHEDS.

For each ton of goods of eight barrels bulk or for each ton of goods of twenty hundredweight which shall remain in any shed or on the pier for a longer time than forty-eight hours the sum of fourpence and the sum of twopence per ton for each day during which such goods shall remain after the first forty-eight hours.

2. CRANES.

						s.	d.
All goods or packages not exceeding	-	-	-	-	one ton	0	3
Exceeding one ton and not exceeding	-	-	-	-	two tons	0	4
„ two tons	-	-	-	-	three tons	0	6
„ three tons	-	-	-	-	four tons	0	8
„ four tons	-	-	-	-	five tons	0	10
„ five tons	-	-	-	-	six tons	1	0
„ six tons	-	-	-	-	seven tons	1	2
„ seven tons	-	-	-	-	eight tons	1	4
„ eight tons	-	-	-	-	nine tons	1	8
„ nine tons	-	-	-	-	ten tons	2	0
„ ten tons	-	-	-	-	-	3	0

3. WEIGHING MACHINES.

For goods weighed one penny for each ton or part of a ton.

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FOR

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