X. Nothing herein contained shall affect any Act of Parliament, General or Local, passed for the Preservation of the Salmon Fisheries in *Scotland*, or in relation to the fishing of Salmon or Fish of the Salmon Kind in *Scotland*. Saving the Laws regarding the Salmon Fisheries.

XI. Nothing herein contained shall affect or apply to the killing of Trout or other Fresh-water Fish with Single Rod and Line which shall be regulated by the Laws in existence prior to the passing of this Act. Saving the Laws regarding fishing with Single Rod.

CAP. XLVI.

An Act to amend and enlarge the Powers and Provisions of the several Acts relating to the *Caledonian* and *Crinan* Canals. [23d *July* 1860.]

'WHEREAS the following Acts were passed for the Purpose of making and keeping in repair or otherwise regulating and improving the *Caledonian* and *Crinan* Canals; that is to say, the Acts Forty-third *George* the Third, Chapter One hundred and two; Forty-fourth *George* the Third, Chapter Sixty-two; Sixth *George* the Fourth, Chapter Fifteen; Third and Fourth *Victoria*, Chapter Forty-one; Thirty-third *George* the Third, Chapter One hundred and four; Thirty-ninth *George* the Third, Chapter Twenty-seven; Thirty-ninth *George* the Third, Chapter Seventy-one; Forty-fifth *George* the Third, Chapter Eighty-five; Fifty-first *George* the Third, Chapter One hundred and seventeen; Fifty-sixth *George* the Third, Chapter One hundred and thirty-five; Third and Fourth *William* the Fourth, Chapter Thirteen; Eleventh and Twelfth *Victoria*, Chapter Fifty-four; and Twenty and Twenty-first *Victoria*, Chapter Twenty-seven: And whereas by the said Act Eleventh and Twelfth *Victoria*, Chapter Fifty-four, the Commissioners of the *Caledonian* Canal were incorporated, and the *Caledonian* Canal and the *Crinan* Canal were vested in the Commissioners: And whereas it is expedient that the subsisting Powers of the recited Acts relating to the said Canals should be amended and enlarged, and that further Powers should be conferred on the Commissioners for the Maintenance, Management, and Regulation of the said Canals:' 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:

43 G. 3. c. 102. 44 G. 3. c. 62. 6 G. 4. c. 15. 3 & 4 Vict. c. 41. 33 G. 3. c. 104. 39 G. 3. c. 27. 39 G. 3. c. 71. 45 G. 3. c. 85. 51 G. 3. c. 117. 56 G. 3. c. 135. 3 & 4 W. 4. c. 13. 11 & 12 Vict. c. 54. 20 & 21 Vict. c. 27.

I. This Act may be cited for all Purposes as "The *Caledonian* and *Crinan* Canals Amendment Act, 1860." Short Title.

II. The following Expressions in this Act shall have the Meanings hereby assigned to them; that is to say, the Expression "the Canals" shall mean and include the whole Navigations of the *Caledonian* Canal and the *Crinan* Canal, and all the Harbours, Wharfs, Quays, Basins, and other Works connected therewith respectively; and the Expression "the Commissioners" shall mean the Commissioners of the *Caledonian* Canal, incorporated by the recited Act Eleventh and Twelfth *Victoria*, Chapter Fifty-four. Interpretation of Terms.

III. "The Lands Clauses Consolidation (*Scotland*) Act, 1845," so far as not altered by this Act, is hereby incorporated with this Act, and shall apply to the Canals, with the Exception of the Clauses with respect to the following Matters; that is to say, with respect to the Purchase and taking of Lands otherwise than by Agreement; with respect to the Entry upon Lands by the Promoters of the Undertaking; with respect to small Portions of intersected Land; and with respect to Lands acquired by the Promoters of the Undertaking, but which shall not be required for the Purposes thereof; and the Expression "the Promoters of the Undertaking" in the said Act shall mean the Commissioners under this Act. 8 & 9 Vict. c. 18. incorporated.

IV. "The Commissioners Clauses Act, 1847," so far as not altered by this Act, is hereby incorporated with this Act, with the Exception of the Clauses with respect to the following Matters; 10 & 11 Vict. c. 16 incorporated.

Matters; that is to say, with respect to the Qualification of Commissioners; with respect to the Election and Rotation of the Commissioners, where the Commissioners are to be elected by the Ratepayers, or other like Class of Electors; with respect to the Meetings and other Proceedings of the Commissioners, and their Liabilities; and with respect to the Accounts to be kept by the Commissioners; and also with the Exception of Section Eighty-four; and the Word "Commissioners" in the said Act shall mean the Commissioners under this Act.

10 & 11 Vict. c. 27. incorporated.

V. "The Harbours, Docks, and Piers Clauses Act, 1847," so far as not altered by this Act, is hereby incorporated with this Act, and shall apply to the Canals, with the Exception of the Clauses with respect to the following Matters; that is to say, with respect to the Construction of the Harbour, Dock, or Pier; with respect to the Construction of Works for the Accommodation of the Officers of Customs; with respect to Life Boats; with respect to keeping a Tide and Weather Gauge; and with respect to the Police of the Harbour, Dock, or Pier; and also with the Exception of Sections Twenty-five and Twenty-six; and the Expression "the Harbour, Dock, or Pier," in the said Act shall mean the Canals under this Act; and the Expression "the Undertakers" in the said Act shall mean the Commissioners under this Act; and the Word "Harbour Master" in the said Act shall extend to and include "Lock Keeper."

Commissioners authorized to maintain the Canals.

VI. It shall be lawful for the Commissioners, from Time to Time and at all Times hereafter, to support, maintain, and improve, and to use the Canals, together with all Harbours, Basins, Reservoirs, Aqueducts, Feeders, Water Tanks, Fens, Dams, Embankments, Weirs, Locks, Sluices, Culverts, Drains, Soughs, Tunnels, Arches, Piers, Bridges, Banks, Fences, Ways, Roads, Towing Paths, Landing Places, Docks, Quays, Wharfs, Warehouses, Toolhouses, Houses, and other Buildings, Cranes, Weighing Machines, Engines, and other Works and Appurtenances to the Canals respectively belonging or in anywise appertaining, and to do and perform all such Acts as the Commissioners shall think expedient for maintaining, repairing, improving, and supporting the Canals and the Appurtenances belonging thereto, and for the full Use and Enjoyment thereof; and it shall be lawful for the Commissioners to widen and enlarge the Canals and the Works thereto belonging, and to raise the Banks or sink the Bed of the Canals, in such Place or Places and in such Way and Manner as the Commissioners shall think fit, for making the same not less than Ten Feet and not more than Twenty Feet Depth of Water, and this Act shall be sufficient to indemnify the Commissioners, and their Deputies, Servants, Agents, and Workmen, and all other Persons whomsoever, for what they or any of them shall do by virtue of the Powers hereby granted; subject, nevertheless, to the Provisions and Restrictions herein contained: Provided always, that nothing herein contained shall enable the Commissioners to purchase or take any Lands or Grounds for any of the Purposes aforesaid without the Consent of the Owners and Occupiers of such Lands or Grounds.

Power to allow Use of Water to Manufactories and Works on the Sides of the Canals.

VII. The Twenty-second Section of the recited Act, Forty-fourth *George* the Third, Chapter Sixty-two, is hereby repealed, and henceforth it shall be lawful for the Commissioners to license or grant Permission to all Persons who already have erected or may hereafter erect and establish any Manufactory, Distillery, or other Works near to the Canals or either of them to lay Pipes (of such Size and Dimensions as the Commissioners shall think proper) through the Banks thereof, for conducting the Water therefrom to such Manufactory, Distillery, or other Work, for the Purposes thereof; and all such Pipes shall be placed, at the Sight and under the Direction and Superintendence of the Commissioners, in such Way and Manner as the Commissioners shall direct and appoint, so as not to weaken or endanger the Banks of the Canals, and shall be so laid, and the Works they are intended to serve so constructed and situated, that the Level of the Surface Water of the Canals shall not at any Time be affected thereby, and that the Water, after serving the Purposes of such Works, shall be returned into the Canals, or into the Rivers, Streams, or Watercourses adjacent thereto or communicating therewith, and free from any Mud or Impurity which may be injurious thereto; and no Person shall lay any such Pipe into the Canals or either of them without a previous Order in Writing of the Commissioners, who shall and may from Time to Time establish such other Rules and Regulations as they shall think

think fit for the Supply in particular Cases, and the proper Use of the Water hereby authorized to be given for the Purposes aforesaid, (the same not being contrary to the Law of *Scotland*,) and who may remove every Pipe laid without their Consent, and stop or cut off the Supply of Water to any such Manufactory, Distillery, or other Work in or for which the same shall not be used agreeably to this Act or such Rules and Regulations; and it shall be lawful for the Commissioners to provide in any Licence or Agreement to or with any such Persons suitable Penalties for the Infringement of the said Rules and Regulations, not exceeding Ten Pounds Sterling for each Offence, and not exceeding Five Pounds Sterling for each Day during which the Infringement of such Rules and Regulations shall continue after Notice shall have been given to the Person or Persons so offending to abate or remove the same: Provided, that nothing herein contained shall authorize the Commissioners to diminish the Streams by which the Salmon have Ingress into the Loch *Lochy*, the Loch *Oich*, and the Loch *Ness*.

Power to Commissioners to run off the Water from the Canals, and stop the Supplies to such Works.

VIII. It shall be lawful for the Commissioners, when and as often as they shall think proper, to run off the Water from the Canals or either of them, for the Purpose of repairing the same, or any Part thereof respectively, or for any other Purpose whatsoever, and in case of a Scarcity or apprehended Scarcity of Water for the Purposes of the Canals or either of them, to stop the Supplies to the said Manufactories, Distilleries, and other Works, without giving any Notice to the Proprietors or Occupiers thereof, and without being liable for any Damage any such Proprietor or Occupier may suffer or pretend to suffer by being thereby deprived of the Use of such Water.

Power to enclose Quays and Wharfs.

IX. It shall be lawful for the Commissioners to enclose with Walls or other Fences and locked Gates, with Keepers placed thereon for opening and shutting the same, such of the said Quays or Wharfs, or Parts thereof, as the Commissioners may think fit, and to exclude from the said Quays or Wharfs so to be enclosed all and every Person or Persons who may not have Business to transact within the said enclosed Quays or Wharfs.

Power to levy Rates and Duties as herein named.

X. From and after the passing of this Act, it shall be lawful for the Commissioners to demand, take, and recover the following Rates and Duties; that is to say,

On all Goods whatever navigated or conveyed along either of the Canals or any Part thereof respectively, a Duty not exceeding Threepence *per* Ton *per* Mile; or on all Vessels so navigated or conveying such Goods along the Canals or either of them, or any Part thereof respectively, a Duty not exceeding Twopence *per* Mile for every Ton Burden of such Vessels respectively, according to their respective Registers or Measurements:

On all light Vessels without a Lading, or in Ballast only, so navigated, a Duty not exceeding One Penny *per* Mile for every Ton Burden of such Vessels respectively, according to their respective Registers or Measurements:

On every Vessel lying in any of the Harbours and Basins on the Line of the Canals or either of them, a Duty not exceeding Sixpence *per* Ton:

On every Ton of Timber lying in any Part of the Canals or either of them, a Duty not exceeding Fourpence *per* Ton *per* Month; and in the same Proportion for any greater or less Quantity than a Ton, or for a longer or shorter Time than a Month:

On all Passengers, Animals, and Carriages shipped or unshipped in the Canals or either of them, and on all Goods landed or put into Lighters from or loaded into Vessels lying in the Canals or either of them, or any Part thereof respectively, the Duties not exceeding the several Rates specified in the Schedule (A.) to this Act annexed; and on all Vessels so landing or receiving on board such Passengers, Animals, Carriages, or Goods a Duty not exceeding Twopence for every Ton Burden of such Vessels respectively, according to their respective Registers or Measurements:

On every Ton of Goods and Commodities remaining above Twenty-four Hours upon any of the Quays, Wharfs, or Landing Places, or at any Place on the Line of the Canals or either of them, a Duty not exceeding One Penny *per* Ton *per* Day, and in the same Proportion for any greater or less Quantity than a Ton:

On every Passenger conveyed along either of the Canals or any Part thereof respectively, a Duty not exceeding Two Shillings and Sixpence for any One Passage:

On

On all Horses and Cattle conveyed along either of the Canals or any Part thereof respectively, a Duty not exceeding One Shilling *per* Head:

On all Sheep, Hogs, Goats, Calves, or Lambs conveyed along either of the Canals or any Part thereof respectively, a Duty not exceeding Sixpence *per* Head:

On all Parcels not exceeding Fifty-six Pounds in Weight conveyed along either of the Canals, or any Part thereof respectively, a Duty not exceeding Threepence for each such Parcel:

The said Rates and Duties to be levied agreeably to such Orders and Regulations as shall from Time to Time be issued by the Commissioners.

Power to Commissioners to make Docks, &c.

XI. It shall be lawful for the Commissioners, out of the Rates by this Act authorized to be levied, or of any Monies to be borrowed by them on the Security thereof, or of any other Funds at their Disposal, to defray the Expense of making and maintaining such Graving and other Docks or Tidal Basins, Quays, Wharfs, and Patent or other Slips, for the Accommodation or Repair of Vessels, as they may think it expedient to make and maintain, on Lands belonging to the Commissioners, or on or in connexion with the Canals or either of them.

Power to levy Rates on Vessels using Docks as in Sched. (B.)

XII. It shall be lawful for the Commissioners to levy and receive at every such Graving Dock or Patent Slip made and maintained as last aforesaid such Rates on Vessels using the same as the Commissioners may from Time to Time deem expedient, not exceeding the Rates specified in the Schedule (B.) to this Act annexed.

Power to levy Rates for Sheds and Warehouses.

XIII. It shall be lawful for the Commissioners to levy on and in respect of all Goods placed or stored in the Sheds or Warehouses erected or to be erected by them, such Rates as the Commissioners may from Time to Time deem expedient, and the Commissioners shall have all the same Rights and Remedies for recovering such Rates as are given to them by this Act and the Acts incorporated herewith, or by the recited Acts or any of them, in reference to the Rates thereby made payable.

Power to levy Rates for Cranes, Weighing Machines, and Lights, as in Sched. (C.)

XIV. It shall be lawful for the Commissioners to levy, for and in respect of the Use of Cranes, Weighing Machines, and Lights, such Rates as the Commissioners may from Time to Time deem expedient, not exceeding the Rates specified in the Schedule (C.) to this Act annexed; and such Rates shall be paid by the Owner of the Goods, or by the Owner, Agent, Master, Consignee, or other Person in charge of the Vessels using the said Cranes, Weighing Machines, or Lights.

Rates to be charged equally.

XV. All Rates and Tolls levied and taken under the Powers of this Act shall at all Times be charged equally to all Persons, and after the same Rate, whether *per* Ton, or *per* Ton *per* Mile, or otherwise, in respect of all Passengers, and of all Goods of the same Description and passing over the same Portion of the Canals or either of them, under the same Circumstances, and no Reduction or Advance in any such Rates and Tolls shall be made, either directly or indirectly, in favour of or against any particular Company or Persons travelling upon or using the Canals or either of them.

Mode of charging Rates.

XVI. It shall be lawful for the Commissioners, in levying the Rates and Duties under the Powers of this Act or of any of the recited Acts, to apportion the same as the Commissioners may from Time to Time deem expedient, and to charge such Rates and Duties partly on and in respect of Vessels entering or using either of the Canals, and either according to the registered or actual Measurement of such Vessels, and partly on and in respect of the Goods contained in such Vessels: Provided always, that all such Rates and Duties shall in the first place be paid by the Masters of the Vessels, who shall have full Power and Authority to recover from the Owners of the Cargo the Rates and Duties which may have been charged thereon, in as full and ample Manner as the Commissioners could do under the Powers conferred upon them by this Act and the Acts incorporated herewith, or by any of the recited Acts.

Materials for Repairs exempt from Duty.

XVII. None of the Rates or Duties granted by this Act or by any of the recited Acts shall be leviable upon Vessels, Stone, Lime, or other Materials to be used in the Construction

tion or Repairs of the Canals or either of them, or of the Harbours, Wharfs, Quays, or other Works connected therewith.

Repeal of 44 G. 3. c. 62. s. 51. Vessels under 25 or 18 Tons not to pass Locks unless they pay for 25 or 18 Tons.

XVIII. The Fifty-first Section of the recited Act of the Forty-fourth *George* the Third, Chapter Sixty-two, is hereby repealed; and henceforth no Vessel shall pass singly through any of the Locks of the *Caledonian* Canal of less Burden than Twenty-five Tons, or through any of the Locks of the *Crinan* Canal of less Burden than Eighteen Tons, without the Consent of the Commissioners or some One of their Officers in Writing first had and obtained, and unless the Owner or Master of such Vessel shall pay Tonnage equal to a Vessel of Twenty-five Tons or of Eighteen Tons, as the Case may be.

Commissioners may employ Vessels and carry Passengers and Goods.

XIX. It shall be lawful for the Commissioners to use and employ Vessels, and to carry and convey along the Canals all such Passengers and Goods as shall be offered to them for that Purpose, and to make such Charges in respect thereof as they may from Time to Time determine upon, and they shall have all the same Rights and Remedies for recovering the same as are given to them by this Act and the Acts incorporated herewith, or by any of the recited Acts in reference to the Tolls, Rates, and Duties thereby made payable.

Byelaws.

XX. In addition to the Powers of making Byelaws contained in any of the Acts incorporated herewith, the Commissioners may, subject to the Provisions of this Act, from Time to Time make such Byelaws as they shall think fit for all or any of the following Purposes; (that is to say,)

For regulating the Conduct of the Owners, Masters, Pilots, and Crews of Vessels with regard to their Times and Speed of sailing, the Mode of navigating such Vessels, the having proper Lights ahead or otherwise, the taking on board and landing or putting out Passengers and towing of Vessels, and the Size and Number of Vessels towed at one Time in One Train:

For regulating the Conduct of Boatmen and others plying on the Canals or either of them, in landing Passengers from and putting them on board of Vessels:

And the Byelaws and Regulations to be so made by the Commissioners shall be observed under such Penalties as are provided by the said Harbours, Docks, and Piers Clauses Act, not exceeding the Sum of Five Pounds for each Offence.

Power to license Pilots.

XXI. It shall be lawful for the Commissioners from Time to Time, as Occasion may require, to license, appoint, and regulate Pilots employed in the Navigation of Vessels in the Canals or either of them, and the Channels leading thereto respectively, and to remove and displace them at Pleasure, and to fix the Rate of Pilotage to be paid to such Pilots.

Responsibility of Pilots.

XXII. The Commissioners shall not be liable or responsible for Accident, Loss, or Damage which may arise to any Vessel or to the Cargo thereof in consequence of the Employment of any Pilot licensed by the Commissioners, but the Pilot so employed shall be answerable for any wilful or culpable Neglect or Mismanagement.

Power to borrow Money on the Security of the Rates.

XXIII. It shall be lawful for the Commissioners, with the Consent in Writing of the Commissioners of Her Majesty's Treasury for the Time being, to borrow such Sums of Money as the Commissioners shall think necessary, in addition to any Sum of Money they are at present authorized to borrow under former Acts, not exceeding Twenty thousand Pounds, on the Security of the Canals and the Tolls and Rates leviable under this Act and any of the recited Acts, and to grant and execute Mortgages or Assignations of the Canals and of the said Tolls and Rates, in Security of the Payment of the Money so borrowed and the Interest thereon.

Power to Public Works Loan Commissioners to lend Money to the Commissioners.

XXIV. It shall be lawful for the Public Works Loan Commissioners, if they in their Discretion shall think fit, to advance and lend to the Commissioners from Time to Time any Sum or Sums of Money not exceeding Twenty thousand Pounds on the Security of the Canals, and the Tolls and Rates leviable under this Act and any of the recited Acts, and to accept and take from the Commissioners Mortgages or Assignations of the Canals, and of the said Tolls and Rates, in Security of the Payment of the Money so advanced and lent, and the Interest thereon: Provided that the Monies to be borrowed by the Commissioners under

under the Provisions of this Act from the said Public Works Loan Commissioners, and from any other Person, Company, or Corporation, shall not in the whole exceed the Sum of Twenty thousand Pounds.

Application of Rates and Monies borrowed.

XXV. All Rates levied and all Rents received and all Monies borrowed under the Authority of this Act shall be applied and expended on or in connexion with the Canals or either of them, and in providing additional Accommodation for the Traffic thereon, or in making any Docks, Basins, or Slips as aforesaid, as shall from Time to Time appear to the Commissioners expedient.

Protection of Persons lending Money under this Act.

XXVI. No Person lending Money to the Commissioners, and taking a Mortgage or Assignation in Security, for securing Repayment of the same, and purporting to be made under the Authority of this Act, shall be bound to require Proof that the Provisions of this Act have been duly complied with.

Power to Commissioners to purchase Land not exceeding 50 Acres.

XXVII. Subject to the Provisions of this Act and of the Acts incorporated herewith, it shall be lawful for the Commissioners from Time to Time to contract with any Person for the Purchase of any Lands not exceeding in the whole Fifty Acres (in addition to the Lands now vested in or belonging to the Commissioners), in such Place or Places as the Commissioners shall deem eligible or convenient for any of the Purposes by this Act and the Acts incorporated herewith or by any of the recited Acts authorized.

Superfluous Lands may be disposed of.

XXVIII. It shall be lawful for the Commissioners to sell, lease, feu, or convey, in consideration of a Price paid down, or of a yearly Rent or Feu Duty, Ground Annual, or other annual Payment, such Portions of the Lands as they may have purchased as last aforesaid, and any Lands which may not be required for the Purposes of the Canals, in any way, and at such Time as they shall think most expedient; and the Conveyances and Titles to be granted by the Commissioners on the Sale or Lease of any such Lands shall be good, valid, and effectual to the Purchasers or Lessees, freed and disburdened of the Debts and pecuniary Obligations of the Commissioners, except so far as such Lands may be subject or liable to the Payment of the Purchase Money or Rent, as the Case may be.

Commissioners empowered to grant or lease the Canals for a Term of Years.

XXIX. It shall be lawful for the Commissioners, with the Consent in Writing of the Commissioners of Her Majesty's Treasury for the Time being, to grant or lease the Canals or either of them, and all the Works and Appurtenances thereof or thereto belonging respectively, for a Period not exceeding Ninety-nine Years, with or without any annual Return or Rent therefor, to any Person or Company, under such Provisions, Conditions, Restrictions, and Limitations as the Commissioners shall think necessary and proper: Provided always, that any such Grant or Lease shall, within Twenty-one Days after completing the same, be laid before both Houses of Parliament, if then sitting, or otherwise within Fourteen Days after the next Meeting of Parliament.

Upon Execution of Grant or Lease the Powers of Commissioners to cease.

XXX. Upon the Execution of such Grant or Lease, all the Powers and Authorities conferred by this Act and the Acts incorporated herewith, or by any of the recited Acts, upon the Commissioners, shall, as regards the Subject Matter, and during the Continuance of such Grant or Lease, cease and determine, and the Commissioners shall be and they are hereby released and exonerated from all Liabilities and Responsibilities which they were or might in anywise be considered to be under as such Commissioners.

Commissioners may lease the Rates and Duties.

XXXI. It shall be lawful for the Commissioners to let on Lease, by Private Contract or Agreement, or by Public Roup or Sale, as they may deem most expedient, all or any of the Rates and Duties by this Act or by any of the recited Acts authorized to be levied, to any Person or Company, for a Period not exceeding Three Years; and the Lessee or Lessees thereof, and also such Person or Persons as such Lessee or Lessees shall appoint to collect and receive the Tolls, Rates, and Duties so let, shall during the Continuance of every such Lease have the same Power and Authority for levying, collecting, and recovering the same as are conferred on the Commissioners by this Act and the Acts incorporated herewith, or by any of the recited Acts.

Commissioners may grant Annuities to their Officers.

XXXII. It shall be lawful for the Commissioners, at any General Meeting to be held by virtue of any of the recited Acts, to give and grant to such Officers or Servants as may be deemed

deemed deserving, and who shall by reason of Age or Infirmity or Injuries received be incapable of further Service, Annuities for their respective Lives or for shorter Terms, and also any Donations or annual Sums to the Widows or Families of such Officers or Servants, such Annuities, Donations, or annual Sums being payable out of any Funds which for the Time being may be in the Hands of the Commissioners.

For Recovery of Rates and Penalties.

XXXIII. The Rates and Penalties by this Act authorized to be levied and imposed shall be levied and recovered in the same Manner as Rates and Penalties leviable under any of the recited Acts; and all the Enactments and Provisions contained in the recited Acts with respect to the levying and Recovery of the Tolls, Rates, and Dues thereby authorized to be levied, and the Penalties thereby imposed, shall be applicable to the Rates and Penalties by this Act authorized to be levied and imposed, in the same Manner and as fully and effectually as if such Enactments and Provisions had been herein repeated and re-enacted.

Recited Acts not to be affected, except by the Provisions of this Act.

XXXIV. Nothing herein contained shall repeal, alter, or affect the recited Acts or any of them, except in so far as the recited Acts or any of them, or any Part thereof respectively, may be contrary to or inconsistent with this Act, or with the Acts incorporated herewith, but the recited Acts, and the whole Clauses and Provisions therein contained, except in so far as they are so altered, affected, or repealed, shall be as good, valid, and effectual for carrying this Act into execution as if the same had been repeated and re-enacted in the Body of this Act; and the recited Acts and this Act shall, as to the Powers and Provisions, Matters, and Things not repealed, altered, or affected, be construed together as One Act.

Saving Rights of Inverness Harbour Trustees.

XXXV. Nothing in this Act contained shall alter, prejudice, or affect Sections Fifty-four and Fifty-five of an Act passed in the Tenth and Eleventh Years of the Reign of Her present Majesty, intituled *An Act for deepening, enlarging, improving, and maintaining the Port and Harbour of* Inverness, *and the Navigation of the River* Ness, *and the Quays and Piers and other Works connected therewith, and regulating the Anchorage and Shore Dues of the said Port and Harbour, and for other Purposes relating thereto,* or any of the Powers, Rights, and Authorities conferred by the said Act on the Trustees acting under the same.

SCHEDULES to which the foregoing Act refers.

SCHEDULE (A.)

I.—Rates on Passengers, Animals, and Carriages, to be levied at Wharfs, Piers, Jetties, or Landing Places.

	£	s.	d.
Each Passenger	0	0	2
Each Horse	0	1	0
Do. under Thirteen Hands, and each Mule or Ass	0	0	6
Each Bull, Cow, Bullock, or Heifer	0	0	6
Do. under Two Years old	0	0	3
Each Calf	0	0	1
Dogs, Sporting only, each	0	0	3
Other Dogs, each	0	0	1
Sheep, Lambs, Goats, or Swine, per Score, 1*s.*, or if under Ten, each	0	0	1
Each Four-wheeled Coach or Carriage	0	1	0
Each Gig or Two-wheeled Carriage	0	0	6
Each Cart, loaded	0	1	0
Do., empty	0	0	6
Each Two-wheeled Barrow or Truck, with Luggage	0	0	4
Each Wheelbarrow with Luggage	0	0	2
Each Parcel or Package carried by a Porter	0	0	1

II.—RATES ON GOODS SHIPPED OR UNSHIPPED IN THE CANALS, AND TO BE LEVIED AT WHARFS, PIERS, JETTIES, OR LANDING PLACES.

Description of Goods.	Quantities.	Rates.		
	Imperial Standard.	£	s.	d.
Ale, Beer, and Porter	Per Barrel Bulk	0	0	2
Bark	Per Ton	0	0	8
Birch or Alder Staves	Per 1,000	0	0	2
Bones, Bone Dust, and Guano	Per Ton	0	1	0
Butter and Cheese	Per Stone	0	0	1
Cement	Per Cwt.	0	0	1
Chalk	Per Ton	0	0	3
Cloths, Carpeting, Haberdashery, Hosiery	Per Barrel Bulk	0	0	2
Coals, Coke, or Cinders	Per Ton	0	0	3
Copper, Zinc, Brass, Lead, Tin	Per Cwt.	0	0	1
Cotton Wool	Per Ton	0	1	0
Crystal, China, and Earthenware	Per Barrel Bulk	0	0	2
Eggs	Ditto	0	0	2
Empty Herring Barrels or Boxes	Each	0	0	0½
Other empty Casks in proportion to Size.				
Feathers	Per Cwt.	0	0	2
Fish:—Salmon in Kits or Boxes	Per Barrel Bulk	0	0	3
Herrings, packed	Per Barrel	0	0	2
Other Fish	Per Box	0	0	1½
Flour	Per Sack	0	0	3
Fruit	Per Barrel Bulk	0	0	2
Grain:—Wheat	Per Quarter	0	0	3
All other Kinds	Ditto	0	0	2
Groceries	Per Barrel Bulk	0	0	2
Gunpowder	Per Barrel	0	0	2
Hardwares	Per Barrel Bulk	0	0	6
Hay and Straw	Per Ton	0	0	2
Hemp, Flax, or Tow	Per Cwt.	0	0	1
Hides	Ditto	0	0	1
Hoops of Wood	Per 100	0	0	0½
Horns and Hoofs	Per Cwt.	0	0	1
Household Furniture	Per Barrel Bulk	0	0	2
Husbandry Utensils	Ditto	0	0	2
Iron Castings	Per Cwt.	0	0	1
Iron Cables	Ditto	0	0	1
Iron Wire	Ditto	0	0	2
Kelp	Per Ton	0	0	4
Leather	Per Cwt.	0	0	1
Lime,—in Shells	Per 64 Bushels	0	0	8
Slaked	Ditto	0	0	6
Loam, Pipe and Fire Clay	Per Ton	0	0	3
Machinery	Per Barrel Bulk	0	0	3
Manure, Common	Per Ton	0	0	3
Meal	Per 140 lbs.	0	0	2
Metallic Ores	Per Ton	0	0	6
Oils,—Fish or Vegetable	Per Barrel Bulk	0	0	3
Peats or Turf	Per 1,000	0	0	2
Potatoes	Per Cwt.	0	0	0½
Rags	Ditto	0	0	0½

Description of Goods.	Quantities.	Rates.		
	Imperial Standard.	£	s.	d.
Rape or Linseed Cakes	Per Ton	0	0	6
Ropes, Cordage, Netting, and Canvass	Per Cwt.	0	0	2
Salt	Per Ton	0	0	6
Sand,—Soil and Gravel	Ditto	0	0	2
Seeds,—in Bags or Casks	Per Barrel Bulk	0	0	2
Skins	Per Dozen	0	0	1
Slates, Bricks, and Tiles	Per 1,200	0	0	6
Soap, Soda, and Saltpetre	Per Cwt.	0	0	0½
Spirits :—Foreign or Colonial	Per Gallon	0	0	0¼
British	Ditto	0	0	0⅛
Steel and Iron,—Bar or Pig	Per Ton	0	1	0
Stones,—for Building or Paving	Ditto	0	0	2
Flagstones, Millstones, Grindstones	Ditto	0	0	6
Sugar	Per Hogshead or Tierce	0	0	6
Ditto	Per Barrel	0	0	2
Tallow and Grease	Per Barrel Bulk	0	0	3
Tar and Pitch	Per Barrel	0	0	2
Timber :—Foreign	Per Load	0	1	0
Home, manufactured	Ditto	0	0	9
do. not manufactured	Ditto	0	0	6
Wine :—in Casks	Per Barrel Bulk	0	1	0
in Bottles	Ditto	0	0	6
Wool	Per Stone of 24 lbs.	0	0	0½

All other Goods, Wares, Merchandise, and Commodities whatsoever, not enumerated or specified in the above Schedule, to pay at the Rate of Twopence per Barrel Bulk, or at Rates varying from Threepence to One Shilling Per Ton, in proportion to such Articles in the Schedule as they come nearest to.

The Tonnage of all Articles to be ascertained by the gross Weight or Cubic Contents thereof, and Documents showing the Measurement of Bale or Dry Goods must be produced.

The Barrel Bulk of all Articles not otherwise rated to be Five Cubic Feet, excepting when the said Measure shall exceed Two and a Half Hundredweight, in which Case Two and a Half Hundredweight is to be rated a Barrel Bulk; Eight Barrels Bulk or Forty Cubic Feet to be reckoned One Ton; the Load of Oak, Ash, Elm, Beech, Birch, or other Hard Wood to be estimated at Forty Cubic Feet; and of Pine, Larch, or Fir Timber, at Fifty Cubic Feet.

With respect to the common planted Fir Timber of Home Growth, the Shipper or Importer has the Option of paying, either according to the Rates specified in the Table, or at Fourpence per Ton Register of the Vessel, and Threepence per Ton Register for manufactured Timber.

Timber imported into the Canals, or conveyed from one Part of the Line to another, for the Purpose of being manufactured, and afterwards reshipped by the Canals, to be exempted from Dues until Reshipment, with the Exception of Wharfage, at the Rate of One Penny per Ton Register of the Vessel carrying the same when discharged at any Wharf.

Small Packages not measuring One and a Quarter Cubic Foot, or not weighing Twenty-eight Pounds, to be reckoned One Fourth of a Barrel Bulk.

Passengers by Steam Vessels to be allowed to the Extent of One Hundredweight each for Luggage, but on each and every Package beyond that Weight Dues are to be levied.

Empty Casks or Boxes to be rated at One Eighth of their Capacity, per Gauge Measure.

When empty Casks or Packages are exported and returned filled, the Owners, if the same Parties, shall be entitled to an Allowance or Drawback of the Dues chargeable on their Shipment.

All Goods landed and afterwards reshipped, without Bulk being broken, and also all returned empty Boxes, Casks, Bags, or other Packages, are exempted from Dues.

BALLAST.

Ballast, unless to be immediately carted away, must be landed and deposited where the Harbour Master may direct, and in this Case to be the Property of the Commissioners.

Vessels, if allowed to take Ballast from Spoil Banks, or from any Depôt of Materials provided for the Purpose, to pay Dues therefor at the Rate of One Penny per Register Ton.

SCHEDULE (B.)

RATES ON VESSELS ON EACH TIME OF ENTERING OR USING THE GRAVING DOCKS OR SLIPS.

On all Vessels entering or using any of the Docks or Slips, per Register Ton per Day, Threepence.

SCHEDULE (C.)

I. RATES FOR THE USE OF CRANES.

	s.	d.
Each Hogshead of Goods not exceeding 12 Cwt.	0	3
Do. do. from 12 to 15 Cwt.	0	4
Do. do. from 15 to 20 Cwt.	0	6
Each Ton of Goods	0	6

II. RATES FOR WEIGHING.

Each Cart, Waggon, or other Carriage, Load, or Weight	0	2

III. RATES FOR LIGHTS.

Each Vessel using any Wharf, Pier, Jetty, or Landing Place at Night, which shall be lighted by the Commissioners, for every 10 Tons Register	0	0½

CAP. XLVII.

An Act to amend the Law relative to the Legal Qualifications of Councillors and the Admission of Burgesses in Royal Burghs in *Scotland*.

[23d *July* 1860.]

3 & 4 W. 4. c. 76.

'WHEREAS by the Fourteenth Section of an Act passed in the Third and Fourth Years of His late Majesty King *William* the Fourth, intituled "*An Act to alter and amend the Laws for the Election of the Magistrates and Councils of the Royal Burghs in* Scotland," it was enacted, that no Person should be entitled to be received and inducted as Councillor who shall not previous to such Induction be entered a Burgess for the Burgh of which he is so elected, wherever there is any Body of Burgesses in any such Burgh, and that his Omission to produce Evidence of his being such Burgess when he declares his Acceptance of Office shall be held to vacate his Election, in the same Manner as if he had declined