ANNO VICESIMO OCTAVO & VICESIMO NONO

VICTORIÆ REGINÆ.

Cap ccxxiii.

An Act for making a Railway from *Dingwall* to *Kyle of Lochalsh*, to be called "The *Dingwall and Skye* Railway;" and for other Purposes.

[5th *July* 1865.]

WHEREAS the making of a Railway from *Dingwall* in the County of *Ross* to *Kyle of Lochalsh* in the same County, and of a Pier at or near the Terminus of the intended Railway at *Kyle of Lochalsh*, will be of great local and public Advantage: And whereas the estimated Cost of constructing the intended Railway is Four hundred thousand Pounds, and of the intended Pier is Sixteen thousand Pounds, together with the Works connected therewith respectively: And whereas the Persons herein-after named, with others, are willing at their own Expense to carry the proposed Undertaking into execution: And whereas Plans and Sections of the intended Railway and Pier showing the Lines and Levels thereof, together with Books of Reference to those Plans containing the Names of the Owners, Lessees, or Occupiers, or reputed Owners, Lessees, and Occupiers, of the Lands and Property which may be required for the Purposes of the Undertaking, have been deposited in the Offices, in the Towns of *Dingwall* and *Cromarty* respectively, of the Principal Sheriff Clerks of the Western District of the County of *Ross* and County of *Cromarty* respectively: And whereas it is expedient that Powers should be given to the Company to be herein-

after incorporated to take on Lease, or to purchase and acquire, all existing Rights and Privileges incident to the Ferry between *Kyle of Lochalsh* and *Kyleakin* in the *Island of Skye*, and to alter and improve the Jetties and Piers connected therewith, and to have and work Steam and other Vessels for the Transit of Passengers, Animals, Goods, and Minerals between the Terminus of their Railway at *Kyle of Lochalsh* and *Kyleakin* in the *Island of Skye*: And whereas the Erection of an Hotel at or near the Terminus of the proposed Railway at *Kyle of Lochalsh* will be of great public Utility: And whereas the Formation of the intended Railway and Pier will be beneficial to the Interests of the *Inverness and Aberdeen Junction* Railway Company, the *Inverness and Perth Junction* Railway Company, and the *Caledonian* Railway Company, and it is expedient that those Companies respectively should be empowered to subscribe to and hold Shares in the proposed Undertaking as herein-after provided: And whereas it is also expedient that the Company herein-after incorporated, and the *Inverness and Aberdeen Junction* Railway Company, or any Company with which that Company may be amalgamated during the ensuing Session of Parliament, should be empowered to make and enter into such Agreements and Arrangements as are herein-after authorized with respect to the working and Use of the intended Railway and Pier, the Regulation and Management of the Traffic thereon, and the Division and Apportionment of the Profits arising therefrom: And whereas the intended Railway will communicate, at the Town of *Dingwall*, with the *Inverness and Aberdeen Junction* Railway; and it is expedient, and will be for the public Advantage, that Provision should be made for the Construction of a Station there for the joint Accommodation of the Traffic of the Company hereby incorporated, and of the *Inverness and Aberdeen Junction* Railway Company, and that the Company hereby incorporated should be authorized to enter into Arrangements and Agreements with that Company, or any Company with which it may be amalgamated as aforesaid, for the Construction, Arrangement, Maintenance, Working, Use, and Apportionment of the said Station: And whereas the 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,)

Short Title.

1. In citing this Act for any Purpose whatsoever it shall be sufficient to use the Expression "The *Dingwall and Skye* Railway Act, 1865."

8 & 9 Vict. cc. 17., 19., & 33.,

2. The several Acts of Parliament following; (that is to say,) "The Companies Clauses Consolidation (*Scotland*) Act, 1845," "The Lands

Lands Clauses Consolidation (*Scotland*) Act, 1845," "The Lands Clauses Consolidation Acts Amendment Act, 1860," "The Railways Clauses Consolidation (*Scotland*) Act, 1845," "The Railways Clauses Act, 1863," Parts I., III., and IV., "The Companies Clauses Act, 1863," Parts I., II., and III., and "The Harbours, Docks, and Piers Clauses Act, 1847," with the Exception of Sections 16 to 19, both inclusive, and Sections 25 and 26, shall be incorporated with and form Part of this Act. 10 & 11 Vict. c. 27., 23 & 24 Vict. c. 106., and 26 & 27 Vict. cc. 92. & 118. incorporated.

3. The following Words, wherever they occur in this Act, shall have the Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to that Construction; (that is to say,) Interpretation of Terms.

"The Company" shall mean the Company hereby incorporated:

"The subscribing Companies" shall mean the *Inverness and Aberdeen Junction* Railway Company, the *Inverness and Perth Junction* Railway Company, and the *Caledonian* Railway Company:

"The Undertaking" shall mean the Railway, Pier, Hotel, and other Works hereby authorized.

4. The Honourable *Simon Fraser*, *Norman MacLeod*, *Alexander Matheson*, *Colin Lyon Mackenzie*, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of making and maintaining the Railway, Pier, and Hotel herein-after particularly described, with all proper Works and Conveniences belonging thereto, according to the Provisions of the Acts incorporated herewith and of this Act, and for the other Purposes herein and in the incorporated Acts contained; and for the Purposes aforesaid this Company shall be incorporated by the Name of "The *Dingwall and Skye* Railway Company," and by that Name shall be a Body Corporate, with perpetual Succession and a Common Seal, and shall have Power to purchase and hold Lands, Houses, and other Property for the Purposes of the Undertaking, within the Restrictions herein and in the said Acts contained. Subscribers incorporated.

5. The First Ordinary Meeting of the Company shall be held at *Inverness* within Four Months next after the passing of this Act, and the subsequent Ordinary Meetings of the Company shall be held yearly in the Month of *September* or *October* as the Directors may appoint, and all Ordinary Meetings shall be held in the Town of *Inverness*. First and subsequent General Meetings.

6. The Quorum of General Meetings of the Company shall be Ten Shareholders voting, personally or by proxy, holding in the aggregate not less than Ten thousand Pounds in the Capital of the Company. Quorum of General Meetings.

7. At

Votes of Shareholders.

7. At all General Meetings of the Company the Scale according to which the Shareholders may vote in respect of their Shares shall be as follows; (that is to say,) for Two Shares or more, but not exceeding Ten Shares, One Vote; for more than Ten Shares, an additional Vote for every Ten Shares to the Extent of One hundred Shares; for more than One hundred Shares, an additional Vote for every Twenty Shares over and above the said One hundred Shares: Provided always, that no Shareholder shall be entitled to vote at any Meeting unless he shall have paid up all the Calls then payable upon the Shares held by him.

Number and Qualification of Directors.

8. Subject to the Power of Reduction herein-after contained, the Number of Directors, exclusive of the Directors to be appointed by the subscribing Companies respectively, shall be Eight, and the Qualification of a Director, other than the Directors to be appointed by those Companies, shall be the Possession in his own Right of One hundred Shares in the Capital of the Company.

Power to reduce Number of Directors.

9. It shall be lawful for the Company to reduce the Number of Directors to be appointed by the Shareholders of the Company, provided that the reduced Number be not less than Five.

Quorum of Directors.

10. The Quorum of a Meeting of Directors shall be Three, and the Quorum of any Committee of Directors shall be Three.

First Directors.

11. *Norman MacLeod*, the Honourable *Simon Fraser*, *Alexander Matheson*, *William Fraser*, and *Alexander Grant Dallas*, being the Directors appointed on behalf of the Company, the Honourable *Thomas Charles Bruce*, being the Director appointed to represent the *Inverness and Perth Junction* Railway Company, and *William Fraser Tytler*, being the Director appointed to represent the *Inverness and Aberdeen Junction* Railway Company, or in the event of the said Two Companies being amalgamated as aforesaid, then the said Two Directors to represent such amalgamated Company, and Two Directors to be appointed to represent the *Caledonian* Railway Company, shall be the First Directors of the Company.

Future Directors.

12. At the First Ordinary Meeting to be held in the Year next after the Year in which the last-mentioned Directors shall have been appointed or elected, the Shareholders present, personally or by proxy, shall elect Persons to supply the Places of the Directors then retiring from Office, agreeably to the Provisions in the "Companies Clauses Consolidation (*Scotland*) Act, 1845," contained; and the several Persons elected at that Meeting, being neither removed nor disqualified, nor having resigned, shall continue to be Directors until others are elected in their Stead in manner provided by the "Companies Clauses Consolidation (*Scotland*) Act, 1845."

13. The

Newspapers for Advertisements.

13. The Newspapers in which Notices relating to the Affairs of the Company shall be inserted shall be such Newspapers, published and circulating in the County of *Inverness*, as the Directors shall think fit.

Domicile of the Company.

14. The Domicile of the Company, with reference to all Judicial Proceedings or Actions at Law, shall be held to be the Town of *Inverness*.

Power to close Transfer Books at certain Periods.

15. It shall be lawful for the Directors to close the Registers of Transfers for a Period not exceeding Fourteen Days previous to each Extraordinary Meeting of the Company, and they may fix a Day for the closing of the same, of which due Notice shall be given by Advertisement, and any Transfer made during the Time when the Transfer Books are so closed shall, for the Purposes of such Meeting, but not otherwise, be considered as made subsequently to such Meeting.

Capital.

16. The Capital of the Company shall be Four hundred and fifty thousand Pounds, and the whole thereof, when raised, shall be applicable only to the Purposes authorized by this Act.

Number and Amount of Shares.

17. The Number of Shares into which the Capital shall be divided shall be Forty-five thousand, and the Amount of each Share shall be Ten Pounds.

Shares not to vest until One Fifth Part is paid up.

18. It shall not be lawful for the Company or the subscribing Companies to issue any Share to be created under the Powers of this Act, neither shall the same vest in the Holder thereof, unless and until a Sum being not less than Two Pounds *per* Share shall have been paid up in respect thereof.

Calls.

19. Two Pounds *per* Share shall be the greatest Amount of any One Call which the Company may make on the Shareholders, and Two Months at the least shall be the Interval between successive Calls, and the aggregate Amount of Calls to be made on any One Share in any One Year shall not exceed Seven Pounds Ten Shillings in the whole.

Power to issue Debenture Stock.

20. It shall be lawful for the Company from Time to Time to raise all or any of the Money which they for the Time being have raised or are authorized to raise by Mortgage by the Creation and Issue of Debenture Stock.

Power to borrow on Mortgage.

21. Subject to the Provision herein-after contained, it shall be lawful for the Company to borrow on Mortgage any Sums not exceeding in the whole One hundred and fifty thousand Pounds, but no Part of such Sums shall be borrowed until the whole of the said Capital of Four hundred and fifty thousand Pounds shall have been subscribed, and One Half thereof shall have been actually paid up, and the Company shall have proved to the Sheriff who is to certify

under the Provisions of the Forty-second Section of "The Companies Clauses Consolidation (*Scotland*) Act, 1845," before he so certifies, that the said Capital has been subscribed for *bonâ fide*, and that Two Pounds of the Amount of each Share has been paid up on the Issue and Acceptance thereof, and that every Share is held by Subscribers or their Assigns, and that such Subscribers or their Assigns are legally liable for the same.

Application of Money.

22. All Monies raised by the Company under the Powers hereby granted, either by Shares or borrowing, shall be applied exclusively to the Purposes of the Undertaking hereby authorized.

Arrears may be enforced by Appointment of a Judicial Factor.

23. It shall be lawful for the Mortgagees of the Company to enforce the Payment of the Arrears of Principal and Interest due on any Mortgages by the Appointment of a Judicial Factor; and in order to authorize the Appointment of such Judicial Factor in the event of the Principal Monies due on such Mortgage not being duly paid, the Amount owing to the Mortgagees by whom Application for such Judicial Factor shall be made shall not be less than Ten thousand Pounds in the whole.

Power to the subscribing Companies to contribute to the Undertaking.

24. It shall be lawful for the subscribing Companies, by and with the Sanction of Three Fifths of the Votes of their respective Shareholders voting, personally or by proxy, at a Meeting specially convened with Notice of that Object, to subscribe to, and to acquire, take, and hold, Shares in the Undertaking hereby authorized, to any Extent not exceeding the following; (that is to say,) the *Inverness and Aberdeen Junction* Railway Company to the Amount of Twenty-five thousand Pounds, the *Inverness and Perth Junction* Railway Company to the Amount of Twenty-five thousand Pounds, and the *Caledonian* Railway Company to the Amount of One hundred thousand Pounds; and for that Purpose to appropriate and apply any Sums of Money which those Companies respectively are authorized to raise, or which shall have been raised by them, under the Provisions of any Act or Acts relating to their respective Undertakings, and which may not be required for the Purposes to which they are by any such Act or Acts made applicable, or otherwise from Time to Time to raise, by creating new Shares or Stock, or by either of those Modes, in addition to the Sums of Money which they are already authorized to raise, the Sums of Twenty-five thousand Pounds, Twenty-five thousand Pounds, and One hundred thousand Pounds, respectively, or any Part thereof; and the whole of the Money so to be raised shall be applied in subscribing to and acquiring Shares in the Undertaking hereby authorized, and to no other Purpose whatsoever: Provided always, that it shall not be lawful for the subscribing Companies respectively to assign or transfer any Shares which they may acquire under the Authority of this Act.

25. The

Mode in which new Shares are to be allotted.

25. The new Shares or Stock so to be created by the subscribing Companies respectively shall be of such Amount and nominal Value, and shall be allotted to and amongst such Persons, and at such Times, and in such Manner as those Companies respectively may direct; and it shall be lawful for those Companies respectively, or any of them, from Time to Time, with the Consent of Three Fifths of the Votes of the Shareholders voting, in person or by proxy, at any General Meeting of those Companies respectively convened with special Notice of that Object, to assign to all or any of the new Shares or Stock such special Advantages with respect to Priority or Amount of Dividend payable thereon (not exceeding Five Pounds *per Centum per Annum*), over all or any other Class of Stock or Shares in those Companies respectively, as by the Order of any such Meeting shall be fixed and determined: Provided always, that any Preference or Priority in the Payment of Dividends which may be assigned to such new Shares or Stock shall not prejudice nor affect any Preference or Priority in the Payment of Interest or Dividend which may have been or which may be assigned to any Shares or Stock created or to be created by the subscribing Companies respectively, or any of them, in pursuance of any Act passed prior to the present Session, or which is otherwise lawfully subsisting; and provided also, that if in any Year ending the Thirty-first Day of *July* there shall not be Profits available for the Payment of the full Amount for that Year of any preferential Dividend which may be attached to the Shares or Stock, hereby authorized to be created, no Part of the Deficiency shall be made good out of the Profits of any subsequent Year, or out of any other Funds of the Company by whom such Shares or Stock may be created.

Saving Rights of Holders of existing Preference Shares in the subscribing Companies.

Calls on new Shares.

26. Twenty Pounds *per Centum* on the Amount of each Share shall be the greatest Amount of any One Call which the subscribing Companies may make on the Shareholders in respect of the Shares by this Act authorized to be created by them, and Three Fourths of the Amount of a Share shall be the utmost aggregate Amount of Calls that may be made in any One Year upon that Share, and Two Months at the least shall be the Interval between successive Calls.

Power to the subscribing Companies to appoint Directors.

27. For and during a Period of Six Years from and after the passing of this Act, it shall be lawful for the Directors of each Company so subscribing to nominate annually out of their Body, at some Meeting of the said Directors to be held in the Month of *September* or *October* in every Year, the Directors whom they are by this Act authorized to appoint of the Company hereby incorporated, and from Time to Time to remove any Director appointed under this present Power, and to appoint another Person from their own Body in the Stead of any Director who shall be so removed, or shall die, resign, or become incapable of acting, or disqualified by ceasing

ceasing to be a Director of the subscribing Companies respectively; and it shall not be necessary for the Directors so to be appointed by or on behalf of the subscribing Companies respectively to hold any Shares in the Undertaking hereby authorized; and those Directors shall not go out of Office in the Manner provided for with respect to Directors appointed by the Shareholders of the Company, but shall every Year retire from Office at such Time in the Month of *September* or *October* next succeeding their Appointment as may from Time to Time be fixed by the Directors of the subscribing Companies respectively; and the Directors so retiring, or any or either of them, shall be re-eligible forthwith, or in any subsequent Year whilst they remain Directors of the subscribing Companies respectively, and in all other respects they shall have the same Powers and be subject to the same Regulations and Provisions as the other Directors of the Company: Provided always, that every Appointment of those Directors by the subscribing Companies respectively shall be authenticated by the Common Seal or by the Signature of the Chairman of the Directors of each of the subscribing Companies; and the Deposit of the Appointment, authenticated as aforesaid, with the Secretary of the Company hereby incorporated, shall entitle the Director therein mentioned to act as such without other Proof of his Appointment.

Power to the subscribing Companies to appoint Persons to vote on their Behalf.

28. The subscribing Companies or the Directors of those Companies respectively may from Time to Time each appoint some Person, whether a Proprietor of Shares or Stock in the Undertaking or not, to vote on their Behalf respectively at any Meeting of the Company, and may from Time to Time revoke that Appointment, and appoint another Person in that Behalf; and the Persons so for the Time being appointed shall, except as herein-after provided, during their Appointment, have the same Right of voting at any Meeting as they would have had if the Shares or Stock in the Undertaking for the Time being held by the subscribing Companies respectively were held by those Persons in their own Right: Provided always, that each Appointment or Revocation shall be in Writing, and under the respective Seals of those Companies, or under the Hand of the Chairman for the Time being of the Company making the Appointment, and shall be deposited with the Secretary of the Company: Provided also, that so long as those Companies respectively, or any of them, shall be entitled to appoint Directors under the Powers to that Effect herein-before contained, the Person acting in virtue of that Appointment shall not be entitled to vote at any Meeting of the Company in any Division in regard to the Appointment of Directors.

Power to take Lands.

29. The Company may enter upon, take, and use such of the Lands delineated in the Plans and described in the Books of Reference as shall be necessary for the Railway and Pier, or the Approaches, Stations, Works, and Conveniences connected therewith.

30. The

Powers for compulsory Purchases limited.

30. The Powers of the Company for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Five Years from the passing of this Act.

Lands for extraordinary Purposes.

31. The Quantity of Land to be taken by the Company for the extraordinary Purposes mentioned in "The Railways Clauses Consolidation (*Scotland*) Act, 1845," shall not exceed Twenty Acres.

Power to make Railway and Pier according to deposited Plans.

32. Subject to the Provisions contained in this Act and the Acts wholly or partially incorporated herewith, it shall be lawful for the Company to make and maintain the Railway and Pier, and the Works connected therewith respectively, in the Line and upon the Lands delineated on the Plans and described in the Books of Reference, and according to the Levels defined on the Sections.

Description of Undertaking.

33. It shall be lawful for the Company to make and maintain,

First, a Railway, with all proper Works, Approaches, Stations, and Conveniences connected therewith, commencing by a Junction with the *Inverness and Aberdeen Junction* Railway at or near the *Dingwall* Station of that Railway, and terminating at *Kyle of Lochalsh* in the Parish of *Lochalsh*, and which Railway will be situate in, or pass from, in, through, or into, the several Parishes, Townships, Burghs, and Places following; (that is to say,) the Royal Burgh of *Dingwall*, the Parishes of *Dingwall*, *Contin*, *Lochcarron*, and *Lochalsh*, all in the County of *Ross*, and the Parish of *Fodderty*, partly in the County of *Ross*, and partly in that Part of the County of *Cromarty* which is locally situate in the County of *Ross*:

Second, a Pier, with all proper Wharves, Landing Places, Rails, Sidings, Cranes, Sheds, and other Works and Conveniences necessary for facilitating the Traffic in connexion with the intended Railway, and situate at or near the Terminus of the same intended Railway at *Kyle of Lochalsh* in the Parish of *Lochalsh* and County of *Ross*, and on the Soil or Bed of the Sea adjacent thereto:

Third, an Hotel in connexion with the Railway at *Kyle of Lochalsh*:

Provided always, that no Portion of the Railway hereby authorized shall be opened for the Purposes of Traffic which shall not be capable of being worked continuously with the existing Railway of the *Inverness and Aberdeen Junction* Railway Company without the express Consent thereto of that Company in Writing.

For the Protection of the Estate of Coul.

34. Whereas the Railway passes for nearly Four Miles through the Estate of *Coul*, the Property of Sir *William Mackenzie* Baronet, and it is expedient that the Railway should be carried through the same

same with as little Detriment as possible: Therefore, without the Consent in Writing of the said Sir *William Mackenzie*, his Heirs or Successors in the Estate of *Coul*, the Company shall not on any Part of the said Estate of *Coul* deviate the centre Line of the Railway Southwards of the centre Line thereof as shown on the deposited Plans, nor shall they, without the Consent aforesaid, construct the said Railway between a Point Five Miles Seven Furlongs, and another Point Six Miles Five Furlongs, from the Commencement of the Railway at *Dingwall* (measured along a Line corresponding to the centre Line of Railway delineated on the deposited Plans), otherwise than in the Line coloured Brown delineated on a Plan signed as relative hereto by the Right Honourable *William Pitt* Earl *Amherst*, Chairman of the Committee of the House of Lords, to whom the Bill for this Act was referred.

As to Works in Coul.

35. The Company shall construct the Railway for a Distance of Five hundred and ten Yards Eastwards from a Point Six Miles Six Furlongs from the Commencement of the Railway at *Dingwall* (measured in manner aforesaid), so that the Railway shall be in a Tunnel, or be covered with Arching, constructed to the Satisfaction and at the Sight of an Engineer to be appointed by the said Sir *William Mackenzie*, or, in the event of Dispute, to the Satisfaction of *John Miller* of *Millfield*, Civil Engineer, whom failing, *James Leslie* of *Edinburgh*, Civil Engineer; and such Arching shall, at the Expense of the Company, be covered with Soil, as nearly as may be, on the natural Slope of the Ground, and be sown with and maintained in Grass, and the Slopes of all Cuttings and Embankments on the said Estate of *Coul* shall, at the Expense of the Company, be dressed and finished and afterwards maintained in a neat and sufficient Manner, and, where not in Rock, such Slopes shall be soiled and sown with and maintained in Grass; and the said Sir *William Mackenzie*, his Heirs and Successors in the Estate of *Coul*, shall be entitled to the free Occupation in all Time coming of the Surface over the said Tunnel or Arching, and may make such Use thereof as he or they shall think fit, and the same shall not be used by the Company for any Purpose whatever, and shall not be fenced in by the Company, except with the Consent of the said Sir *William Mackenzie*, his Heirs or Successors: Provided always, that the Company shall not be required to expend, in carrying out the special Enactments for the Protection of the Estate of *Coul* herein-before made, any greater Sum than Four thousand three hundred and fifty Pounds, over and above the Expense which they would have incurred in constructing, according to the deposited Plans and Sections, the Portion of Railway for which the deviated Line is substituted; and any Difference which may arise in respect to the relative Cost of the said Portion of Railway if constructed in the Line delineated on the deposited Plans, and the Cost thereof if constructed

in

in the Line delineated on the Plan signed as aforesaid, and otherwise in accordance with the said special Enactments for the Protection of the Estate of *Coul*, shall be determined by the said *John Miller*, whom failing, the said *James Leslie*; and if the Referee so determining shall find that the additional Cost of the Construction of the said Portion of Railway in the Line and Manner last mentioned would exceed the said Sum of Four thousand three hundred and fifty Pounds, such Referee shall also determine to what less Extent than is hereinbefore provided, and in what Manner, the said special Enactments shall be carried into effect, so that the additional Cost of the same shall not exceed the said Sum of Four thousand three hundred and fifty Pounds; and the Determination of such Referee shall be final, and the Company shall (unless otherwise agreed between them and the said Sir *William Mackenzie*, his Heirs or Successors in the Estate of *Coul*,) construct the said Portion of Railway in the Line and otherwise according to the Determination of such Referee.

Company not to deposit Spoil on Lands of Coul.

36. The Company shall not, between the Points marked on the Plans of the Railway deposited as aforesaid Five Miles Seven Furlongs and Seven Miles respectively, deposit any Spoil upon the said Estate of *Coul* without the Consent of the said Sir *William Mackenzie*, his Heirs or Successors in the Estate of *Coul*.

Regulating Inclinations of certain Roads.

37. It shall be lawful for the Company to construct the Approaches to the Bridges or Arches for carrying the Roads numbered as after mentioned on the deposited Plans over or under the Railway hereby authorized, as also to make and construct the proposed Diversions of the Roads numbered as after mentioned on the deposited Plans with such Inclinations as they think fit, not steeper than the following; (that is to say,)

No. on Plan.	Parish.	Inclination.	Description of Roads.
93	Contin - -	1 in 17 - -	Public Road.
225	Contin - -	1 in 17 - -	Public Road.
455	Contin - -	1 in 10 on one Side, and level on the other.	Old public or County Road or Track.
95	Lochalsh - -	1 in 10 on one Side, and 1 in 12 on the other.	Public Road.
255	Lochalsh - -	1 in 16 - -	Public Road.

Period for Completion of Works.

38. The Railway shall be completed within Five Years from the passing of this Act, and on the Expiration of that Period the Powers by this or the incorporated Acts granted to the Company for executing the Railway, or otherwise in relation thereto, shall cease to be

be exercised, except as to so much of the same as shall then be completed.

Providing for Completion of Railway.

39. Whereas, pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the Ninth Year of Her present Majesty, Chapter Twenty, a Sum of Thirty-two thousand Pounds, being Eight *per Centum* on Four hundred thousand Pounds, the Amount of the Estimate of the Expense of the Railway authorized by this Act, has been deposited in the National Bank of *Scotland* in the Name and with the Privity of the Queen's Remembrancer of the Court of Exchequer in *Scotland*, in respect to the Application to Parliament for this Act: Be it enacted, That, notwithstanding anything contained in the said recited Act, the said Sum of Thirty-two thousand Pounds so deposited as aforesaid in respect of the Application for this Act, or the Interest or Dividends of such Sum of Money, shall not, except upon the Execution and Deposit of such Bond as herein-after mentioned, be paid or transferred to or on the Application of the Person or Persons or the Majority of the Persons named in the Warrant or Order issued in pursuance of the said Act, or the Survivors or Survivor of them, unless the said Company shall, previously to the Expiration of the Period limited by this Act for the Completion of the Railway hereby authorized to be made, either open the Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations that the Company have paid up One Half of the Amount of the Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital; and if the Period shall expire before the Company shall either have opened the Railway for the public Conveyance of Passengers, or have given such Proof as aforesaid to the Satisfaction of the Lords of the Committee, the Sum of Money deposited as aforesaid, and the Interest and Dividends thereof, shall immediately from and after the Expiration of the said Period be forfeited to Her Majesty, and be paid and transferred by the Officer or Person in whose Name they shall then be deposited or invested to the Account of Her Majesty's Exchequer, and when so paid and transferred shall be carried to and form Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*: Provided, that at any Time after the passing of this Act if a Bond in twice the Amount of the said Sum of Thirty-two thousand Pounds shall have been executed by the said Company with One or more Sureties, (such Bond to be prepared to the Satisfaction of, and such Surety or Sureties to be approved by, the Solicitor to the Lords Commissioners of Her Majesty's Treasury,) conditioned for Payment to Her Majesty, Her Heirs or Successors, of

of the said Sum of Thirty-two thousand Pounds if the Company shall not, within the Time limited for the Completion of the Railway, either open the Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the said Committee that the Company have paid up One Half of the Amount of the Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital, and if such Bond shall have been deposited with the said Solicitor to the said Lords Commissioners, then such Sum of Money, and the Interest or Dividends thereof, shall be paid to or on the Application of the Person or Persons or the Majority of the Persons named in such Warrant or Order as aforesaid, or the Survivors or Survivor of them, and it shall not be necessary to produce any Certificate of this Act having passed, anything in the recited Act to the contrary notwithstanding; and the Monies to be recovered upon such Bond shall be dealt with in like Manner as the said Sum of Money, and the Interest or Dividends thereof, would have been dealt with under this Act if such Bond had not been executed and deposited as aforesaid; and the Certificate of the said Solicitor to the said Lords Commissioners that such Bond has been executed and deposited as aforesaid, and the Certificate of the Lords of the said Committee that such Proof has been given to their Satisfaction as aforesaid, shall respectively be sufficient Evidence of the Facts so certified.

Power to lease or purchase Kyleakin Ferry.

40. Subject to the Provisions of the incorporated Acts and of this Act, it shall be lawful for the Company to take on Lease for any Term not exceeding Ninety-nine Years, or to purchase and acquire, hold and use, the Ferry between *Kyle of Lochalsh* and *Kyleakin* in the *Island of Skye*, with the Piers and Jetties connected therewith, or such of them as the Company may think proper, and to alter and improve the same so far as may be necessary for the Purposes of the Company; and it shall be lawful for the Owners of or all other Persons interested in the said Ferry, including such Persons as are incapacitated to sell Lands under the Provisions of "The Lands Clauses Consolidation (*Scotland*) Act, 1845," to sell and transfer or lease, and to 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* to be a sufficient Consideration for or in respect of the Property so leased.

Power to Company to provide and

41. The Company may from Time to Time buy or hire, and may use, maintain, and work, or enter into Arrangements for using, maintaining,

use Steam Vessels for the Purposes of Kyleakin Ferry.

taining, and working Steam Vessels for the Purpose of carrying on a convenient and efficient Ferry by means thereof between *Kyle of Lochalsh* and *Kyleakin* in the *Island of Skye*, and may take and levy Tolls, Rates, Duties, and Charges in respect of those Steam Vessels; and the Steam Vessels so bought or hired shall (unless otherwise agreed) be deemed to be Part of the *Dingwall and Skye* Railway within the Meaning and for the Purposes of the Provisions in the Act authorizing Contracts or Arrangements between the Company and any other Company or Companies: Provided always, that the Company and any other Company working the Railway under any Contract or Agreement shall use such Steam Vessels for the Purposes of the said Ferry only, and for no other Purpose whatever.

Tolls.

42. It shall be lawful for the Company to demand any Tolls for the Use of the Railway, not exceeding the following; (that is to say,)

Tonnage of Articles of Merchandise.

First, in respect of the Tonnage of all Articles conveyed upon the Railway, or any Part thereof, as follows:

For all Dung, Compost, and all Sorts of Manure, Lime and Limestone, and all undressed Materials for the Repair of the public Roads or Highways, *per* Ton *per* Mile not exceeding One Penny Halfpenny; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Penny:

For all Coal, Coke, Culm, Charcoal, and Cinders, all Stones for building, pitching, and paving, all Bricks, Tiles, Slates, Clay, Sand, Ironstone and Iron Ore, Pig Iron, Bar Iron, Rod Iron, Hoop Iron, and all other similar Descriptions of Wrought Iron and Iron Castings not manufactured into Utensils or other Articles of Merchandise, *per* Ton *per* Mile not exceeding Twopence; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Penny:

For all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber, Staves, and Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, *per* Ton *per* Mile not exceeding Threepence; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Penny Halfpenny:

For all Cotton and other Wools, Drugs, manufactured Goods, and all other Wares, Merchandise, Fish, Articles, Matters, or Things, *per* Ton *per* Mile not exceeding Fourpence; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding Twopence:

And for every Carriage, of whatever Description, not being a Carriage adapted and used for travelling on a Railway, and not weighing

weighing more than One Ton, carried or conveyed on a Truck or Platform belonging to the Company, *per* Mile not exceeding Sixpence; and a further Sum of One Penny Halfpenny *per* Mile for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton which any such Carriage may weigh.

Tolls for Passengers and Cattle.

Second, in respect of Passengers and Animals conveyed in Carriages upon the Railway, as follows:

For any Person conveyed in or upon any such Carriage, *per* Mile not exceeding Twopence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum not exceeding One Penny *per* Mile:

For every Horse, Mule, Ass, or other Beast of Draught or Burden, and for every Ox, Cow, Bull, or Head of Neat Cattle, conveyed in or upon any such Carriage, *per* Mile not exceeding Twopence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum not exceeding Threepence *per* Mile:

For every Calf, Pig, Sheep, Lamb, or small Animal conveyed in or upon any such Carriage, *per* Mile not exceeding One Penny; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum not exceeding One Penny Halfpenny *per* Mile.

Toll for propelling Power.

43. The Toll which the Company may demand for the Use of Engines for propelling Carriages shall not exceed One Penny *per* Mile for each Passenger or Animal or for each Ton of Goods or other Articles, in addition to the several other Tolls or Sums by this Act authorized to be taken.

Limiting Charges for the Conveyance of Passengers.

44. It shall not be lawful for the Company to demand or receive any greater Sum in respect of the Carriage of Passengers conveyed on the Railway than Threepence *per* Passenger *per* Mile in respect of any Passenger travelling in a First-class Carriage, Twopence *per* Passenger *per* Mile in respect of any Passenger travelling in a Second-Class Carriage, and One Penny Halfpenny *per* Passenger *per* Mile in respect of any Passenger travelling in a Third-class Carriage, including the Charges for the Use of Carriages and locomotive Power, and all other Charges incidental to such Conveyance.

Restrictions as to Charges not applicable to Special Trains.

45. The Restrictions with respect to the Charges to be made for Passengers shall not extend to any Special Train required to run upon the Railway, but shall apply only to the Express and Ordinary Trains from Time to Time appointed by the Company for the Conveyance of Passengers and Goods upon the Railway.

Passengers Luggage.

46. Every Passenger travelling upon the Railway may take with him his ordinary Luggage, not exceeding One hundred and twenty Pounds

Pounds in Weight for First-class Passengers, One hundred Pounds in Weight for Second-class Passengers, and Sixty Pounds in Weight for Third-class Passengers, without any Charge being made for the Carriage thereof.

Limiting Charges for the Conveyance of Goods.

47. It shall not be lawful for the Company to charge in respect of the several Articles, Matters, and Things, and of the several Descriptions of Animals herein-after mentioned, conveyed on the Railway, any greater Sum, including the Charges for the Use of Carriages, Waggons, or Trucks, and for locomotive Power, and all other Charges incidental to such Conveyance, than the several Sums herein-after mentioned; (that is to say,)

For Dung, Compost, and all Sorts of Manure, Lime and Limestone, and undressed Materials for the Repair of public Roads or Highways, One Penny Halfpenny *per* Ton *per* Mile:

For Coal, Coke, Culm, Charcoal, and Cinders, Stones for building, pitching, and paving, Bricks, Tiles, Slates, Clay, Sand, Ironstone, and Iron Ore, Pig Iron, Bar Iron, Rod Iron, Hoop Iron, and other similar Descriptions of Wrought Iron and Iron Castings not manufactured into Utensils or other Articles of Merchandise, *per* Ton *per* Mile Twopence:

For Sugar, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber, Staves, and Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, *per* Ton *per* Mile Threepence:

For Cotton and other Wools, Drugs, manufactured Goods, and other Wares, Merchandise, Fish, Articles, Matters, and Things, *per* Ton *per* Mile Fourpence:

And for every Carriage, of whatever Description, not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, carried or conveyed on a Truck or Platform, *per* Mile Sixpence; and for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton which such Carriage may weigh, a further Sum of One Penny Halfpenny *per* Mile:

For every Horse, Mule, Ass, or other Beast of Draught or Burden, *per* Mile Fivepence:

For every Ox, Cow, Bull, or Head of Neat Cattle, *per* Mile Twopence:

For every Calf, Pig, Sheep, Lamb, or other small Animal, *per* Mile Three Farthings each.

Terminal Station.

48. No Station is to be considered a Terminal Station in regard to Goods conveyed on the Railway which have not been received thereat direct from the Consignor of such Traffic, or are not directed to be delivered thereat to the Consignee.

49. Nothing

Company may take increased Charges by Agreement.

49. Nothing herein contained shall be held to prevent the Company from taking any increased Charge, over and above the Charges herein-before limited, for the Conveyance of Goods of any Description, by Agreement with the Owners or Persons in charge of such Goods, either in respect of the Conveyance of such Goods (except small Parcels) by Passenger Trains, or by reason of any other special Service performed by the Company in relation thereto.

Regulations as to the Tolls.

50. The following Provisions and Regulations shall be applicable to the fixing of the Tolls and maximum Charges herein-before specified; (that is to say,)

For Articles or Persons conveyed on the Railway for a less Distance than Six Miles the Company may demand Tolls and Charges as for Six entire Miles:

For a fractional Part of a Mile beyond Six Miles the Company may demand Tolls and Charges in respect of Goods and Minerals, for each Fraction in proportion to the Number of Quarters of a Mile contained therein, and the Fraction of a Quarter of a Mile shall be deemed a Quarter of a Mile; and in respect of Passengers the Company may demand Tolls and Charges as for One Mile:

For a Fraction of a Ton the Company may demand Toll according to the Number of Quarters of a Ton in such Fraction, and if there be a Fraction of a Quarter of a Ton such Fraction shall be deemed a Quarter of a Ton:

With respect to all Articles the Weight may be determined according to the usual Avoirdupois Weight: Provided, that with respect to Stone and Timber, Fourteen Cubic Feet of Stone, Forty Cubic Feet of Oak, Mahogany, Teak, Beech, or Ash, and Fifty Cubic Feet of any other Timber, shall be deemed One Ton Weight, and so in proportion for any smaller Quantity.

Tolls for small Parcels and single Articles of great Weight.

51. And with respect to small Packages and single Articles of great Weight, be it enacted, That, notwithstanding the Rate of Tolls prescribed by this Act, the Company may lawfully demand Tolls not exceeding the Tolls following; (that is to say,)

For the Carriage of small Parcels on the Railway as follows:

For any Parcel not exceeding Seven Pounds in Weight, Fourpence;

For any Parcel exceeding Seven Pounds and not exceeding Fourteen Pounds in Weight, Eightpence;

For any Parcel exceeding Fourteen Pounds and not exceeding Twenty-eight Pounds in Weight, One Shilling;

For any Parcel exceeding Twenty-eight Pounds and not exceeding Fifty-six Pounds in Weight, One Shilling and Sixpence;

And for Parcels exceeding Fifty-six Pounds in Weight but not exceeding Five hundred Pounds in Weight the Company may demand any Sum which they think fit:

Articles sent in large aggregate Quantities, although made up of separate Parcels, such as Bags of Sugar, Coffee, Meal, and the like, shall not be deemed small Parcels, but such Term shall apply only to single Parcels in separate Packages:

For the Carriage of any One Boiler, Cylinder, or single Piece of Machinery, or single Piece of Timber or Stone, or other single Article, the Weight of which, including the Carriage, shall exceed Four Tons but shall not exceed Eight Tons, the Company may demand such Sum as they think fit, not exceeding Twelvepence *per* Ton *per* Mile:

For the Carriage of any single Piece of Timber, Stone, Machinery, or other single Article, the Weight of which, with the Carriage, shall exceed Eight Tons, the Company may demand such Sum as they think fit.

Charges for extra Services.

52. It shall be lawful for the Company to demand and take, in addition to the before-mentioned Tolls, Rates, and Charges, a reasonable Sum for loading, covering, and unloading of Goods at any Terminal Station of such Goods, and for Delivery and Collection, and for other Services incidental to the Business of a Carrier, where such Services respectively shall be performed by the Company.

Charge for Weighing Machines.

53. It shall also be lawful for the Company to take for the Use of any Cranes or Weighing Machines erected by the Company, of and from the Owner or Person having Charge of any Goods, Articles, or Things loaded or unloaded, weighed or measured, by means of the same, such reasonable Sum as the Company shall from Time to Time appoint.

Power to levy Rates for Use of Pier.

54. The Company may demand, levy, and recover, in respect of every Ship, Vessel, Steamboat, sailing or other Craft using the Pier at *Kyle of Lochalsh* hereby authorized, and of all Passengers, Goods, Merchandise, Fish, Animals, and other Articles, Matters, and Things landed or loaded at the said 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 respect of Goods of a similar Nature, Package, and Quality, and every such Rate shall be payable by the Owner of the Goods.

55. The

Rates to be charged for Use of Warehouses, Cranes, &c. at Kyle of Lochalsh as in Sched.(B.)

55. 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.

Certain Parts of 8 & 9 Vict. c. 33. extended to such Rates.

56. The Sections of "The Railways Clauses Consolidation (*Scotland*) Act, 1845," numbered respectively 83, 85, 86, 88, 89, 90, 91, 92, 93, 94, and 95, shall extend and apply to the Rates and Dues for the Pier by this Act authorized, 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 proposed Pier, the Word "Goods" shall include Animals, Commodities, Matters, and Things, and the Section numbered 94 shall extend to the Owner of or Person having the Charge of any Animals, Goods, Commodities, Matters, or Things liable to those Rates.

Limits of Pier.

57. The Limits of the Pier shall extend to Three 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 such Pier nearest to the Sea.

Power to agree with Inverness and Aberdeen Junction Railway Company as to Station at Dingwall.

58. The Company and the *Inverness and Aberdeen Junction* Railway Company, or any Company with which that Company may be amalgamated, may make and carry into effect all such Agreements as they may think fit with regard to the Construction, Arrangement, Management, and Use of a Station at *Dingwall* for the Accommodation of the Traffic, whether in Passengers, or in Goods, Animals, Minerals, or other Matters and Things, carried upon the Railways of the respective Companies, and it may by any such Agreement be determined whether such Station shall be constructed and maintained at the joint Expense of those Companies respectively, and in that Case whether in equal or unequal Proportions, or at the sole Expense of One of the Companies, and to be used by the other Company, as the Case may be, upon Terms and Conditions to be mutually agreed on, and whether such Station shall be a Joint Station, and used in common by the said Companies respectively, or be so divided that a Part or Parts thereof may be devoted to the exclusive Use of each Company, and also whether such Station shall be constructed on Lands to be purchased or provided wholly by One Company, or by both the Companies; and it shall be lawful for the Companies in pursuance of any such Agreement as aforesaid to hold Lands for their joint Use and at their joint Disposal, and to appoint a Joint Committee or Joint Committees,

Committees, composed of such Number of their Directors as they may think fit, for the Regulation and Management of such Station, and to agree on Regulations as to the Appointment and Duties of such Committee, and to depute to such Joint Committee or Joint Committees Powers to agree to, and from Time to Time to vary or rescind, Regulations respecting the Management and Use of such Station; and in case either of the Companies shall have purchased or acquired Land for the said Station, such Company shall hold such Land as shall have been so acquired, and as shall be used for the said Station, in trust for the joint Use of both the Companies, upon such Terms as may be agreed upon; and the Company who shall not have purchased the same shall contribute and pay to the Company who purchased such Land such Portion of the Purchase or Consideration Money and other Expenses incurred in acquiring the same as has been or shall be agreed upon.

Arbitration in regard to Joint Station.

59. If any Questions, Disputes, or Differences shall arise between the Company and the *Inverness and Aberdeen Junction* Railway Company, or any Company with which that Company may be amalgamated, in regard to the Construction, Arrangement, Management, or Use of the Joint Station at *Dingwall*, or in relation to the Lands acquired or to be acquired for the Purposes of that Station, or in regard to any Agreement as to the Matters aforesaid, or any of them, or otherwise in relation thereto, the same shall from Time to Time, so often as they shall arise, be settled by Arbitration in the Manner provided by "The Railways Clauses Consolidation (*Scotland*) Act, 1845," with respect to the Settlement of Disputes by Arbitration.

Power to make Traffic Arrangements with Inverness and Aberdeen Junction Railway Company.

60. Subject to the Conditions and Provisions of Part III. of "The Railways Clauses Act, 1863," the Company and the *Inverness and Aberdeen Junction* Railway Company, or any Company with which that Company may be amalgamated, and which Company is herein-after called "the working Company," may from Time to Time make any Contracts and Agreements with respect to the following Purposes, or any of them; (that is to say,)

1. The Use, Working, and Maintenance by the working Company of all or any Part of the Railway and Pier hereby authorized, and the Stations, Sidings, Watering Places, Wharves, Cranes, Sheds, and all other Works and Conveniences belonging thereto respectively:
2. The Conveyance by the working Company of all or any Part of the Traffic passing upon or over the Railway or Pier hereby authorized, or any Part thereof:
3. The Supply of any Rolling or Working Stock to the Company:

4. The

4. The Accommodation, Conveyance, Forwarding, Interchange, and Management of Traffic on, to, and from the Railways of the Two Companies, or any Part thereof, respectively:
5. The Division between the Companies of the Profits and Receipts arising from the Traffic upon their respective Railways, or either of them, or any Part thereof respectively:
6. The Tolls, Rates, Duties, and Charges, Rent or other Consideration, to be charged in respect of the Traffic, or to be paid in respect of the User, and the fixing and appointing of those Tolls, Rates, Duties, and Charges, Rent or other Consideration, or any of them.

Tolls during Contracts.

61. During the Continuance of any Contract or Agreement which may be entered into under the Authority of this Act the Railways of the Companies, Parties to such Agreement, shall, for the Purposes of Tolls and Charges, be considered as One Railway; and in estimating the Amount of Tolls and Charges in respect of Traffic conveyed partly on the Railway and partly on the Railway of the working Company for a less Distance than Six Miles, Tolls and Charges may only be charged as for Six Miles; and in respect of Passengers, Animals, Minerals, and Goods, for every Quarter of a Mile or Fraction of a Quarter of a Mile beyond Six Miles Tolls and Charges as for a Quarter of a Mile only; and no other Charge in respect of short Distances traversed on the Railway or Railways shall be made for the Conveyance of Passengers, Animals, and Goods, or other Matters, partly on the Railway and partly on the Railway of the working Company.

Saving Rights of the Crown.

62. Nothing contained in this Act, or in any of the Acts herein referred to, shall authorize the Company to take, use, or in any Manner interfere with any Land, Soil, Tenements, or Hereditaments, or any Rights in respect thereof, belonging to the Queen's most Excellent Majesty in the Right of Her Crown, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or One of them, on behalf of Her Majesty, first had and obtained for that Purpose, which Consent such Commissioners are hereby respectively authorized to give, or shall 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.

Interest not to be paid on Calls paid up.

63. It shall not be lawful for the Company or any of the subscribing 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 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 Company, or any of the subscribing 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 (*Scotland*) Act, 1845," in that Behalf contained.

Deposits for future Bills not to be paid out of Company's Capital.

64. It shall not be lawful for the Company, or any of the subscribing Companies, out of any Money by this Act authorized to be raised for the Purposes of this Act, 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 Company, or any of the subscribing Companies, to construct any other Railway or to execute any other Work or Undertaking.

Railway not exempt from Provisions of present and future General Acts.

65. Nothing herein contained shall be deemed or construed to exempt the Railway or the Company from the Provisions of any General Act relating to Railways, or to the better or more impartial Audit of the Accounts of Railway Companies, now in force or which may 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, or of the Rates for small Parcels, authorized by this Act.

Expenses of Act.

66. All the Costs, Charges, and Expenses of applying for, obtaining, and passing this Act, or preparatory or incidental thereto, shall be paid by the Company.

SCHE-

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 at Kyle of Lochalsh, or discharging or shipping Goods within the Limits, shall pay - - - -	per Ton Burden	0	2
For every undecked Vessel - - -	per Ton Burden	0	4

RATES ON HERRING BOATS, &c.

For every Herring Boat and every undecked Boat coming to the said Pier with Herrings or fresh Fish, or landing or taking on board Goods or dried or salted Fish - - -	each	0	4

RATES ON PASSENGERS.

For every Person landing from or embarking in any Vessel, and using the Pier constructed under the Powers of this Act - -		0	2

RATES ON ANIMALS AND GOODS SHIPPED OR UNSHIPPED, RECEIVED OR DELIVERED, AT THE PIER.

Ale, Beer, or Porter - - - - -	per Hogshead	0	6
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 Gross	0	2
Boxes, full - - - - - -	per Barrel Bulk	0	4
Bricks - - - - -	per 1,000	0	8
Butter - - - - - -	per Cwt.	0	2
Carriages with Four Wheels - - - -	each	0	8
Carriages with Two Wheels - - - -	each	0	6

		s.	*d.*
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 Barrel	0	2
Chimney Cans	each	0	2
Clay	per Ton	0	6
Cheese	per Cwt.	0	4
Cloth, Haberdashery, &c.	per Barrel Bulk	0	2
Clover Seed	per Quarter	0	2
Corks	per Barrel Bulk	0	2
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 Quarter	0	2
Crystal and Crockery	per Barrel Bulk	0	2
Dogs (Sporting only)	each	0	2
Drugs	per Barrel Bulk	0	2
Dissolved Bones	per Ton	0	8
Earthenware	per Barrel Bulk	0	2
Eggs	per Barrel Bulk	0	2
Fish, fresh, salted, or dry	per Cwt.	0	1
Flax	per Cwt.	0	1
Flour	per Sack or Barrel	0	2
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 Barrel Bulk	0	3
Grain; viz., Malt	per Quarter	0	4
Wheat, Barley, Bear, Peas, Beans, Oats, and all other Descriptions of Grain	per Quarter	0	2
Grates or Stoves	each	0	2
Gravel	per Ton	0	1
Grease and Greaves	per Cwt.	0	1
Groceries	per Barrel	0	3
Guano and Artificial Manures	per Ton	0	8
Gunpowder	per Cwt.	0	1
Hardware	per Barrel Bulk	0	3
Hares and Rabbits	per Dozen, or any less Quantity	0	2
Hay	per Ton	0	6
Hemp and Cotton, unwrought	per Ton	1	4
Herrings, fresh	per Cran	0	1
Ditto cured	per Barrel	0	3

		s.	*d.*
Hides	per Ton	1	4
Ditto	each	0	0½
Household Furniture	per Barrel Bulk	0	2
Hurdles	each	0	1
Husbandry Utensils	per Ton	1	4
Iron, all Kinds	per Ton	1	0
Kelp	per Ton	0	8
Lathwood	per Bundle	0	0½
Lead of all Kinds, and Zinc	per Ton	1	4
Leather	per Cwt.	0	1
Lime	per Barrel	0	1
Limestone	per Ton	0	3
Machinery	per Ton	1	4
Manure	per Ton	0	2
Masts and Spars	each	1	6
Meal	per Bag or Barrel of 280 lbs.	0	2
Meat	per Cwt.	0	2
Milk	per 3 large Pitchers	0	0½
Millstones	each	0	6
Oakum	per Cwt.	0	1
Oil	per Ten Gallons	0	4
Oilcake	per Ton	0	8
Oysters	per Bushel	0	2
Passenger's Luggage, not exceeding 4-Barrel Bulk, free.			
Passenger's Luggage, all above 4-Barrel Bulk	per Barrel Bulk	0	3
Peats	per Ton	0	4
Peas and Beans	per Quarter	0	2
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 Quarter	0	2
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 Dozen	0	4
Slates, under Size	per 1,000	0	6
Ditto, sizeable	per 1,000	0	8
Ditto, over Size	per 1,000	1	0
Soda Water or Lemonade	per Gross of 144 Bottles	0	6
Spirits	per Hogshead of 56 Gallons	0	8
Spokes and Naves for Wheels	per Gang	0	2
Steel	per Ton	1	4
Stones, Pavement	per Ton of 16 Cubic Feet	0	4
Stones	per Ton of 16 Cubic Feet	0	2
Straw	per Ton	0	4
Stucco	per Barrel	0	4
Sugar	per Hogshead	0	6

		s.	d.
Tallow	per Ton	1	4
Tar, Pitch, or Rosin	per Barrel	0	2
Tea	per Cwt.	0	6
Tiles or Pipes	per 1,000	0	8
Timber, unwrought, of all Kinds	per Load of 50 Cubic Feet	0	8
Tin of all Kinds	per Ton	1	4
Turnips	per Ton	0	6
Turpentine	per Hogshead	0	8
Tobacco	per Ton	2	6
Vitriol	per Carboy	0	2
Whisky	per 56 Gallons	0	8
Wine in Cask	per Hogshead	1	0
Ditto in Bottle	per Dozen	0	1
Wool	per Stone	0	1
Yarn	per Cwt.	0	1

All other unenumerated Articles to pay at landing or shipping :—

If by Measurement	per Barrel Bulk	0	2
If by Weight	per Ton	1	4

Articles which can be measured to pay by Barrel Bulk, all others by Weight.

In charging the Rates on Goods, the gross Weight or Measurement of all Goods to be taken, and for any less Weights, Measures, and Quantities than those above specified a Proportion of the respective Rate shall be charged.

Five Cubic Feet, not exceeding Two and a Half Hundredweight, to be rated as a Barrel Bulk ; but when the Weight of Five Cubic Feet is greater than Two and a Half Hundredweight, then Two and a Half Hundredweight to be rated as a Barrel Bulk.

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 Cwt., 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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