CHAPTER iv.

An Act for empowering the Highland Railway Company to provide and use Steam and other Vessels; and for other purposes. [24th April 1877.]

A.D. 1877.

WHEREAS the Highland Railway Company (in this Act called "the Company") are possessed of railways extending from Perth to Bonar Bridge in the county of Ross, and they are large shareholders in and work and use the railway of the Dingwall and Skye Railway Company terminating at Strome Ferry on the west coast of Ross-shire, and the railways of the Sutherland and the Sutherland and Caithness Railway Companies, and the Duke of Sutherland's railway terminating at Wick and Thurso on the north coast of Scotland; and it is expedient that the Company should be empowered to provide and use steam and other vessels between the ports and places in this Act mentioned:

And whereas by "The Highland Railway (Additional Capital) Act, 1874," the Company are authorised to raise five hundred thousand pounds of additional capital by the issue of ordinary or preference shares or stock, and also one hundred and sixty-six thousand pounds by borrowing, but by that Act such borrowing powers cannot be exercised until the whole of the said five hundred thousand pounds has been issued and accepted, and one half thereof has been paid up, and it is expedient that the Company should be authorised to raise the said sum of one hundred and sixty-six thousand pounds by instalments in manner herein-after provided: 37 & 38 Vict. c. iii.

But the objects 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:

1. This Act may be cited for all purposes as "The Highland Railway (Steam Vessels) Act, 1877." Short title.

A.D. 1877.

Part IV. of 26 & 27 Vict. c. 92. incorporated.

2. Part IV. (relating to steam vessels) of "The Railways Clauses Act, 1863," (except where expressly varied by this Act,) is incorporated with and forms part of this Act.

Company may provide and work steam and other vessels between certain ports and places.

3. The Company may build, purchase, hire, provide, charter, employ, and maintain steam and other vessels of every or any description, and may navigate, work, and use the same, and may therein and thereby convey and carry passengers, animals, minerals, goods, merchandise, and things of every description between the following ports and places; namely,

Strome Ferry, Gairloch, Poolewe, Aultbea, and Ullapool, in the county of Ross, and Glenelg in the county of Inverness, on the one hand, and the Isle of Skye and adjacent islands and the Islands of the Hebrides, or any of them, on the other hand;

Wick, Scrabster, and Thurso, in the county of Caithness, on the one hand, and the Orkney and Shetland Islands, or any of them, on the other hand;

and may do all acts that may be necessary to enable them to carry fully into effect the purposes aforesaid.

Company may make charges for conveyance of traffic by steam or other vessels.

4. The Company may ask, demand, and recover for the conveyance of passengers, animals, minerals, goods, merchandise, and other things in the steam or other vessels so provided and used by them such reasonable rates or sums as they shall think fit: Provided always, that it shall be lawful for every first-class passenger conveyed in such vessels to take with him, without extra charge, his ordinary luggage not exceeding one hundred and twenty pounds in weight, and every second-class passenger not exceeding one hundred pounds in weight, and every third-class passenger not exceeding sixty pounds in weight.

Company may apply surplus moneys to purposes of Act.

5. The Company may from time to time apply to the purposes of this Act any moneys from time to time raised by them, and which are not by any of the Acts relating to the Company made applicable to any special purpose, or which, being so made applicable, are not required for the special purpose.

Power to borrow on mortgage.

6. Section 7 of "The Highland Railway (Additional Capital) Act, 1874," is hereby repealed, and the Company may, in respect of the additional capital of five hundred thousand pounds which they are by that Act authorised to raise, from time to time borrow on mortgage such sums as they think fit, not exceeding in the whole one hundred and sixty-six thousand pounds; (that is to say,) they may borrow on mortgage any sum of money not exceeding thirty-three thousand two hundred pounds in respect of every one hundred

A.D. 1877.

thousand pounds of the additional capital by that Act authorised to be raised, but no part of any of such several sums of thirty-three thousand two hundred pounds shall be borrowed until shares for so much of the respective portion of capital in respect of which it is authorised to be borrowed as is to be raised by means of shares are issued and accepted, and one half of such capital is paid up, and the Company have proved to the sheriff who is to certify under the forty-second section of "The Companies Clauses Consolidation (Scotland) Act, 1845," before he so certifies, that shares for the whole of the respective portion of capital have been issued and accepted, and that one half thereof has been paid up, and that not less than one-fifth part of the amount of each separate share in such respective portion of capital has been paid on account thereof before or at the time of the issue or acceptance thereof, and until stock for one half of such respective portion of additional capital as has already been or is to be raised by means of stock is fully paid up, and the Company have proved to such sheriff as aforesaid, before he so certifies, that such shares or stock, as the case may be, were issued and accepted and paid up bonâ fide, and are held by the persons or corporations to whom the same were issued, or their executors, administrators, successors, or assigns, and also, if the said respective portion of additional capital is raised by shares, that such persons or corporations, or their executors, administrators, successors, or assigns, are legally liable for the same; and upon production to such sheriff of the books of the Company, and of such other evidence as he shall think sufficient, he shall grant a certificate that the proof aforesaid has been given, which certificate shall be sufficient evidence thereof.

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

7. The Company shall not, out of any money by any Act relating to them authorised to be raised, pay or deposit any sum which, by any standing order of either House of Parliament now or hereafter in force, may be required to be deposited in respect of any application to Parliament for the purpose of obtaining an Act authorising the Company to construct any other railway, or to execute any other work or undertaking.

Railways not exempt from provisions of present and future general Acts.

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

A.D. 1877.

the rates for small parcels, authorised by the Acts relating to the Company.

Expenses of Act.

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

LONDON: Printed by George Edward Eyre and William Spottiswoode, Printers to the Queen's most Excellent Majesty. 1877.