



## CHAPTER lxxxix.

An Act to extend the time for the completion of certain railways authorised by the Highland Railway (Additional Powers) Act 1897 and for other purposes. A.D. 1905.

[11th July 1905.]

**W**HEREAS the Highland Railway Company (herein-after called "the Company") were authorised by the Highland Railway (Additional Powers) Act 1897 (herein-after referred to as "the Act of 1897") to construct certain railways therein described :

And whereas it is expedient that the period limited by the Act of 1897 as extended by the Highland Railway Order 1901 (herein-after referred to as "the Order of 1901") for the completion of the said railways by that Act authorised should be further extended :

And whereas it is expedient to confer powers on the Company with respect to hotel and other accommodation adjoining or near to their railways and for other purposes connected therewith as herein-after provided :

And whereas it is expedient that the other powers in this Act contained should be conferred on the Company :

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

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

**1.** This Act may be cited as the Highland Railway Act Short title.  
1905.



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A.D. 1905.

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Incorporation of  
Part II. of Rail-  
ways Clauses Act  
1863.

2. Part II. (relating to extension of time) of the Railways Clauses Act 1863 is incorporated with and forms part of this Act.

Interpreta-  
tion.

3. In this Act the several words and expressions to which meanings are assigned by the Act partially incorporated herewith have the same respective meanings unless there be something in the subject or context repugnant to such construction In this Act the expression—

“The Company” means the Highland Railway Company;

“The Act of 1897” means the Highland Railway (Additional Powers) Act 1897;

“The Order of 1901” means the Highland Railway Order 1901.

Powers as to  
hotels &c.

4. The Company may hold maintain and build a hotel or hotels or refreshment rooms or restaurants with all necessary buildings stables and conveniences in connexion therewith adjoining or near to their railways and may apply any lands now or hereafter belonging to them for those purposes and may purchase lease rent or otherwise acquire by agreement other lands hotels houses or buildings for those purposes and may apply for acquire and hold licences for the sale of wines spirits beer and cider and other liquors for any premises to be used as aforesaid in the name of their secretary or manager for the time being or other person nominated by the Company and may maintain equip furnish stock manage and carry on such hotel or hotels refreshment rooms and restaurants and may sell lease let or otherwise dispose of the same and may employ officers managers and servants therein or in connexion therewith and may apply any part of their capital to such hotel or hotels refreshment rooms or restaurants or may subscribe towards any hotel or hotels refreshment rooms or restaurants and advance money on mortgage thereof and all outgoings and receipts connected therewith shall be charged to and form part of the undertaking of the Company and the terms and conditions on which such subscriptions may be made may include the nomination by the Company of directors of any company owning leasing or being otherwise interested in hotels refreshment rooms or restaurants.

Extension of  
time for com-  
pletion of  
railways au-  
thorised by  
Act of 1897.

5. The time limited by the Act of 1897 as extended by the Order of 1901 for the completion of Railways 1 2 and 3 authorised by section 4 of the Act of 1897 is hereby further extended for a period of five years from the sixth day of August

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one thousand nine hundred and five and on the expiration of that period those powers shall cease except for so much of those railways as shall have then been completed and the time limited by section 36 of the Act of 1897 for the payment of interest out of capital during construction is also hereby further extended for a period of five years from the sixth day of August one thousand nine hundred and five.

**6.** Notwithstanding anything in the Lands Clauses Acts the Company may pay to two trustees in the manner provided by section 69 of the Lands Clauses Consolidation (Scotland) Act 1845 all sums of money exceeding twenty pounds and not exceeding five hundred pounds due or payable by way of purchase money or compensation.

Payment of purchase money or compensation to trustees.

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

Power to apply corporate funds to purposes of Act.

**8.** The Company shall not under the powers of this Act purchase or acquire any house or houses which on the fifteenth day of December last were occupied either wholly or partially by thirty or more persons belonging to the working class as tenants or lodgers or except with the consent of the Secretary for Scotland any house or houses which were not so occupied on the said fifteenth day of December but have been or shall be subsequently so occupied.

Restriction on taking houses occupied by working classes.

If the Company acquire or appropriate any house or houses for the purposes of this Act in contravention of the provisions of this section they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the Secretary for Scotland by action in the Court of Session and shall be carried to and form part of the Consolidated Fund of the United Kingdom Provided that the Court may if it think fit reduce such penalty.

For the purposes of this section the expression "house" means any house or part of a house occupied as a separate dwelling and the expression "working class" means mechanics artisans labourers and others working for wages hawkers costermongers persons not working for wages but working at some

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Provision as  
to general  
Railway  
Acts.

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

Expenses of  
Act.

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

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