



## CHAPTER 85.

An Act to amend the "Kootenay and North-West 1898, c. 55.  
Railway Company's Act, 1898."

[27th February, 1899.]

**W**HEREAS "The Kootenay and North-West Railway Company," Preamble.  
hereinafter called "the Company," or "the said Company," has  
by its petition prayed that the time limited by the aforesaid Act for  
depositing with the Provincial Government securities therein men-  
tioned, and for the commencement and completion of the said railway,  
as therein set forth, may be extended, and that the Act incorporating  
the said Company may be amended accordingly :

And whereas it is expedient to grant the prayer of the said petition :

Therefore, Her Majesty, by and with the advice and consent of the  
Legislative Assembly of the Province of British Columbia, enacts as  
follows :—

**1.** The non-compliance by the Company with the conditions of the said "Kootenay and North-West Railway Company's Act, 1898," shall not be considered as having heretofore caused any forfeiture of the charter of the said Company, and the said Act is hereby revived and declared to be in full force and effect.

Non-compliance  
declared not to have  
worked forfeiture.

**2.** The Company shall, on or before the first day of May, 1899, deposit with the Finance Minister the sum of five thousand dollars, either in cash or approved bonds, as security that the Company will expend not less than ten thousand dollars in surveys or construction of the railway hereby authorised to be built before the first day of August, 1900, and in default of such expenditure the aforesaid sum of five thousand dollars shall be forfeited to and become the property of the Government, as liquidated and ascertained damages, and not as a

Deposit to secure  
expenditure of  
\$10,000 before 1st  
August, 1900.

penalty, and should such security not be deposited with the Finance Minister within the aforesaid time, all the rights and privileges conferred by this Act shall be null and void.

Extension of time for commencement and completion of work.

3. Notwithstanding anything to the contrary contained in the "Kootenay and North-West Railway Company's Act, 1898," the times therein limited for the commencement and completion of the different portions of the said railway are hereby extended so as to commence and date from the time of the coming into force of this Act instead of the time of the coming into force of the said Act.

Transportation of Government employees.

4. The Company shall be bound to carry over its line of railway, without charge, all persons whose transportation would otherwise be a charge against the Government of the Province, and also all Members of the Legislature.

Chinese or Japanese not to be employed.

5. No Chinese or Japanese persons shall be employed in the construction of the undertaking or the working of the railway.

Effect of preceding two sections.

6. The preceding two sections are hereby declared to be conditions upon which this Act is passed, and shall be binding upon bondholders and all other persons in any way interested in the said Company or its property. In case either of said preceding two sections are violated, such violation shall work a forfeiture of all powers and privileges granted by this Act; but no such forfeiture shall operate except upon proceedings instituted in the Supreme Court of British Columbia by the Attorney-General.

Effect of declaration that work for general advantage of Canada.

7. In case at any time the said railway is declared by the Parliament of Canada to be a work for the general advantage of Canada, then all powers and privileges granted by this Act or by the "British Columbia Railway Act," shall thereupon cease and determine.

Short title.

8. This Act may be cited as the "Kootenay and North-West Railway Act Amendment Act, 1899."

VICTORIA, B. C.:

Printed by RICHARD WOLFENDEN, Printer to the Queen's Most Excellent Majesty.  
1899.