



CHAPTER 61.

An Act to Incorporate the Revelstoke and Cassiar Railway Company.

[*May 20th, 1898.*]

WHEREAS a petition has been presented praying for the incorporation of a Company for the purpose of constructing, equipping, maintaining and operating a line of standard gauge railway from some point at or near the Town of Revelstoke, West Kootenay District, or from a point across the Columbia River, south-westerly from Revelstoke; thence following the Columbia and Canoe Rivers to Tête Jaune Cache: thence by the most feasible route along the Fraser and Parsnip Rivers to the 56th parallel; thence by the most feasible and practicable route to Dease Lake; thence by the most practical route to Teslin Lake, on the northern boundary of the Province; or from the Parsnip River, at the 56th parallel, by the most practicable and feasible route to the northern boundary of the Province at a point on the Liard River: Preamble.

Also, a line from Tête Jaune Cache to the eastern boundary of the Province, by way of the Yellow Head Pass:

And to build and operate tramways in connection therewith, with power to construct, operate and maintain branch lines, and all necessary bridges, roads, ways and ferries, and to build, own and maintain wharves and docks in connection therewith; and with power to build, own, equip and maintain steam and other vessels and boats, and to operate the same on any navigable waters within the Province; and with power to build, equip, operate and maintain telegraph and telephone lines in connection with the said railway and branches, and to generate electricity for the supply of light, heat and power, and with power to expropriate lands for the purposes of the Company, and to acquire lands, bonuses, privileges and other aids from any government,

municipal corporation, or other persons or bodies, and to levy and collect tolls from all parties using, and on all freight passing over, any of such railways, tramways, ferries, wharves and vessels built by the Company, and with power to make traffic or other arrangements with railway, steamboat, or other companies, and for all other necessary or incidental rights, powers, or privileges in that behalf :

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:—

Incorporation.

1. A. B. Cotton, of the City of Victoria, in the Province of British Columbia, together with such other persons or corporations as shall in pursuance of this Act become shareholders of the Company hereby incorporated, are hereby constituted a body corporate and politic by the name of the “Revelstoke and Cassiar Railway Company,” or such other name as the Lieutenant-Governor in Council, upon request of the Company, may approve of.

Capital.

2. The capital stock of the Company shall be one million dollars, divided into ten thousand shares of one hundred dollars each ; which shares shall be transferable in such manner and upon such conditions as shall be provided by the by-laws of the Company, and such shares, or any part thereof, may be granted and issued as paid-up shares by the Company, either in money at par, or at such price and upon such conditions as the Directors may fix, or as part or all of the consideration for any contract or services rendered by or on behalf of or for the benefit of the Company.

Increase of.

3. The capital stock of the Company may be increased from time to time to any amount, if such increase be sanctioned by a majority in value of the subscribed capital stock of the Company represented in person or by proxy, such sanction to be given at a meeting called expressly by the Directors for that purpose by a notice published in the British Columbia Gazette and a notice in writing to each shareholder delivered to him personally, or properly directed to him at his last known place of abode, and deposited in the post office at least thirty days previously to such meeting, stating the time and place and object of such meeting, and the amount of the proposed increase, and the proceedings of such meeting shall be entered in the minutes of the proceedings of the Company, and thereupon the capital stock may be increased to the amount sanctioned by such vote.

Provisional Directors.

4. The person named in section 1 of this Act is hereby constituted the Provisional Director of the Company, with power to add to the number, but so that the Directors shall not in all exceed fifteen in

number. The Board of Directors so constituted shall have all the powers hereby conferred upon the Directors of the Company, and they shall hold office until the first election of Directors under this Act.

5. Each of the Directors hereby appointed or elected shall hold at least fifty shares of the stock of the Company; but the number of Directors to be hereafter elected by the shareholders shall be such number, not exceeding fifteen, as shall be fixed by the by-laws, and subject to the same conditions as the Directors appointed by or under authority of the last preceding section; the number thereof may be hereafter altered from time to time in like manner.

6. No Director shall be disqualified from holding office by reason of or on account of his being concerned, directly or indirectly, as partner in any other company or association, or in any contract with the Company, or on account of his receiving any pay or remuneration from the Company.

Not disqualified by receiving pay, etc.

7. The majority of the Directors shall form a quorum of the Board, and until otherwise provided by by-law, Directors may vote and act by proxy, such proxy to be held by a Director only, and no meeting of Directors shall be competent to transact business unless three Directors are present thereat in person, and the remaining number of Directors required to form a quorum are represented by proxies.

Quorum, etc.

8. The Board of Directors may appoint from out of their number an Executive Committee for the transaction of the ordinary business of the Company, with such powers and duties as may be fixed by the by-laws, and the Chairman shall be ex-officio a member of such Committee.

Executive Committee.

9. The chief place of business of the Company shall be at the City of Victoria, but the Company may from time to time by by-law appoint and fix other places within or beyond the limits of Canada at which the business of the Company may be transacted, and at which the Directors or shareholders may meet when called, as shall be determined by the by-laws.

Chief place of business.

10. The first annual meeting of the shareholders of the Company for the appointment of Directors shall be held at such time and place as the Provisional Directors may determine, and the annual general meeting of the shareholders for the election of Directors and the transaction of business generally shall be held on the same day in each year thereafter unless otherwise provided by the by-laws; and notice of such meeting shall be given in the same manner as provided by section 3 of this Act.

First and subsequent annual general meetings.

11. No failure to elect Directors, or to hold the first or any annual meeting shall operate as a dissolution of the Company, but anything

Failure to elect Directors, etc., not to operate as dissolution.

omitted to be done may afterwards be performed at a meeting called in conformity with the by-laws specially for the purpose.

Special general meetings.

12. Special general meetings of the shareholders may be convened in such manner as shall be provided by the by-laws, and, except as hereinafter provided, notice of such meetings shall be given in the same manner as notices of annual general meetings; the purpose for which such meeting is called shall be mentioned in the notices thereof, and, except as herein provided, all such meetings shall be held at the chief place of business of the Company.

Special meetings before first annual meeting.

13. If at any time before the first annual meeting of the shareholders of the Company it should become expedient that a meeting of the Directors of the Company, or a special general meeting of the shareholders of the Company, should be held before such meeting can be conveniently called, and notice thereof given in the manner provided by this Act, or by the by-laws, or before the by-laws in that behalf have been passed, and at a place other than the chief place of business of the Company, before the enactment of the by-law authorising the holding of such meeting, it shall be lawful for the Chairman, or any three Directors of the Company, to call special meetings, either of the Directors or shareholders, or of both, to be held at such times and places, respectively, as may be determined, such times and places to be stated in the notices to be given of such meetings respectively. And notices of such meetings may be validly given by publication in the British Columbia Gazette, and by a circular mailed to the ordinary address of each Director or shareholder, as the case may be, stating in general terms the purpose of the intended meeting, and in case of a meeting of shareholders the proceedings of such meeting shall be held to be valid and sufficient to be binding on the Company in all respects notwithstanding that notices of such meeting shall not have been given in the manner required by this Act: Provided that every shareholder is either present or represented by proxy.

Proxy.

14. Unless otherwise provided by the by-laws, the person holding the proxy of a shareholder shall be himself a shareholder.

Calls.

15. No calls shall be made at any time for more than twenty per cent. of the whole amount of subscribed stock, nor shall a greater amount than fifty per cent. of the amount subscribed be called in in one year.

Route of line.

16. The Company may lay out, construct, acquire, equip, maintain and operate a line of railway with one or more tracks of a standard gauge from some point at or near the Town of Revelstoke, West Kootenay District, or from a point across the Columbia River south-westerly from Revelstoke; thence following the Columbia and Canoe Rivers to Tête Jaune Cache; thence by the most feasible route along

the Fraser and Parsnip Rivers to the 56th parallel; thence to Dease Lake or Teslin Lake, on the northern boundary of the Province; or in the alternative from the Parsnip River to the said northern boundary at a point on the Liard River:

(a.) The Company shall within one year elect which route it will adopt, and shall give written notice to the Lieutenant-Governor in Council of its election.

17. The Company may also lay out, construct, acquire, equip, maintain and operate a line from Tête Jaune Cache to the eastern boundary of the Province. Tête Jaune Cache to eastern boundary.

18. The Company may divide its undertaking into four sections or divisions, and such sections or divisions shall respectively be known as the first, second, third and fourth divisions, as shown in the Schedule hereto annexed. The Company shall complete the various sections within three years from the date of this Act becoming law: Provided that should the first section be completed within three years from such date, the Company shall have two years longer in which to complete the other sections. Nevertheless failure to complete any one or more of the said sections, or portions of any section, within the time so limited for the completion of the same respectively, shall not prejudice the rights, powers or privileges of the Company in respect of such part or parts (if any) of the section or sections as to which such failure shall be made as shall at the expiration of such limited time be made and completed, or in respect of any section or sections as to which the portion so limited for the completion thereof shall not have determined. Time for completion of sections.

19. The said railway and branches, and any extension thereof that shall hereafter be constructed or acquired by the Company, shall constitute a line of railway called the "Revelstoke and Cassiar Railway," as is provided by section 1 hereof. Name of railway.

20. The Company may construct, maintain and work continuous telegraph and telephone lines throughout and along the whole line of the said railway, or any part thereof, and may also acquire by purchase, lease or otherwise, any line or lines of telegraph or telephone connecting with the line so to be constructed along the line of the said railway, and may undertake to transmit any messages for the public by any such line or lines of telegraph or telephone, and collect tolls for so doing, or may lease such line or lines of telegraph or telephone, or any portion thereof, and they may use any improvements that may hereafter be invented (subject to the rights of the patentees) for telegraphing or telephoning, and any other means of communication that may be deemed expedient by the Company at any time hereafter. Telegraph and telephone lines.

20A. No Act of this Legislature requiring the Company, in case efficient means are devised for carrying telegraph, telephone or electric Underground wires.

wires underground, to adopt such means, and abrogating the right given by this Act to continue carrying lines on poles, shall be deemed an infringement of the privileges granted by this Act.

Wharves, etc.

21. The Company may erect, maintain or work docks, dock-yards, wharves, slips, piers, elevators, depôts and buildings necessary or convenient for the purposes of the Company, and generally carry on any business or operations with any objects, purposes or powers in as full and ample a manner as the Company might or could do if incorporated therefor under the "Companies Act," Part I., "The Companies Act, 1862" (Imperial), and otherwise generally do all acts and things necessary, usual or incidental in and to the exercise of any of the powers, rights and privileges granted by this Act in so far as the Legislature of this Province has power to grant the same; and the generality of the latter part of this section is not to be held to be restricted by the specific mention of any of the rights, objects, purposes, powers or privileges by this Act conferred or referred to, or to impair or derogate from the same, but shall be deemed and taken to include any power, purpose, object, right or privilege the Company may deem necessary or useful directly, indirectly, incidentally or otherwise, to the Company.

"Companies Act, 1862."

By-laws.

22. The Directors may from time to time make and prescribe such by-laws as to them appear needful and proper to provide for the remuneration of the Chairman and the Directors of the Company, or any of the Executive Committee, the transfer of stock and shares, the registration, inscription and transfer of stock, shares and bonds, the payment of dividends and interest, the election of Directors, the procedure at general meetings and meetings of their own bodies, the appointment of committees, and for all other matters by this Act to be regulated by by-laws, and generally for managing the affairs and property of the Company, and for the carrying out of the objects contemplated by this Act not inconsistent with this Act or contrary to law, and from time to time to repeal, amend and re-enact the said by-laws: Provided that the said by-laws so made shall in no case have any force or effect after the next general meeting of the shareholders which shall be held after the passage of the by-laws, unless they are approved of by such general meeting.

Contracts made and moneys advanced prior to passage of Act.

23. All contracts made and all moneys lawfully expended by the Provisional Director in connection with the Company or upon its behalf, either before or after the passing of this Act, shall be treated as engagements made or cash advanced on account and on behalf of the Company, and at the first meeting of the Directors after the passing of this Act resolutions shall be passed confirming and giving credit for same.

24. The Company may receive, take, hold, enjoy, sell, lease, or otherwise dispose of, either conditionally or absolutely, or for any limited estate or interest therein, and upon such terms and conditions as the Directors may deem proper, from any government, person, corporation, municipal or otherwise, any lands, bonus, donations, loans, gifts of money, bonds, guarantee of bonds or interest guarantees, exemption from taxes or other impost, or any or all of same, and generally any benefit or advantage to the Company, or in aid of the same, of any nature or kind whatsoever; and the generality of the latter part of this clause is not to be held to be restricted by the specific mention of the foregoing ways and means.

Power to acquire
and deal with
lands, etc.

25. The Company, under the authority of a special general meeting of the shareholders called for the purpose, may by the vote of a majority in value of the issued capital stock of the Company represented in person or by proxy, dispose of the undertaking in whole or in part, or may issue mortgaged bonds for the purpose of the undertaking authorised by the present Act, and in case mortgage bonds are issued, such issue shall constitute a first mortgage and privilege upon the said railway, or all or part of its real or personal property acquired and to be hereafter acquired, including rolling stock and plant, and upon its tolls and revenues (after deducting from such tolls and revenues the working expenses), and upon the franchises of the Company; the whole as shall be declared and described as so mortgaged in any deed of mortgage as hereinafter provided: Provided always, however, that if the Company shall have issued, or shall intend to issue, land bonds under the provisions of the twenty-sixth section hereof, any lands or other property acquired, or to be acquired, by the Company may be excluded from the operations of such mortgages and privileges; and provided, also, that such mortgage and privileges shall not attach upon any property which the Company are hereby authorised to acquire or receive until the same shall have been conveyed to the Company, but shall attach upon such property if so declared in such deed as soon as the same shall be conveyed to the Company, and such mortgage and privilege may be evidenced by a deed or deeds of mortgage executed by the Company with the authority of its shareholders expressed by a resolution passed at such special general meeting, and any such deed may contain such description of the property mortgaged by such deed, and upon such conditions respecting the payment of the bonds secured thereby, and of the interest thereon, and the remedies which shall be enjoyed by the holders of such bonds, or any trustee or trustees for them in default of such payment, and the enforcement of such remedies, and may provide for such forfeitures and penalties in default of such payment as may be approved of by such meeting, and may also contain, with the approval aforesaid, authority to the trustee or trustees upon such default, as one of such

Borrowing powers.

remedies, to take possession of the property mortgaged, and to hold and operate the same for the benefit of the bondholders thereof for a time to be limited by such deed, or to sell the said property after such delay and upon such terms and conditions as may be stated in such deed with like approval. Any such deed may contain provisions to the effect that upon such default, and upon such other conditions as shall be described in such deed, the right of voting possessed by the shareholders of the Company, and by the holders of the preferred stock therein, or by either of them, shall cease and determine, and shall thereafter appertain to the bondholders, or to them and to the holders of the whole or of any part of the preferred stock of the Company as shall be declared by such deed, and such deed may also provide for the conditional or absolute cancellation after such sale of all or any of the shares so deprived of voting power, or any or all of the preferred shares of the Company, or both, and may also, either directly by its terms, or indirectly by reference to the by-laws of the Company, provide for the mode of enforcing and exercising the powers and authority to be conferred and defined by such deed under the provisions thereof, such deed and provisions thereof, under the authority hereof, and such other provisions thereof as shall purport with like approval to grant such further and other powers and privileges to such trustee or trustees, and to such bondholders, as are not contrary to law or to the provisions of this Act, shall be valid and binding, but if any change in the ownership or possession of the said property shall at any time take place under the provisions hereof, or of any such deed, or in any other manner, the said property shall continue to be held and operated under the provisions hereof.

Land bonds.

26. The Company may dispose of or issue mortgage bonds upon any lands granted for any estate therein in aid of the said railway and of the undertaking authorised by this Act; such mortgage bond issues to be made only upon similar authority to that required by this Act for the issue of bonds upon the railway, and when so made such bonds shall constitute a first mortgage upon such lands, and shall attach upon them when they shall be granted, if they are not actually granted at the time of the issue of such bonds, and such mortgage may be evidenced by a deed or deeds of mortgage to be executed under like authority to the deed securing the issue of bonds on the railway, and such deed or deeds under like authority may contain similar conditions, and may confer upon the trustee or trustees named thereunder, and upon the holders of the bonds secured thereby, remedies, or authorities, powers and privileges, and may provide for forfeitures and penalties similar to those that may be inserted and provided for under the provisions of this Act in any deed securing the issue of bonds on the railway, together with such other provisions and conditions not

inconsistent with law or this Act as shall be so authorised, and such bonds may be styled "Land Bonds."

27. If it is provided by the mortgage executed to secure the issue of bonds that any of the signatures to bonds, or to the coupons thereto appended, may be engraved, stamped or lithographed thereon, such engraved, stamped or lithographed signature shall be valid and binding on the Company. Signatures on bonds, etc.

28. The bonds authorised by this Act to be issued upon the railway and upon any land that may be granted to the Company, or both, may be so issued in whole or in part in the denominations of dollars, pounds sterling or francs, or in any or all of them, and the coupons may be for payment in denominations similar to those of the bonds to which they are attached, and the whole or any of such bonds may be pledged, negotiated or sold, upon such conditions and at such price as the Board of Directors shall from time to time determine, and provision may be made by the by-laws of the Company that after the issue of any bond the same may be surrendered to the Company by the holder thereof, and the Company may in exchange therefor issue to such holder inscribed stock of the Company, which inscribed stock may be registered or inscribed at the chief place of business of the Company, or elsewhere, in such manner and with such rights, lien, privileges and preferences, at such place, and on such conditions as shall be provided for by the by-laws of the Company. Denomination of bonds, etc.

29. It shall not be necessary in order to preserve the priority, lien, charge, mortgage or privilege purporting to appertain or to be created by any bond issued or mortgage deed executed under the provisions of this Act, that such bond or deed should be registered in any manner, or in any place whatever; but a notarial copy of every such mortgage deed shall be deposited and filed in the office of the Registrar-General of Titles, of which deposit notice shall be given in the British Columbia Gazette, and in like manner a notarial copy of any agreement entered into by the Company under sections 26 and 27 of this Act, shall also be deposited and filed in the said office, and a copy of any such mortgage deed or agreement so filed, certified to be a true copy by the Registrar-General of Titles, shall be received as *prima facie* evidence in all Courts of Justice, without proofs of the signatures or seal upon such original. As to registration of bonds, etc.

30. If at any time an agreement be made by the Company with any person to become a bondholder of the Company, or be contained in any mortgage deed executed under the authority of this Act restricting the issue of bonds by the Company under the powers conferred by this Act, defining or limiting the mode of exercising such powers, the Company after the deposit thereof with the Registrar-General of Agreements restricting issue of bonds.

Titles as hereinbefore provided, shall not act upon such powers otherwise than as defined, restricted and limited by such agreement, and no bond thereafter issued by the Company, and no order, resolution or proceeding thereafter made, passed or had by the Company, or by the Board of Directors, contrary to the terms of such agreement, shall be valid and effective.

Guaranteed and preferred stock.

31. The Company may from time to time issue guaranteed or preferred stock, at such price, to such amount, and upon such conditions as to the preferences and privileges thereto, or to different issues or classes thereof, and otherwise as shall be authorised by the majority in value of the shareholders, such authority to be given at an annual meeting, or at any special general meeting thereof called for the purpose, at which meeting shareholders representing at least two-thirds in value of the subscribed capital of the Company shall be present in person or by proxy; notice of intention to propose such issue at such meeting being given in the notice calling such meeting, but the guarantee or preference to such stock accorded shall not interfere with the lien, mortgage and privilege attaching to bonds issued under authority of this Act, and the holders of such preferred stock shall have such power of voting at meetings of the shareholders as shall be conferred upon them by the by-laws of the Company.

Meaning of "working expenses."

32. The phrase "working expenses" shall mean and include all expenditures of maintenance of the undertaking and the buildings, works and conveniences belonging thereto, and of the rolling and other stock and movable plant used in the working thereof, and all such tolls, rents or annual sums as may be paid in respect of hire of machinery, engines, carriages or waggons let to the Company, also all rents, charges or interest on the purchase money of land belonging to the Company, purchased but not paid for, and also all expenses of and incidental to working, undertaking, and traffic thereon, including stores and consumable articles, also rates, taxes, insurance and compensation for accidents or losses, also all salaries and wages of persons employed in or about the working of the undertaking and traffic, and all office and managing expenses, including Directors' fees, agency, legal and other like expenses.

Contracts, etc., how executed.

33. Every contract, agreement, engagement, scrip certificate or bargain made, and every bill of exchange drawn, accepted or indorsed, and every promissory note and cheque made, drawn or indorsed on behalf of the Company by any agent, officer or servant of the Company, in general accordance with his powers as such, under the by-laws of the Company, shall be binding upon the Company, and in no case shall it be necessary to have the seal of the Company affixed to any such bill, note, cheque, contract, agreement, engagement, bargain or scrip certificate, or prove that the same was drawn, made, accepted

or indorsed, as the case may be, in pursuance of any by-law or special vote or order, nor shall the parties so acting as agents, officer or servant of the Company be subject individually to any liability whatsoever to any third party therefor: Provided always, that the Company are not to be deemed to be debarred from proving that the same was not issued by authority of the Company, and that nothing in this Act shall be construed to authorise the Company to issue any note payable to bearer thereof, or any promissory note intended to be circulated as money, or as a note of a bank, or to engage in the business of banking and insurance.

34. Any land acquired by the Company and held for sale for the purpose thereof, may be conveyed to trustees to be held or conveyed by them upon the trusts, and for the purposes herein declared in reference to such lands, and all moneys arising from the sale of such lands shall be held and applied in trust for the purposes following, that is to say:—(firstly), in payment of the expenses connected with acquisition, survey, management and sale of said lands; (secondly), in payment of the interest on bonds secured by such lands from time to time; (thirdly), in payment and redemption of the said bonds when and as they become due; and (fourthly), for the general purposes of the Company.

Trusts of lands held for sale.

35. All lands sold and conveyed by the Company, and the said trustees after a conveyance thereof to them upon the trusts aforesaid, shall be forever released and discharged from all mortgages, liens and charges of any kind or nature by this Act, or by the Company created.

Lands sold discharged from liens.

36. All bonds, preference stock, debentures and other securities hereby authorised, and the coupons and interest warrants thereon respectively, may be made payable to bearer, and shall in that case be transferable by delivery without regard to any equities between the holder or holders thereof and the Company.

Bonds and debentures, how payable.

37. It shall be lawful for the Company, with the consent of the Chief Commissioner of Lands and Works, to take from any public lands adjacent to or near the line of the said railway, all stone, timber or gravel, and other material which may be necessary or useful for the construction of the railway, and also to fill in upon any public lands.

Taking of stone and gravel.

38. It shall be lawful for the Company, its servants, agents or workmen, from time to time, and at all times hereafter, as they shall see fit, and they are hereby authorised and empowered to enter into and upon the land (or lands of the Crown) of any person or persons, bodies politic and corporate, set out and ascertain, take, appropriate, hold and enjoy such part or parts thereof as it may require for the purposes of the undertakings by this Act authorised, or any one or

Expropriation of right of way, etc.

more of them, and to contract with the owners or occupiers of lands for the purchase thereof, or any part thereof, or of any right, easement or privilege that may be required for the purposes of the Company, and for the right to take all timber, stone, gravel, sand and other materials, from the same for the use and construction of the said works of the Company.

Mode of expropriation.

39. The Company shall be deemed to have committed an act of expropriation when it shall have entered upon the land or lands of any person or persons, bodies politic and corporate, and shall have set out the ground required in the following manner: Stakes, similar in size to those required by the "Mineral Act," shall be placed every three hundred yards, approximately, along the centre of the proposed line of railway, and a notice to the owner shall be posted on one stake on the land or lands so expropriated, defining, approximately, the amount of land so required. When wooded, the Company shall have the proposed line blazed between the stakes.

Tender.

40. The Company shall make a tender in writing to the owner of the amount proposed to be paid for the land.

"B. C. Railway Act."

41. The clauses or sections of the "British Columbia Railway Act" shall, in so far as the Legislature of this Province has power to enact the same, apply to this Company in the same manner and to the same extent as if the same had been set forth clause by clause in this Act, save and except in the case of any conflict, inconsistency or repugnancy between the other clauses of this Act, and the clauses or sections of the "British Columbia Railway Act" so made a part of this Act, the other clauses of this Act shall prevail and override any clause or section of the "British Columbia Railway Act" so incorporated herewith, to the extent of any such conflict, inconsistency or repugnancy.

Liability on shares.

42. The stock of the Company shall be personal property. No shareholder of the Company shall in any manner be liable to, or be chargeable, or charged with the payment of any debt or demand due by the Company, or any sum beyond the amount unpaid on his, her or their subscribed shares in the capital stock of the Company.

Change of name of Company.

43. In the event of the name of the Company being changed under authority of section I hereof, this Act shall be deemed thereby to be amended so as to conform therewith in all respects, and the name so approved and substituted shall thereby be deemed to be inserted in lieu and place of the name "Revelstoke and Cassiar Railway Company" wherever the same occurs in this Act.

Chinese and Japanese.

44. No Chinese or Japanese person shall be employed in the construction of the undertaking hereby authorised, under a penalty of five dollars per day for each and every Chinese or Japanese person

employed in contravention of this section, to be recovered on complaint of any person, under the provisions of the "Summary Convictions Act."

45. The Company may make traffic or other arrangements with any other railroad, steamboat or navigation company or companies whose line of railway or undertaking communicates with or is contiguous to that of the Company, and which may be of mutual benefit to each other, and may enter into an agreement with such other company or companies for conveying or leasing to such company the line of railway of the Company hereby incorporated, in whole or in part, or any rights or powers acquired hereunder, and any assets of the Company, or for amalgamating with such company, upon such terms and conditions as may be agreed upon. Traffic and other arrangements.

46. The Company shall, within six months after the passage of this Act, deposit with the Provincial Government 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 31st August, 1899, 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 penalty; and should such security not be deposited with the Government within the aforesaid time, all the rights and privileges conferred by this Act shall be null and void. Security.

47. This Act may be cited as the "Revelstoke and Cassiar Railway Company Act, 1898." Short title.

SCHEDULE.

Schedule.

The first section shall consist of that portion of the line extending from a point at or near Revelstoke to Tête Jaune Cache, thence to the eastern boundary.

The second section shall consist of that portion of the line extending from Tête Jaune Cache to a point at or near Fort McLeod.

The third section shall consist of that portion of the line extending from a point at or near Fort McLeod to the 57th parallel of latitude.

The fourth section shall consist of that portion of the line extending from the 57th parallel of latitude to the northern boundary line at a point on the Liard River.

OR IN THE ALTERNATIVE.

The first section to consist of that portion of the line extending from a point at or near Revelstoke to Tête Jaune Cache, thence to the eastern boundary.

The second section to consist of that portion of the line extending from Tête Jaune Cache to some point on Stuart Lake or Stuart River.

The third section to consist of that portion of the line extending from a point on Stuart Lake or Stuart River to a point at or near Hazelton.

The fourth section to consist of that portion of the line extending from Hazelton to Dease Lake or Teslin Lake, thence to the northern boundary.

VICTORIA, B. C. :

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

1898.