



CHAPTER 84.

An Act to amend the “Kitimaat Railway Act, 1898.” 1898, c. 54.

[27th February, 1899.]

WHEREAS a petition has been presented praying that an Act be Preamble.
 passed amending the said “Kitimaat Railway Act, 1898,” by conferring on the Company power to construct the railway authorised by the said Act, from a point at the head or the north end of the Kitimaat Inlet; thence north to the Copper River, and east to the Telegraph Trail, by the most feasible route; thence south and east to the south end of Babine Lake; thence north and east to Germansen Creek at or near its confluence with the Omineca River in the latitude, approximately, of fifty-five degrees forty-seven minutes north, in lieu of the route prescribed by the said Act, and branch lines in connection therewith, and all necessary and proper powers, rights, and privileges incidental thereto; and declaring that the provisions contained in the Act shall apply to the line of railway to be constructed in substitution of that mentioned in the said Incorporation Act, and as if the same had been originally inserted therein; and declaring that the security required to be deposited under and by virtue of section 22 of the said Incorporation Act is intended only to be deposited as security that the Company will expend not less than \$10,000 in surveys or construction of the railway within the time therein limited; and declaring that all moneys expended in surveys of the proposed amended route be allowed as work to be performed under section 22 of the said Incorporation Act; and to change the name of the said Company:

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. That the “Kitimaat Railway Act, 1898,” hereinafter called the Re-enacts s. 18.
 “said Act,” is hereby amended as follows:

(a.) Section 18 of the said Act is hereby repealed and the following section substituted therefor:—

Construction, route, etc.

“The Company may lay out, construct, equip, maintain and operate a line of railway of standard or narrow gauge as the Company may determine, from a point at the head or the north end of the Kitimaat Inlet; thence north to the Copper River, and east to the Telegraph Trail, by the most feasible route; thence south and east to the south end of Babine Lake; thence north and east to Germansen Creek at or near its confluence with the Omineca River in the latitude, approximately, of fifty-five degrees forty-seven minutes north; with power to construct, equip, maintain and operate branch lines from any point or points on the said line of railway to any point or points distant in a direct line not more than twenty miles from the said line of railway, and the said line of railway, with its branches and extensions, shall constitute the line of railway herein called the ‘Kitimaat Railway.’”

Declaration as to security required by s. 22.

2. It is hereby declared that the security required by section 22 of the said Act is security only for the expenditure of the sum of \$10,000 as mentioned in the said section.

Moneys expended for surveys to be deemed compliance with s. 22.

3. All moneys expended in surveys or construction upon the route described in section 1 of this Act shall be deemed to have been expended in accordance with section 22 of the said Act.

Moneys expended under s. 1 or s. 18 to be deemed compliance with s. 22.

4. The expenditure of the sum of \$10,000 in surveys or construction upon the route described in section 18 of the said Act, or in section 1 of this Act, shall be deemed to have been in all respects a sufficient compliance with the provisions of section 22 of the said Act; provided the said expenditure shall have been made within six months after the passing of the said Act, and notwithstanding the fact that security may not have been furnished in accordance with the provisions of section 22 of the said Act.

Name changed.

5. From and after the passing of this Act the name of the Company shall be “The Pacific and Peace River Railway Company,” but nothing in this section contained shall affect any rights or obligations of the Company or render defective any legal proceedings instituted by or against the Company, and any legal proceedings may after the passing of this Act be continued or commenced by or against the Company under its new name, that might, had this Act not been passed, have been continued or commenced by or against the Company.

Transportation of Government employees.

6. 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.

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

8. The preceding two sections are hereby declared to be conditions upon which this Act is passed, and shall be binding upon bond-holders 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 preceding two sections.

9. 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.

Effect of declaration that work for general advantage of Canada.

10. This Act may be called the "Kitimaat Railway Act, Amendment Act, 1899."

Short title.

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