

Right to Company to purchase right of way over private land.

Telegraph to be commenced within 5 months

Telegraph communication in 13 months, or act void.

Exclusive right of sending and receiving messages granted to California State Telegraph Company for 20 years.

This right not to interfere with Telegraph running through Canada and British Columbia.

Rights forfeited if Telegraph line ceases work for one calendar month.

3. Notwithstanding any law or statute to the contrary, the California State Telegraph Company, or the President thereof for the time being, may purchase or lease the right of way over any private lands, and may, with the sanction in writing of the Commissioner of Lands and Surveyor General, purchase or lease any land or other property in British Columbia, necessary or convenient for the working of the telegraph lines herein provided for, or for effectually carrying on the business of the said Company, and the grants or leases therefor may be made directly to the said Company, or to the said President and his successors or assigns, and that no such grant or lease shall be deemed invalid or less binding by reason of being so made.

4. This Act is passed and the rights and privileges herein mentioned are granted, upon the express condition that the said President of the said Company, his successors or assigns, shall, within five months from the date of the passage of this Act, commence the work, and, within the further period of thirteen months, shall cause to be completed and put in operation, a line of telegraph from the City of New Westminster, in the said Colony, so as to connect directly or indirectly with the existing lines of the California State Telegraph Company, so as to place and placing the said City of New Westminster in telegraphic communication with the United States and the Canadas; and on failure so to complete the said line within the time in this section specified, the privileges herein granted shall cease and determine, and this Act shall become absolutely void.

5. Upon the completion of the said telegraph line, hereinafter in the preceding Section particularly mentioned and described, within the time and in the manner therein specified, there is hereby granted to the President of the California State Telegraph Company, his successors and assigns, the exclusive right of sending and receiving messages by telegraph between any place within the said Colony, and any other place beyond the limits thereof and within the Territory of the United States of America, lying westerly of the Rocky Mountains, for the period of twenty years from and after the completion of the said telegraph line; but this Act shall not be construed to prevent, or in any manner interfere with, the projected or any other line or lines of telegraph across the Continent through British North America or elsewhere, nor to limit the right of any other person, corporation, or company freely to establish and work any other telegraph lines any where within or from the said Colony; Provided, however, that other lines shall not be constructed, nor offices established within the limits of the said Colony and its Dependencies, so as to do business by telegraph either directly or indirectly between or through any place within the said Colony, and any other place outside thereof, and being within that portion of the territory of the United States in this Section hereinafter described, nor so as to impair the rights hereinbefore mentioned.

6. If at any time, after the completion of the said telegraph line, the owners thereof shall fail, (unless prevented by repairs, storms, breakage of cable, or other unavoidable accidents), for the continuous period of one calendar month, to keep the same or some other telegraph line in working order, between New Westminster and the said State of California, the exclusive privileges herein granted may thereupon be declared forfeited, by the Governor of British Columbia for the time being; Provided that should such failure be caused by war, no such forfeiture shall be incurred thereby.