

mencement: nevertheless, failure to comply with the conditions of this section shall not prejudice the rights, powers or privileges of the Company in respect of such parts thereof as shall at the expiration of such limited periods be constructed, nor any other rights, powers or privileges of the Company by this Act conferred.

26. It shall be lawful for the Company, subject to 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.

27. 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 accept 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 over-ride any clause or section of the "British Columbia Railway Act" so incorporated herewith, to the extent of any such conflict, inconsistency or repugnancy.

28. In the event of the name of the Company being changed under authority of section 1 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 "Arrowhead and Kootenay Railway Company" wherever the same occurs in this Act.

29. No Chinese or Japanese person shall be employed in the construction of the undertaking or operation hereby authorized, 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 upon complaint of any person, under the provisions of the "Summary Convictions Act."

30. 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 authorized to be built, before the 30th June, 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.

31. This Act may be cited as the "Arrowhead and Kootenay Railway Company Act, 1898."