

shall as to arbitrations, compensation, payment into Court, &c., apply to the lands taken from such parties as are named above ;

Sixthly.—The word “ Railway ” in the second sub-section of the twelfth section, shall be taken to mean the Iron Rails of said Railway.

30. Where stone, gravel or any other materials is or are required for the construction or maintenance of said Railway or any part thereof, the Company may, in case they cannot agree with the owner of the lands on which the same are situate for the purchase thereof, cause a Provincial Surveyor to make a map and description of the property so required, and they shall serve a copy thereof, with their notice of arbitration, on such owner, and the said Company may thereupon proceed and ascertain the compensation by arbitration as in cases of acquiring the Roadway, and the notice of arbitration, the award, and the tender of the compensation shall have the same effect as in case of arbitration for the Roadway ; and all the provisions of the Railway Clauses Consolidation Act as varied and modified by this Act, and the several Acts amending the said Act, as to the service of said notice, arbitration, compensation, deeds, payment of money into Court, the right to sell, the right to convey and the parties from whom lands may be taken, or who may sell, shall apply to the subject matter of this section and to the obtaining materials as aforesaid, and such proceedings may be had by the said Company either for the right to the fee simple in the land from which said material shall be taken, or for the right to take material for any time they shall think necessary ; the notice of arbitration in case arbitration is resorted to, to state the interest required.

31. Where said gravel, stone or other materials shall be taken under the preceding section of this Act, at a distance from the line of the Railway, the Company may lay down the necessary siding and tracks, over any lands which may intervene between the Railway and the lands on which said material shall be found, whatever the distance may be, and all the provisions of the Railway Clauses Consolidation Act and of this Act except such as relate to filing plans and publication of notice shall apply and may be used and exercised to obtain the right of way from the Railway, to the lands on which such materials are situated and that such right may be so acquired for a term of years or permanently as the Company may think proper, and the powers in this and the preceding section may at all times be exercised and used in all respects after the Railway is constructed for the purpose of repairing and maintaining the said Railway

32. It shall not be lawful for the said Company to divert permanently or change the line of any public road or highway until they have made a plan of such deviation, and submitted