

CHAPTER III

An Act to incorporate The South West Alberta Railway
Company.

WHEREAS a petition has been presented praying for the incorporation of a Company to construct and operate a railway, as hereinafter set forth, and it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows:

1. R. D. Miller, of the City of Spokane, in the State of Washington, one of the United States of America, Broker; O. G. Laboree, of the City of Washington aforesaid, Broker; James Finlay, of the Town of Pincher Creek, in the Province of Alberta, Mining Engineer, and Arthur Charles Morris, of the Town of Pincher Creek, in the Province of Alberta aforesaid, Solicitor, together with such persons as become shareholders in the Company hereby incorporated, are hereby constituted a body corporate under the name of "~~THE~~ SOUTH WEST ALBERTA RAILWAY COMPANY," hereinafter called the Company."

2. The head office of the Company shall be in the Town of Pincher Creek, in the Province of Alberta.

3. The several clauses of The Railway Act of Alberta shall be and the same are hereby incorporated with and shall be deemed to be part of this Act, and shall apply to the said Company and to the railway to be constructed by them excepting so far as the same may be inconsistent with the express enactments hereof, and the expression of "this Act" when used herein shall be understood to include the clauses of the said Railway Act as aforesaid.

4. The Company may lay out, construct and operate a railway of the gauge of four feet eight and one-half inches from a point on the International Boundary Line

between the Province of Alberta and the State of Montana, between Ranges 22 and 29, West of the (4th) Principal Meridian, in the Province of Alberta, thence proceeding Northerly and Westerly to the coal mine of the Pincher Creek Coal Mining Company, Limited, in Township 6, Range 30, West of the (4th) Meridian, and Township 6, Range 1, West of the (5th) Meridian, in the Province of Alberta, and thence to the Crow's Nest Pass Branch of the Canadian Pacific Railway at or near Pincher Station in the Province of Alberta.

5. The persons mentioned by name in the first section of this Act are hereby constituted provisional directors of the said Company.

6. The capital stock of the Company shall be \$500,000.00 and may be called up by the directors from time to time as they deem necessary, but no one call shall exceed ten per cent on the share subscribed.

7. The annual general meeting of the shareholders shall be held on the third Tuesday in March in each year.

8. At such meeting the subscribers for the capital stock assembled, who have paid all calls due on their shares, shall choose not more than nine persons to be directors of the Company, one or more of whom may be paid directors of the Company.

9. The Company may issue bonds, debentures or other securities to the extent of twenty thousand dollars per mile of the railway and branches and such bonds, debentures or other securities may be issued only in proportion to the length of railway constructed or under contract to be constructed.

10. The Company may enter into any agreement with another Company or Companies for conveying or leasing to such Company or Companies the railway of the Company hereby incorporated in whole or in part, or any rights or powers acquired under this Act, as also the surveys, plans, works, plant, material, machinery and other

property to it belonging, or for any amalgamation with such Company or Companies, on such terms and conditions as are agreed upon, and subject to such restrictions as to the directors seem fit:

Provided that such agreement has been first sanctioned by two-thirds of the votes at a special general meeting of the shareholders duly called for the purpose of considering the same, at which meeting shareholders representing at least two-thirds in value of the stock are present in person or represented by proxy, and that such agreement has also received the approval of the Lieutenant Governor in Council.

11. The Company shall also have power for the purpose of its undertaking to construct and operate an electric telegraph line or lines and a telephone line or lines along the said railway, and to construct and maintain such bridges as shall be necessary or convenient for the use of the said railway, not being bridges over any navigable river or rivers, or waters, have been authorized by the Governor General in Council but nothing herein contained shall be taken to exempt the Company from the provisions of the Railway Act.

12. This act shall come into force on the day it is assented to.

Date of Introduction 04th 1909

in
~~Proposed~~ Act to Incorporate
The South West Alberta Rail-
way Co. Ltd.

~~A. C. K.~~
~~B. C. K.~~
~~Printed in Ottawa, ALB.~~