

BILL

Bill No. 6 of 1951.

An Act to Empower Alberta Coal Company Limited to
Construct and Operate a Colliery Railway.

(Assented to _____, 1951.)

WHEREAS Alberta Coal Company Limited, a company in- Preamble
corporated under *The Companies Act*, being chapter 240
of the Revised Statutes of Alberta, 1942, having its head
office in the City of Calgary in the Province of Alberta, was
so incorporated with power *inter alia* to mine coal and other
minerals;

And whereas a petition has been presented by the Comp-
any praying that for the proper development of its coal
fields, including certain leases upon lands situated in the
vicinity of Halkirk, Alberta, and the marketing of its coal
it is necessary that the Company be given power to con-
struct and operate a colliery railway;

And whereas it is expedient to grant the prayer of the
said petition;

Therefore, His Majesty, by and with the advice and con-
sent of the Legislative Assembly of the Province of Alberta,
enacts as follows:

1. This Act may be cited as "*The Alberta Coal Company* Short
Railway Act". title

2. In this Act, unless the context otherwise requires,— Interpretation
(a) "Company" means Alberta Coal Company Limited;
(b) "railway" means the railway referred to and de-
scribed in section 3 of the Act.

3. Alberta Coal Company Limited is hereby empowered Power to
to lay out, construct and operate a railway of the gauge of build a
four feet eight and one half inches from a point in or near railway
section twenty, township forty, range fifteen, west of the
fourth meridian, by the most feasible route, to connect with
the line of Canadian Pacific Railway Company in the said
Province, at or near Halkirk, or at any other feasible point
of juncture with the said line.

4. The Company is hereby empowered to enter into an Power to
agreement or agreements with Canadian Pacific Railway make
Company,— agreement
with C.P.R.
(a) for the operation of the railway by Canadian
Pacific Railway Company;

- (b) for the maintenance of the railway by the Company or by Canadian Pacific Railway Company;
- (c) for the purchase by Canadian Pacific Railway Company of the whole of the railway and railway undertaking of the Company, including amongst other things its right-of-way, stations, station-grounds and other buildings and erections connected therewith, water-stations, telegraph and telephone lines, and all other property included in the construction of the railway; and
- (d) for all and any purposes incidental to the construction, operation and acquisition of the railway by Canadian Pacific Railway Company.

Application
of *The*
Railway
Act

5. (1) The provisions of *The Railway Act* shall be and the same are hereby incorporated with and shall be deemed to be part of this Act and shall apply to the Company and to the railway except so far as the same may be inconsistent with the express enactments hereof.

(2) The provisions of *The Railway Act* referring to the construction of branch lines and spur lines or tracks apply to the Company and to the railway but sections 7 to 69 inclusive, section 148 and section 234 of *The Railway Act* shall not apply to the Company.

(3) Where other or inconsistent provision is made in the Memorandum and Articles of Association of the Company in respect of the matters dealt with in *The Railway Act* the provisions of the said Memorandum and Articles shall prevail.

Power to
carry
passengers
for hire
excluded

6. (1) Nothing contained in this Act confers on the Company the right or power to operate the railway for the purpose of carrying passengers for hire.

(2) The provisions of *The Railway Act* having exclusive application to the operation of a railway as a railway for the carrying of passengers for hire do not apply to the Company.

Operation
of the
railway

7. The Company may apply to the Board of Transport Commissioners for Canada, or any other proper authority, provincial or federal, for all necessary and proper orders and authorities to provide for the operation of the railway.

Construction

8. The construction of the railway shall be commenced within one year and shall be completed within two years from the date of the coming into force of this Act.

Telephone
and
telegraph
lines

9. (1) The Company may,—

- (a) construct and operate an electric telephone and telegraph line along the railway;
- (b) construct and maintain such bridges as may be necessary and convenient for the use of the railway.

(2) The Company shall not construct a bridge over a navigable river or water unless the bridge is authorized by the Governor General of Canada in Council.

10. Any railway constructed under legislative authority may be joined to the railway upon application to the Minister having jurisdiction and upon such terms as the Minister may determine. ^{Junction with other railway}

11. This Act shall come into force on the day upon ^{Assent} which it is assented to.

FOURTH SESSION
ELEVENTH LEGISLATURE
15 GEORGE VI
1951

BILL

An Act to Empower Alberta Coal
Company Limited to Construct
and Operate a Colliery
Railway.

Received and read the

First time

Second time

Third time

MR. MACKIE.
