

# BILL

No. 57 of 1910 (Second Session).

An Act to incorporate High River and Hudson Bay Railway Company:—

(Assented to <sup>1910</sup> 1910.)

WHEREAS a petition has been presented 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 the Province of Alberta, enacts as follows:

1. Charles C. Short, gentleman; H. Norman Sheppard, rancher; Gustavus Limoges, rancher; Charles A. Gigné, banker; Frederick R. Partridge, implement dealer; Thomas E. Le Claire, veterinary surgeon; Abel A. Balchobey, barrister; John Thompson, auctioneer; G. Everett Leamond, physician; Fred A. Dickinson, agent; John W. McLoughlin, rancher; Richard A. Wallace, farmer; Edward G. Fagan, agent; Charles Clark, publisher; George D. Stanley, physician; Frank Grindell, grain dealer; W. P. Walker, gentleman; all of the Town of High River in the Province of Alberta, together with all such other persons as shall or may become shareholders in the company hereby incorporated, are by the provisions of this enactment constituted a body corporate under the name (style and designation) of "High River and Hudson Bay Railway Company," hereinafter called "the company."

2. The head office of the company shall be at the Town of High River in the Province of Alberta.

3. The several clauses of *The Railway Act* of Alberta shall be and the same are hereby incorporated (and shall apply to the said company, and to the railway to be constructed and operated by it, except in so far as the same may be inconsistent with the express provisions hereof and the expression "this Act" when used herein shall be understood to include the clauses of the said *Railway Act* as aforesaid and the expression "Minister of Public Works" shall be taken to mean the Minister of Public Works for the Province of Alberta.

4. The company may lay out, construct and operate by steam or electric power or by any other motive or mechanical power approved of by the (Minister of Public Works) a railway of standard gauge four feet eight and one-half inches as follows: Commencing from a point at or within the limits of the corporation of the Town of High River; thence extending westerly to a point on the western boundary of the Province of Alberta situated in or about townships sixteen (16), seventeen (17), eighteen (18), or nineteen (19); also from the said point within the limits of the corporation of the Town of High River; thence extending in a north-easterly direction to a point on the easterly boundary of the Province of Alberta, situated in or about townships twenty-six (26), twenty-seven (27), and twenty-

eight (28); also from a point on the said line between the Town of High River and the westerly boundary of the Province of Alberta; thence in a north-westerly direction through the Sheep Creek Pass to a point on the westerly boundary of the said Province of Alberta in or about townships nineteen (19), twenty (20) and twenty-one (21); also from a point on the said line between the Town of High River and the westerly boundary of the Province of Alberta; thence in a southerly direction to a point on the westerly boundary of the Province of Alberta in or about townships fifteen (15) and sixteen (16).

5. The persons mentioned by name in the first section hereof shall be the provisional directors of the said company.

6. The capital stock of the said company shall be two hundred and fifty thousand dollars (\$250,000) (divided into twenty-five hundred shares of one hundred dollars (\$100) each) which may be called up by the directors from time to time as they deem necessary but no one call shall exceed ten per centum on the share or shares subscribed.

7. The annual general meeting of the shareholders shall be held on the first Monday of January of each year, or at such other times as the directors of the company may determine.

8. At such meeting the subscribers for the capital stock subscribed, who have paid all calls due on their respective shares, shall choose seven (7) persons to be the 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 fifteen thousand dollars (\$15,000) 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 an 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, machinery, material and other property to it belonging, or for an amalgamation with such company or companies on such terms and conditions as are agreed upon, and subject to such restrictions as the company may see fit and expedient 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 at all stations upon their railway always permit the loading of grain into or upon cars from farmers' vehicles or flat warehouses subject to such reasonable regulations and restrictions in that behalf as may be made by the company and the said company shall at all reasonable times afford proper and adequate facilities therefor.

12. The company agrees to afford all reasonable facilities to any other railway company for the receiving and forward-

ing and delivery of traffic upon and from the lines of railway belonging to or operated by such companies respectively, and the company shall not make or give any undue or unreasonable preference or advantage to or in favour of any particular person or company, or any particular description of traffic in any respect whatsoever, nor shall the company subject any particular person or company, or any particular description of traffic to any undue or unreasonable prejudice or disadvantage whatsoever and the said company shall afford all due and reasonable facilities for receiving and forwarding by its railways all the traffic arriving by such other railways with out any unreasonable delay and without any such preference or advantage or prejudice or disadvantage as aforesaid so that no obstruction is presented to the public desirous of using such railways as continuous lines by means of the railways of the several companies shall at all times be afforded to the public in that behalf and any agreement made between the company and any other company or companies, person or persons contrary to this agreement shall be null and void.

13. The company shall also have power for the purposes of its undertaking to construct and operate electric telegraph line or lines and telephone line or lines along the line of the said railway and to construct and maintain such bridge or bridges as may be necessary and convenient for the use of the said railway not being bridge or bridges over any navigable river or rivers unless such bridge or bridges has or have been authorized by the Governor General in Council.

14. The construction of the railway hereby authorized shall be commenced within two years and shall be completed within five years from the date of the coming into force of this Act.

15. The company shall also have power to make an agreement with any power company enabling such power company to construct, maintain, and operate any electric power transmission line lying under or over any right-of-way which may be enjoyed by the company under the provisions of this enactment or of this Act and such power company shall have the right to construct, maintain and operate such power transmission line as aforesaid subject to the terms of the said agreement.

16. The company shall have power to generate, produce and distribute and also procure from any person or company light, heat or power in any form or by any means and to acquire, construct, lease, sell, exchange, operate and maintain power house stations, generating plant, and such other appliances and works as are necessary and convenient for the generation, production and distribution of any such form of power or services.

17. The directors of the company may issue shares in the company as paid up or partly paid up in payment for the right-of-way, plant, rolling stock or materials of any kind and also for the services of contractors or engineers, who may perform work or render services incidental to the construction and operation of the said railway and such issue or allotment of stock shall be binding on the company.

18. This Act shall go into force on the date that it is assented to.

No. 57

SECOND SESSION  
SECOND LEGISLATURE

I GEORGE V

1910

(Second Session)

BILL,

An Act to Incorporate High River and  
Hudson Bay Railway Company.

Received and read the

First time.....

Second time.....

Third time .....

EDMONTON  
JAMES F. HURMANN, Government Printer  
A.D. 1910