

BILL

No. 17 of 1911.

An Act to Incorporate the Athabasca Valley Railway Company.

(Assented to 1911.)

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 the Province of Alberta, enacts as follows:

1. J. D. McArthur, contractor; J. K. McLennan, physician; R. A. Hazelwood, engineer; D. W. Campbell, accountant, and W. P. McDougall, contractor, all of the City of Winnipeg, in the Province of Manitoba, together with such persons as become shareholders in the company hereby incorporated, are hereby constituted a body corporate under the name of The Athabasca Valley Railway Company, hereinafter called "the company."

2. The head office of the company shall be in the City of Edmonton, 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 "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 in the proposed line of the Edmonton, Dunvegan and British Columbia Railway at or near the post office of Independence or from a point at or near Edmonton in a general north-westerly direction to a point on the Athabasca River at or near Fort Assiniboine.

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 three hundred thousand dollars (\$300,000.00), 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 first Tuesday of September 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 five 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 (\$20,000.00) per mile of the railway and branches, and such bonds, debentures, or other securities may be issued only in proportion to the length of the 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, material, machinery and other property belonging to it, or for an 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, at all stations upon their railway, always permit the loading of grain into farmers' vehicles or flat warehouses, subject to reasonable regulations to be made by the said company, and shall at all reasonable times afford proper facilities therefor.

12. The company agrees to afford all reasonable facilities to any other railway company for the receiving and forwarding and delivery of traffic upon and from the line of railway belonging to or worked by such companies respectively, and the company shall not make or give undue or unreasonable preference or advantage to or in favour of 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 railway or railways without 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 railway as a continuous line of communication, and so that all reasonable accommodation by means of the railways of the several companies is at all times afforded to the public in that behalf, and any agreement made between the company and any other company or companies contrary to this agreement shall be null and void.

13. 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.

14. The company shall also have power for the purposes 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 said railway, not being bridges over any navigable river or rivers, unless such bridge or bridges over such navigable rivers or waters has or have been authorized by the Governor General in Council.

15. The company may, for the purpose of its undertaking, construct and operate such steam and other ferries, boats and vessels as the company deems requisite for the carriage of passengers, freight and other traffic in connection with its railway, and may enter into agreements with the owners of such vessels for any of such purposes.

16. The company may, for the purposes of its undertaking, acquire, by purchase or otherwise, and utilize and develop lands, water powers, easements and privileges in the vicinity of its railway, and may construct, maintain and operate dams, reservoirs, buildings and works, including transmission lines, for the generation, transmission and distribution of electricity for light, heat, power or other purpose in connection with its railway, vessels and other properties and works, and for the purpose of supplying water for the use of its railway, vessels and other properties and works, and may supply, sell or otherwise dispose of any surplus water, electric or other power or electricity so developed or generated, and not required for the purpose of the company.

17. Nothing in this Act shall authorize the company to construct or operate any telegraph or telephone lines or any lines for the purpose of distributing electricity for lighting, heating or motor purposes, or disposing of surplus power generated by the company's works and not required for the undertaking of the company, upon, along or across any highway or public place, without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway or public place, and upon terms to be agreed with such municipality.

18. The company may lease or otherwise acquire timber berths, timber licenses, mineral lands and mining rights, and carry on the business of lumberers, timber merchants and manufacturers of timber and lumber in all its branches, and all other business incident thereto or connected therewith; and work, develop, operate and turn to account all mineral lands and mining rights held by the company.

19. The company may, from time to time, issue bonds, debentures, perpetual or terminal debenture stock or other securities for the construction, acquisition, extension or development, of any of the properties, assets or works, other than the railway, which the company is authorized to construct, acquire, or operate; but such bonds, debentures, perpetual or terminal debenture stock or other securities shall not exceed in amount the value of such properties, assets or works.

For the purpose of securing the issue of such bonds, debentures, debenture stock or other securities, the company may execute mortgages upon such property, assets, rents and revenues of the company, present and future, other than the railway, as is described therein.

20. This Act shall come into force on the day it is assented to.

No. 17

THIRD SESSION

SECOND LEGISLATURE

2 GEORGE V

1911

BILL

An Act to Incorporate the Athabasca
Valley Railway Company.

Received and read the

First time

Second time

Third time

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