

BILL

No. 60 of 1912.

An Act to Incorporate the Moose Mountain Railway Company.

(Assented to 1912.)

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. Marenus Janse, railway contractor; Arthur Phillips, gentleman; John Steinbrecker, capitalist; F. N. S. Eaton, auditor; and A. D. Mars, contractor, all of the City of Calgary, in the Province of Alberta, together with such persons as become shareholders of the company hereby incorporated, are hereby constituted a body corporate under the name of the "Moose Mountain Railway Company," hereinafter called "the company."

2. The head office of the company shall be at the City of Calgary, in the Province of Alberta, or at such other place within the said Province as the directors may from time to time determine.

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 a 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 by steam or electric power, a railway of standard gauge four (4) feet, eight and one-half (8½) inches, commencing at a point near the north-west corner of the south-west quarter of section eight (8), in township twenty-six (26), range four (4), west of the fifth (5th) meridian, in the Province of Alberta, thence in a south-easterly direction for one half (½) a mile or thereabout, thence in a westerly direction to the south-east quarter of section seven (7), in said township, thence in a south-easterly direction to the western boundary of the north-east quarter of section five (5) in said township, thence in a south-westerly direction through the north-east quarter of section six (6) in said township to the Bonnie Brae mine, which comprises the east half and the south-west quarter of said section 6 (six), thence in a south-westerly direction to a point near Moose Mountain, which is situated in township twenty-two (22), range six (6), west of the fifth (5th) meridian, being a distance from the said Bonnie Brae mine to the termination at Moose Mountain of twenty (20) miles, or thereabouts, and may acquire land by purchase or otherwise for railway purposes, and may maintain and operate said lands and railway and may acquire, construct, maintain and operate round-houses, repair-shops and other

buildings necessary for such purposes, and may have all and every necessary and usual rights, powers and privileges incidental thereto.

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 \$250,000, 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 each share subscribed.

7. The annual general meeting of the shareholders shall be held on the.....or at such time each year as the board of directors may determine.

8. At such meeting the subscribers for the capital stock assembled who have paid all calls due on their shares shall choose.....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.....dollars (\$.....) per mile of the railway and its branches or sidings, 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 other companies for conveying or leasing to or from 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 surveys, plans, works, plant, material, machinery 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 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 cars from 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 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 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 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 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 shall also have power to purchase, have on lease or otherwise acquire, hold, use and occupy any lands, buildings or any interest therein, and to sell, lease or otherwise use the same in any manner the company may think necessary or convenient.

16. The company shall also have power to purchase or acquire the shares, stock or any other securities whatsoever, and to hold, sell or otherwise dispose of said shares, stock or other securities in any other company, having objects similar in whole or in part to those of the company, and to vote all shares so held through such agent or agents as the directors of the company may appoint.

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

No. 60

THIRD SESSION
SECOND LEGISLATURE
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1912

BILL

An Act to Incorporate the Moose
Mountain Railway Company.

Received and read the

First time

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