

BILL

No. 68 of 1912.

An Act to incorporate the Magrath Railway Company,
Limited.

(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. Levi Harker, rancher; David P. Woodruff, farmer; Alva M. Merkley, farmer; and Ammon Mercer, merchant, all of the Town of Magrath, in the Province of Alberta, together with such persons as become shareholders in the company hereby incorporated, are hereby constituted a body corporate under the name of "The Magrath Railway Company, Limited," hereinafter called "the company."

2. The head office of the company shall be in the Town of Magrath 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 by electricity, steam or any other motive power approved by the Minister, a railway of the gauge of four (4) feet eight and one-half (8½) inches from a point at or near the Magrath Coal Company, Limited's coal mine in section two (2), in township seven (7), range twenty-two (22), west of the fourth meridian; thence to run in a southerly direction to a point within the corporate limits of the municipality of the Town of Magrath.

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 fifty-thousand dollars (\$50,000), 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 the share subscribed.

7. The annual general meeting of the shareholders shall be held on the second Tuesday of January 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 (5) 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 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, 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 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.

12. 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 along, under or over any right-of-way which may be enjoyed by the company under the provisions of this Act, or of the general 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 such agreement.

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

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

No. 68

THIRD SESSION
SECOND LEGISLATURE
2 GEORGE V
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BILL

An Act to Incorporate the Magrath
Railway Company, Limited.

Received and read the

First time

Second time

Third time

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