

# BILL

No. 74 of 1912.

An Act to Incorporate the Crow's Nest Pass Street 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. W. A. Beebe, of the Town of Blairmore, in the Province of Alberta, agent; Robert Coulthard, of the Town of Blairmore, in the Province of Alberta, manager; and Thomas B. George, of the Town of Blairmore, in the Province of Alberta, banker, together with all such other persons as shall or may become shareholders in the company hereby incorporated, are by the provisions of this enactment duly constituted a body corporate under the name, style and designation of "Crow's Nest Pass Street Railway Company," hereinafter known and described as "the company."

2. The head office of the company shall be at the Town of Blairmore 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 a part of this Act, and shall apply to the said company and to the railway to be constructed by them, excepting as 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, equip and operate a railway propelled by electricity or by any other motive power approved of by the Chairman of the Executive Council of Alberta, with single or double track, with all necessary switches, side-tracks and turnouts for the passage of cars, carriages and other vehicles upon and along roads, road allowances, streets, highways or land acquired or permitted to be used for the purpose of the said company, from a point at the Village of Cowley in the Province of Alberta; thence extending westerly through the municipalities of Lundbrek, Burnis, Passburg, Bellevue, Frank, Blairmore, Coleman to a point at or near Crow's Nest Lake, all in the Province of Alberta aforesaid, and subject to the provisions of this Act—

- (a) May carry passengers and freight thereon;
- (b) May collect fares and tolls from all persons and freight travelling or passing over or upon the said railway line;
- (c) May establish works for the purpose of supplying electricity or other motive or mechanical power for the purpose of the said railway;

- (d) May construct, erect and maintain all necessary buildings, machinery, appliances and conveniences for the purpose of the said railway, including the erection of poles upon and along all roads, road allowances, streets, highways and lands upon which the company may deem it expedient to construct its railway;
- (e) May purchase, hold and use any real estate which the company may consider necessary to acquire for the purposes only of its undertaking.

5. The said railway shall not be carried upon, along or across any streets or highways within the limits of any town unless the company shall have first obtained the consent thereto of the municipal council thereof, pursuant to an agreement entered into in that behalf between the company and the said municipal council ratified by by-law of the said council, and in case that the company and the council fail to agree, the matter shall then be referred to the Minister of Public Works who may impose such terms and conditions as he shall deem fit and proper in the premises.

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

7. The capital stock of the said company shall be five hundred thousand (\$500,000.00) dollars which may be called up by the directors from time to time as they may deem it necessary, but no one call shall exceed ten per centum on the share or shares subscribed.

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

9. At such meeting the subscribers for the capital assembled, who shall have paid calls due on their respective shares, shall choose or elect twelve persons to be directors of the company, one or more of whom may be paid directors.

10. The company may issue bonds, debentures or other securities to the extent of twelve thousand (\$12,000.00) dollars per mile of the railway and its 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.

11. 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 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.

**12.** 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.

**13.** The company agrees to afford all reasonable facilities to any other railway company for 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 railway 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.

**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 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.

**16.** This Act shall come into force on the day that it is assented to.

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THIRD SESSION  
SECOND LEGISLATURE

2 GEORGE V

1912

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BILL

An Act to Incorporate the Crow's Nest  
Pass Street Railway Company.

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Received and read the

First time .....

Second time .....

Third time .....

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EDMONTON:  
JAMES E. RICHARDS, Government Printer  
A.D. 1912