

BILL

No. 41 of 1913.

An Act to Incorporate the Taber Transit Company.

(Assented to 1913)

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. John F. Kramer, commission agent; Charles G. Gordon, real estate broker; Reginald C. Baker, real estate broker, all of the City of Calgary, in the Province of Alberta; Edgar S. Kramer, of the City of Philadelphia, in the State of Pennsylvania, one of the United States of America, financial broker; Clay D. Holder, telegraph operator, of Dunmore, in the Province of Alberta; Joseph Schiesel, hotel proprietor, of Canmore, in the Province of Alberta; William E. Bullock, mine operator; Frank Barton, financial agent, both of the town of Taber, in the Province of Alberta; and Van Orsdall Eastland, civil engineer, of the City of Calgary, aforesaid, together with such other persons as become shareholders in the company hereby incorporated, are hereby constituted a body corporate under the name of "The Taber Transit Company," hereinafter called "the company."

2. The head office of the company shall be at the Town of Taber 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 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 or be inapplicable to a railway of the nature hereby authorized, and the expression "this Act" when used herein shall be understood to include the clauses of the *Railway Act* as aforesaid.

4. The company may lay out, construct and operate by electricity, steam or any other motive power a railway of the gauge of four (4) feet eight and one-half (8½) inches from a point at or near section thirty-one (31) in township nine (9) in range sixteen (16) west of the fourth meridian close to the Town of Taber, running in a north-westerly direction to a point in section twelve (12) in township ten (10) in range seventeen (17); thence to run in several directions, namely: First, in a westerly and south-westerly direction to a point in or near section thirty-three (33) in township nine (9) in range seventeen (17). Second, in an easterly direction to a point in or near section seven (7) in township ten (10) in range seventeen (17). Another line starting at same point in or near section thirty-one (31) in township nine (9) in range sixteen (16); thence north and north-easterly to a point in section eight (8) in township ten (10) in range sixteen (16); thence in a northerly direction through township ten (10) in range sixteen (16); thence north and north-easterly through township eleven (11) in range sixteen (16) to a point in section three (3) in township twelve (12) in range sixteen (16); thence south-easterly crossing the Belly River at a point in or near section two (2) in township twelve (12) in range sixteen (16); thence

in a northerly direction through township twelve (12) in range sixteen (16); thence north-easterly to a point in or near section twelve (12) in township thirteen (13) in range sixteen (16) on the Suffield Branch of the Canadian Pacific Railway, crossing the said railway at this point; thence north-westerly through township thirteen (13) in range sixteen (16), township fourteen (14) in range sixteen (16), township fourteen (14) in range seventeen (17) to a point in or near section thirty-one (31) in township fifteen (15) in range seventeen (17); thence north-easterly through township sixteen (16) in range seventeen (17) to a point in or near section twelve (12) in township seventeen (17) in range seventeen (17), near the Town of Bow City.

5. The persons mentioned by name in the first section of this Act are hereby constituted the provisional directors of the company.

6. The capital stock of the said company shall be one million dollars (\$1,000,000) 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.

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

8. At such meeting the subscribers for the capital stock assembled who have paid all calls due on their shares shall choose a number of persons not less than seven (7) and not more than fifteen (15) 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 twelve thousand (\$12,000) dollars 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, work, 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 may 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 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 have power to make and formulate by-laws for the internal management of the affairs of the company and the duties of the officers thereof to be approved and adopted at a special general meeting of the shareholders of the company and to be approved of by 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 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 favor 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.

14. The construction of the railway hereby authorized shall be commenced within one year 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 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 for the purposes of said company.

16. The company shall also have power for the purposes of its undertakings 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 river or waters has or have been authorized by the Governor- General in Council.

No. 41

FOURTH SESSION
SECOND LEGISLATURE
3 GEORGE V
1913

BILL

An Act to Incorporate The Taber
Transit Company.

Received and read the

First time

Second time

Third time

EDMONTON :
J. W. JEFFERY, Government Printer
A.D. 1913