

# BILL

No. 53 of 1913.

An Act to Incorporate The East Calgary Power Company.

(Assented to 1913.)

- Preamble.** WHEREAS a petition has been presented, praying for the incorporation of a company to build, erect, buy or lease, control and operate any natural gas, or gas, electric light, heat or power plants, and for powers incidental thereto, as hereinafter set forth, and it is expedient to grant the prayer of the said petition;
- Incorporation.** Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:
- 1.** James R. Sutherland, farmer; John Breckenridge, contractor; William A. Lowry, financial agent; Malcolm D. Geddes, broker; Francis Duncan Beveridge, farmer; Stephen Beveridge, capitalist; William Egbert, physician; John McNeill, agent; Charles Creighton, agent; Harold Moore, architect; Olof Willison, merchant; John J. Cameron, broker; William Ross, capitalist; David S. Oughton, rancher; all of or near the City of Calgary, 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 East Calgary Power Company, hereinafter called "the Company".
  - 2.** The head office of the company shall be in the City of Calgary, in the Province of Alberta, until changed by a vote of the shareholders.
  - 3.** The clauses of *The Railway Act of Alberta*, respecting expropriation, shall be, and the same are hereby incorporated with, and shall be deemed to be part of this Act, and shall apply to the company, and the company shall have the same powers of expropriation as a railway company would have under the said Act.
  - 4.** The company may—
    - (a)** Build, erect, buy or lease, control, or operate any natural gas, or gas, electric light, heat or power plants, and may purchase stock, in any incorporated company, carried on or formed for the purpose of carrying on any of the said businesses;
    - (b)** Prospect for, develop, drill, bore, sink, mine, dig for, produce, procure, manufacture, buy, sell, use, dispose of, and deal in natural gas, oil, and other natural, artificial or manufactured fuel products and carry on all or any of the businesses that are usually, or may be conveniently, carried on by natural gas, oil, and other natural or manufactured fuel product companies;
    - (c)** Supply, distribute, and deal in gas, oil, and other natural or manufactured fuel products for lighting, heating, motive power or any other purpose whatsoever;
    - (d)** Acquire, construct, erect, lay down, drill, maintain, enlarge, alter, work and use all such lands, buildings, erections, derricks, easements, gas and other works, wells, reservoirs, machinery, plant, stock, pipes, pipe lines, lamps, motors, fittings, meters, apparatus, equipment, material and things, and to supply all such materials, products and things as may be necessary, incident or convenient in connection with the acquisition, production, use, storage, regulation, measurement, supply, piping and distribution, purchase and sale of and other dealing in all or any of the products of the company;
- Head office**
- Certain clauses of the Railway Act of Alberta to apply.**
- Powers of the company.**
- Prospect for gas.**
- Acquire lands.**

- To generate light plants, etc.
- (e) To carry on at such cities, towns, villages, place or places in the Province of Alberta, as the company may from time to time determine the business of any electric light company, heat, power, natural gas or gas company in any or all of its branches and in particular to acquire, construct, lay down, establish, fix, carry out and maintain all power houses, buildings, erections, works, generating stations, sub-stations, cable, wires, lines, poles, accumulators, lamps, apparatus, machinery, equipment, and things necessary or convenient for the purposes thereof, and to acquire, generate, accumulate, distribute, supply and deal in electricity and natural gas or gas for light, heat, power or any other purpose whatsoever, and to light, cities, towns, villages, or other municipalities, streets, houses, buildings and places, both public and private;
- To sell light and power.
- (f) To carry on the business of electricians, mechanical engineers and manufacturers and workers and dealers in electricity, natural gas and other fuel products, motive power, heat and light, and any business in which the application of electricity, gas or any power, like or otherwise, is or may be convenient, useful or ornamental and to manufacture, sell and lease to other corporations, and to public and private consumers of light, heat or power, all goods, wares, merchandise, property and substances now used in the production thereof or incidental thereto, or that hereafter may be invented, discovered or become known therein, and to manufacture, contract for and furnish light, heat and power to other corporations, persons and firms, public and private; provided always that the foregoing powers shall be subject to all provincial, municipal and local laws and regulations affecting the same;
- To buy property.
- (g) To buy, sell, lease or take in exchange, hire or otherwise acquire any real or personal property and any rights, franchises, easements and privileges which the company may think expedient or desirable to purchase or acquire for the purposes of its business or any of them;
- Acquire other businesses.
- (h) To acquire the good will of any business and acquire or undertake the sale of all or any of the assets and liabilities of any such business, and take over as a going concern the business in connection therewith, and purchase or otherwise acquire or undertake all or any part of the business, property, and liabilities of any company, society, partnership or person formed for all or any of the purposes within the objects of this company, or carrying on any business which the company is authorized to carry on or possessed of property suitable for the purposes of the company, and to conduct and carry on or liquidate and wind up any such business;
- Arrange-ments with authorities.
- (i) To enter into any contract, agreement, and arrangements with any federal, territorial, provincial, municipal, civic or local authorities, or with any railway company that may seem conducive to the company's object or any of them and to obtain from any such authority or company property, franchises, rights, privileges or concessions which the company may think is desirable to obtain, and to carry out, adopt, exercise and comply with such contracts, agreements, and arrangements, franchises, rights, privileges and concessions;
- Employ lawyers.
- (j) Upon the issue of shares, bonds, debentures or other securities of the company, to employ brokers, commission agents and underwriters, and to provide for remuneration of such persons, for their services, by payment in cash, or by the issue of shares, debentures or other securities of the company, or by the granting of options to take the same, or in any other manner allowed by the law;

Accept  
shares  
in other  
companies.

(k) To accept stock or shares in or the bonds, mortgages, debentures, or other securities of any other company in payment or part payment for any services rendered or for any sale made to or debt owing from any such company;

General  
powers.

(l) Generally, to carry on any other business whether organized or otherwise which may seem to the company capable of being conveniently or profitably carried on in connection with the above or calculated directly or indirectly to enhance the value and render profitable any of the company's properties or rights, and to do all and everything necessary, suitable, convenient or proper for the accomplishment of any of the purposes, or the attainment, of any one or more of the objects herein enumerated, incidental to the powers herein named, or which shall at any time appear to be conducive to or expedient for the protection or benefits of the Company, and it is hereby declared that, in the interpretation of this clause, the meaning of any of the company's objects shall not be restricted by reference to any other object or by the juxtaposition of two or more objects, and that in the event of any ambiguity this clause shall be constructed in such a way as to widen, and not to restrict the powers of the company;

Apply for  
Acts.

(m) To apply for and to obtain from any and all legislative, governmental, municipal and other authorities, powers and bodies, confirmation, registration and recognition of the company, and all its rights, powers, concessions, privileges, franchises and objects, and such additional rights, powers, concessions, privileges, franchises and objects as may be considered expedient, to comply from time to time with all laws, ordinances, decrees, regulations and other requirements now or in future existing;

(n) The company may construct, maintain, or operate within any city, town, village, municipality or elsewhere in the Province of Alberta, in, under, above, on, through, or across any highway, road, street, lane, public place or public water, any poles, wires, tracks, pipes, conduits, buildings, erections, structures or other things, for the purposes of conducting steam, heat, water, gas, natural gas, electricity, or any other property, substance or product capable of being transported, transmitted, or conveyed for the supply of water or heat, light, power, fuel, or other service, subject to any exclusive rights now existing in any city, town, village, or municipality and subject to the consent and approval of the Minister of Public Works, first having been obtained before construction of any works authorized by this Act are commenced.

5. It is further provided that the company shall not carry on or construct any of its works authorized by this Act, along or across any highway, street, lane or other public place in any city or town unless the company shall have first obtained the consent of the municipal council thereof, by an agreement entered into between the company, and the said municipality and ratified by by-law of the said council, if required by the Statute or Ordinances under which the same derives its corporate powers. The municipal council thereof shall be deemed to have full power and authority to permit the use by the company of highways, streets, lanes, squares, and other public places of the municipality for the purpose of any of the company's works:

Provided that the company shall not be entitled to use any of the public streets, roads, or highways or public places within the limits of the City of Calgary, unless it has obtained the consent of the council of the City of Calgary to an agreement entered into between the company and the said city, ratified by by-law approved of by a two-thirds vote of the ratepayers.

<b>Provisional directors.</b>	<b>6.</b> The persons mentioned by name in the first section of this Act are hereby constituted provisional directors of the said company.
<b>Capital stock.</b>	<b>7.</b> The capital stock shall be two million dollars (\$2,000,000.00), divided into 20,000 shares of \$100.00 each, 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. (10 per cent.) on the shares subscribed.
<b>Annual general meeting.</b>	<b>8.</b> The annual general meeting of the shareholders shall be held on the last day of January in each year, or on the succeeding day, in the event of that date falling on a holiday.
<b>Directors to be elected.</b>	<b>9.</b> At such meeting, the subscribers for the capital stock assembled, who have paid all calls due on their shares, shall choose seven (7) persons to be directors of the company, one or more of whom may be paid directors of the company.
<b>To borrow and mortgage, etc.</b>	<b>10.</b> The company may borrow or raise or secure the payment of money in such manner as the company shall think fit, and in particular by the issue of debentures or debenture stock, perpetual or otherwise, charged upon all or any of the company's property (both present and future), (including its uncalled capital), and may purchase, redeem or pay off any such securities.
<b>Company may enter into agreement with other companies.</b>	<b>11.</b> The company may enter into an agreement with another company for conveying or leasing to such company, or companies, in whole or in part any of the works of the company, hereby incorporated, or any rights or powers acquired under this Act 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 votes at a special general meeting of the shareholders, duly called for the purpose of considering the same, at which meeting the shareholders representing at least two-thirds in value of the stock are present in person, or represented by proxy.
<b>Power to construct telegraph &amp; telephone lines.</b>	<b>12.</b> 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 and in all of its said works.
<b>Time of coming into force.</b>	<b>13.</b> This Act shall come into force on the day that it is assented to.

No. 53

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FOURTH SESSION

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**SECOND LEGISLATURE**

3 GEORGE V  
1913

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**BILL**

**An Act to Incorporate The East  
Calgary Power Company.**

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Received and read the

First time .....

Second time .....

Third time.....

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**MR. L. M. ROBERTS**

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EDMONTON:

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