

# BILL

No. 63 of 1913.

An Act to Incorporate The Clay Line Railway Company.

(Assented to 1913.)

**W**HEREAS a petition has been presented praying for the <sup>Preamble.</sup> 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.** Leigh Hunt, civil engineer; Herbert Oliver Knowles, student-at-law; and Samuel George Bannan, student-at-law; all of the City of Medicine Hat 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 Clay Line Railway Company", hereinafter called "the company". <sup>Incorporation</sup>

**2.** The head office of the company shall be in the City of <sup>Head office.</sup> Medicine Hat 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 elec- <sup>Construction.</sup> tricity, 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 in section two (2) in township eleven (11), range six (6), west of the fourth meridian in the Province of Alberta; thence in a northerly direction to a point in section two (2), in township twelve (12), range six (6), west of the fourth meridian in the said province; thence in a northerly direction to a point at or near the limits of the City of Medicine Hat in said province.

**5.** The persons mentioned by name in the first section of this <sup>Provisional</sup> Act are hereby constituted provisional directors of the said <sup>directors.</sup> company.

**6.** The capital stock of the company shall be one hundred <sup>Capital</sup> thousand dollars (\$100,000), and may be called up by the direc- <sup>stock.</sup> tors from time to time, as they deem necessary, but no one call shall exceed ten per cent. of the shares subscribed.

**7.** The annual general meeting of the shareholders shall be <sup>Annual</sup> held on the second Tuesday of January in each year. <sup>general</sup>

**8.** At such meeting the subscribers for the capital stock assem- <sup>Election of</sup> bled, who have paid all calls due on their shares, shall choose <sup>directors.</sup> 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. <sup>Bonding power.</sup>

**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. <sup>Company may make agreement with other companies.</sup>

**11.** The company shall, at all stations upon their railway, always permit the loading of grain and other farm produce 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. <sup>Loading of grain from farmers' vehicles.</sup>

**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 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. <sup>Company to afford reasonable facilities to other companies.</sup>

**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. <sup>Time limit for construction.</sup>

**14.** 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 river or waters has or have been authorized by the Governor General in Council. <sup>May construct telegraph and telephone lines.</sup>