

BILL

No. 4 of 1919.

An Act to incorporate The Medicine Hat Central Railway Company.

(Assented to , 1919.)

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. Lorne Nelson Laidlaw, of the City of Medicine Hat, in the Province of Alberta, barrister; Charles Stewart Blanchard, of the City of Medicine Hat aforesaid, barrister, and Herbert Oliver Knowles, of the City of Medicine Hat aforesaid, barrister, together with such persons as become shareholders in the company hereby incorporated, are hereby constituted a body corporate under the name of "The Medicine Hat Central Railway Company," hereinafter called "the company."

2. The head office of the company shall be in the City of 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 it, 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 a railway of the gauge of four feet eight and one-half inches from a point on the International boundary at or near Coutts, Alberta; thence in a north-easterly direction crossing the Lethbridge-Weyburn branch of the Canadian Pacific Railway Company in the vicinity of Foremost and the Crow's Nest line of the Canadian Pacific Railway in the vicinity of Whitla or Winnifred; thence to Ajax

on the South Saskatchewan River; thence into the City of Medicine Hat, and from the City of Medicine Hat in a north-easterly direction to a point on the boundary between Saskatchewan and Alberta approximately due east of Hilda Post Office, Alberta, the total length of the said line being approximately 200 miles.

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 two hundred thousand dollars, 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 first Monday in March 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 three 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 twenty thousand 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 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, at all stations upon its 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.

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 railways 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.

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.

14. The company shall also have power for the purposes of its undertaking to construct and operate an electric telegraph 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.

15. Provided, however, that nothing contained in this Act shall or will be construed as conferring on the company any right or power to operate a telegraph line, other than for the purpose of the company's internal business, or any right or power to transact a public telephone business without express power or permission having first been obtained from the Minister of Railways and Telephones.

16. The company shall have power to acquire and take over from Joseph B. Swan, of the City of Medicine Hat, in

the Province of Alberta, capitalist, all the right, title and interest of the said Joseph B. Swan in, to and under a certain agreement in writing made between the City of Medicine Hat and the said Joseph B. Swan and dated the 20th day of May, A.D. 1918, and to take over and acquire from the said Joseph B. Swan all his right, title and interest in the railway line mentioned in the said agreement or any extensions or improvements thereof, which said railway line is now under construction, and to issue fully paid up shares to the said Joseph B. Swan in consideration of the transfer to the company of the said agreement and line of railway.

17. The company shall further have power to enter into agreements with the City of Medicine Hat for the carriage of passengers and freight over the company's line of railway as a convenience to the city in connection with fairs or exhibitions which may be held at the grounds of the Medicine Hat Agricultural Society and to grant running rights to the city over its said line for the purposes aforesaid, and in its discretion to permit the city or the said society to construct and operate spur lines connecting with the company's railway for the purposes aforesaid; and in and by any such agreement to make provision for the protection of the company from liability from any accidents or damage arising out of the operation of the said line for the benefit of the city as aforesaid.

18. For the purpose of operating the said road the motive power to be used by the company may be steam, electricity or gas or such other power as the company may from time to time deem advisable.

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

No. 4.

SECOND SESSION
FOURTH LEGISLATURE
9 GEORGE V
1919

BILL

An Act to incorporate The Medicine
Hat Central Railway Company.

Received and read the

First time.....

Second time.....

Third time.....

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