

BILL

No. 47 of 1921.

An Act to authorize the Ratepayers' Gas and Power Company, Limited, to construct Pipelines and Works in the Province of Alberta.

(Assented to _____, 1921.)

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. In this Act the following words shall be construed in the manner hereinafter mentioned, unless a contrary intention appears:

1. "Minister" means the Minister of the Department of Public Works of the Government of the Province of Alberta, or of such department of the said Government as for the time being has jurisdiction or control over the public highways of the province;

2. "Court" and "judge" respectively mean such Superior Court as may be exercising jurisdiction within the Province of Alberta, and a judge thereof sitting in Chambers;

3. "Province" means the Province of Alberta;

4. "Company" means the Ratepayers' Gas and Power Company, Limited.

2. The company may with the view to laying out and constructing pipelines and generally for the purposes of the company,—

1. Enter into and upon the lands of His Majesty in the right of the province, as well as the lands of any person or corporation whomsoever lying in the intended route or line of the company's pipelines and make surveys, examinations and other necessary arrangements on such lands for the purpose of fixing the site of the pipeline, and set out and ascertain such parts of the lands as are necessary and proper for the pipelines;

2. Receive, hold and take all voluntary grants and donations of land, or other property, or any bonus of money or debentures or other benefit of any sort made to it to aid in the construction, maintenance, accommodation and use of the pipelines, but the same shall be held or used for the purpose of such grants or donations only;

3. Acquire, lease, purchase, hold and take of and from His Majesty, or any person or corporation, any land or other property necessary for the construction, maintenance, accommodation and use of the company, and also to alienate, sell or dispose of any lands or property of the company which for any reason have become unnecessary for the purposes of the company;

4. Make, carry or place a pipeline across, upon or under the lands of any person or corporation on the located pipeline;

5. Subject to the provisions of the laws in force in that behalf, lay a pipeline under any tramway or railway or highway;

6. Make, construct and maintain all necessary and convenient roads, buildings and distributing stations, wharves, docks and other structures;

7. Fell or remove any tree on either side of a pipeline which may fall across or otherwise endanger or damage said pipeline;

8. Make or construct in, upon, across, under or over any roadway, tramway, river, stream, water-course, canal, highway or street which it intersects or touches, temporary or permanent tunnels, embankments, bridges, roads, passages, conduits, ways, drains, piers, arches and cuttings;

9. From time to time to alter, repair, or discontinue the before-mentioned works or any of them and substitute others in their stead;

10. To do all other acts necessary for the construction, maintenance or operation of the pipelines;

11. The company shall also have power for the purposes of its undertaking to construct or acquire and operate an electric telegraph or telephone line or lines along the said pipelines:

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 or telephone line, other than for the purposes 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.

The company shall in the exercise of the powers by this Act granted, do as little damage as possible, and shall make full compensation to all persons interested for all damage by them sustained by reason of the exercise of such powers.

3. The company may, without the consent of the owner of any lands, take or use for the right-of-way of its pipelines, a strip not exceeding one hundred feet in width,

except where the nature of the land may require a greater width, when such additional width may be taken as shall be sufficient under the circumstances.

(2) For pumping stations, terminals, depots and yards with all matters incidental thereto, a strip not exceeding one thousand feet in length by five hundred feet in width including the width of the right-of-way:

Provided that with the approval of the Lieutenant Governor in Council, such further land may be taken as may be deemed proper, subject to such conditions as the Lieutenant Governor in Council may impose.

4. Sections 72 to 81, both inclusive, and sections 85 to 120, both inclusive, of *The Railway Act of Alberta*, and all amendments and alterations thereto, shall be and the same are hereby incorporated with and shall be deemed to be a part of this Act; and wherever in *The Railway Act of Alberta* the word "company" occurs it shall mean the Ratepayers' Gas and Power Company, Limited, and wherever the word "railway" occurs it shall (unless the context otherwise requires), and in so far as it applies to the provisions of this Act, mean the "works, pipelines, cables or other works authorized by this Act to be constructed." Wherever in the said sections of *The Railway Act of Alberta* the word "land" occurs it shall be held to include any privilege or easement required by the company for constructing the works authorized by this Act or any portion thereof and over or along any land without the necessity of acquiring a title in fee simple thereto. Wherever in *The Railway Act of Alberta* the words "Minister of Railways and Telephones" occur they shall mean the "Minister of Public Works," or the "Minister" as in this Act defined.

No. 47.

FOURTH SESSION
FOURTH LEGISLATURE
11 GEORGE V
1921

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Received and read the

First time.....

Second time

Third time

MR. J. G. TURGEON.

EDMONTON:
J. W. JEFFERY, KING'S PRINTER.
A.D. 1921