

# BILL

No. 63 of 1926.

An Act to authorize the Construction of The Pembina Valley Railway.

(Assented to , 1926.)

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

## SHORT TITLE.

1. This Act may be cited as "*The Pembina Valley Railway Act.*"

2. The Government is hereby authorized to lay out, construct, equip, maintain and operate a railway propelled by any motive or mechanical power approved of by the Minister of Railways and Telephones, with single or double tracks, with all necessary switches, side-tracks, spur tracks, wye tracks, and turnouts for the passage of locomotives, cars, carriages and other vehicles, upon and along roads, road allowances, streets, highways, or lands acquired or permitted to be used for the purpose of the said railway, from a point upon or near the Edmonton, Dunvegan and British Columbia Railway, in townships 57, 58, or 59, ranges 26 or 27, west of the 4th meridian, Province of Alberta, in a general westerly or north-westerly direction to a point in townships 58 or 59, range 4, west of the 5th meridian.

3. The Government shall have power—

- (a) To enter into any agreement with any person, company or municipality, providing for connection, intercommunication, interchange of traffic, joint operation, reciprocal use or transmission of business as between any railway, telegraph or telephone system owned or operated by the respective parties and for such consequent division of receipts, expenditures or profits or such payments of compensation or such other financial or other adjustments between the respective parties as may be necessary or advisable for the purposes of the said agreement;
- (b) To carry passengers and freight upon the said railway;
- (c) To collect fares, rates and tolls from all persons and freight travelling or passing over or upon the said railway line;

- (d) To establish works for the purpose of supplying electricity or other motive or mechanical power for the purposes of the said railway or to sell such power to any persons or corporations who may desire to acquire the same and to enter into any agreement or agreements with that object in view;
- (e) To construct, erect and maintain all necessary buildings, machinery, appliances and conveniences for the purpose of the said railway and telegraph or telephone system or systems, including the erection of poles upon and along all roads, road allowances, streets, highways and lands upon which the Minister of Railways and Telephones may deem it expedient to construct the said railway;
- (f) To purchase, hold and use any real estate which the Minister may consider necessary for the said railway to acquire and afterwards to sell and transfer the same.
- (g) To do such other things as may be necessitated by or are reasonably incidental to the construction and operation of the said railway;
- (h) To exercise, if it so desires, any of the powers conferred upon a railway company by *The Railway Act*, being chapter 48 of the Revised Statutes of Alberta, 1922.

#### POWER OF MINISTER.

4. For the purposes mentioned in this Act and in exercise of any power conferred upon him, the Minister of Railways and Telephones by his surveyors, engineers, agents, workmen or servants, may at any and all times enter upon and take, use or acquire, any lands or property in whomsoever vested and shall have full power and authority through such officers, agents and servants, to do all acts and things on or in relation to any such land or property which he deems necessary, advisable or expedient in order to carry out any authority or power conferred upon him by this Act:

Provided that the Minister shall, whenever required so to do, make reasonable compensation to the owner or owners or persons interested in any land or property which he may enter upon, take, use or acquire as provided by this section and for all damages sustained by such owner or owners or persons in or by the execution of all or any of the powers conferred upon the said Minister; and in case the amount of the said compensation cannot be mutually agreed upon by the Minister and the said owner or owners or persons interested, the same shall be determined in the manner provided for in *The Railway Act* under the caption "Lands and their Valuation," being sections 88 to 125 inclusive of the said Act.

**5.** The name of the said railway and of any future extension thereof, shall be The Pembina Valley Railway.

**6.** The Lieutenant Governor in Council may raise by way of loan the sum of seven hundred and seventy-five thousand dollars, and may without any further or other appropriation than is provided by this Act, pay the same to the Department of Railways and Telephones for the purpose of constructing the said railway for a distance of twenty-seven miles.

**7.** The sum of one hundred thousand dollars, part of the said sum of seven hundred and seventy-five thousand dollars, may be advanced at any time to the Department of Railways and Telephones for the purpose of forming a working fund to defray expenditures necessarily made prior to the preparation of progress certificates.

**8.** The rest of the said sum of seven hundred and seventy-five thousand dollars shall be paid to the Department of Railways and Telephones by installments and upon progress certificates signed by the Minister or Deputy Minister of that Department.

**9.** The Government shall, notwithstanding anything contained in *The Public Service Act* or in *The Treasury Department Act*, have power from time to time to make such provisions and regulations as may be deemed by it advisable or necessary respecting the keeping and auditing of accounts, the application of funds, and for the general conduct and operation of the railway system.

**10.** The powers hereby conferred upon the Government shall be from time to time exercised by the Lieutenant Governor in Council, by Order in Council, and may from time to time be delegated by Order in Council to the Minister of Railways and Telephones, in whole or in part and subject to such limitations, restrictions or regulations as such Order or Orders may provide.

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

No. 63.

SIXTH SESSION  
FIFTH LEGISLATURE  
16 GEORGE V  
1926

BILL

An Act to authorize the Construction  
of The Pembina Valley Railway.

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. SMITH.

EDMONTON:  
W. D. McLEAN, ACTING KING'S PRINTER  
A.D. 1926.