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No. 23.

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3rd Session, 8th Parliament, 61 Victoria, 1898

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BILL.

An Act to incorporate the Lewes River  
Tramway Company, Limited.

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First reading, February 18th, 1898.

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(PRIVATE BILL.)

Mr. MORRISON.

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OTTAWA

Printed by S. E. DAWSON

Printer to the Queen's most Excellent Majesty

1898

An Act to incorporate the Lewes River Tramway Company, Limited.

**W**HEREAS a petition has been presented praying for the incorporation of a company to construct and operate a tramway or tramways as hereinafter set forth, and it is expedient to grant the prayer of the said petition; Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

**1.** John J. Shallcross, Molyneux St. John, Norman D. Macaulay, and Percy G. Shallcross, all of the city of Victoria, in the province of British Columbia, together with such persons as become shareholders in the company hereby incorporated, are hereby constituted a body corporate under the name of "The Lewes River Tramway Company, Limited," hereinafter called "the Company."

Incorporation.

Corporate name.

**2.** The head office of the Company shall be in the city of Victoria, in the province of British Columbia, but may be changed to such other place in Canada as may be fixed by by-law passed at any general meeting of shareholders duly called for that purpose.

Head office.

**3.** The Company may lay out, construct and operate such tramway or tramways as it deems necessary along, beside or around the Grande or Miles Cañon and Whitehorse Rapids, the Rink or Five-Fingers Rapids and other obstructions to the navigation of the Lewes River and contributing waters between the international boundary line, near Lake Lindeman, and the mouth of the Lewes River in the Yukon district of the North-West Territories.

Line of railway described.

**4.** The persons mentioned by name in section 1 of this Act are hereby constituted provisional directors of the Company.

Provisional directors.

**5.** The capital stock of the Company shall be one 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 shares subscribed.

Capital stock and calls thereon.

**6.** The annual meeting of the shareholders shall be held on the first Wednesday of December in each year.

Annual meeting.

**7.** At such meeting the subscribers for the capital stock assembled who have paid all calls on their shares shall choose not less than three nor more than seven persons to be directors of the Company one of whom may be a paid director.

Election of directors.

Amount of  
bonds, etc.,  
limited.

**8.** The Company may issue bonds, debentures or other securities to the extent of ten thousand dollars per mile of the tramways, and such bonds, debentures or other securities may be issued only in proportion to the length of tramway constructed or under contract to be constructed.

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Powers of  
Company.

**9.** The Company may, for the purpose of its business, construct, equip, acquire, control and dispose of tramways, locomotives, electric plants, wharfs and buildings, and may levy and collect tolls from persons using such tramways or other property of the Company, and may make arrangements for promoting the business of the Company with railway, steamboat or other companies.

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Agreements  
with other  
companies.

**10.** The Company may enter into an agreement with any other company for conveying or leasing to such company the tramways of the Company hereby incorporated, in whole or in part, or any rights or powers acquired under this Act, as also the franchises, surveys, plans, works, plant, material, machinery and other property to it belonging or for an amalgamation with such company, 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 approved 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 or represented by proxy, and that such agreement has also received the sanction of the Governor in Council.

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Approval of  
shareholders  
and Governor  
in Council.

Notice of  
application  
for sanction.

2. Such sanction shall not be signified until after notice of the proposed application therefor has been published in the manner and for the time set forth in section 239 of *The Railway Act*, and also for a like period in one newspaper in that territorial division of Canada in which such tramways are situated.

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1888, c. 29.

**11.** *The Railway Act*, so far as applicable, and when not inconsistent with this Act, shall apply to the Company and to its undertakings.

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Meaning of  
"company."

(a.) Wherever in *The Railway Act* the word "company" occurs, it shall mean the Company hereby incorporated;

"Railway."

(b.) Wherever in *The Railway Act* the word "railway" occurs it shall, unless the context otherwise requires, in so far as it applies to the provisions of this Act, or the Company hereby incorporated, mean the tramways or other works authorized by this Act to be constructed;

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"Land."

(c.) Wherever in *The Railway Act* the word "land" occurs, it shall be held to include any privilege or easement required by the Company for constructing or operating the works authorized by this Act, or any portion thereof, on, over or along any land, without the necessity of acquiring a title in fee simple.

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R.S.C., c. 118,  
not to apply.

**12.** *The Companies Clauses Act* shall not apply to the Company.

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