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No. 69.

5th Session, 8th Parliament, 63 Victoria, 1900

BILL.

An Act to incorporate the Kettle River
Valley Railway Company.

First reading, March 6, 1900.

(PRIVATE BILL.)

MR. BOSTOCK.

OTTAWA

Printed by S. E. DAWSON

Printer to the Queen's most Excellent Majesty

1900

An Act to incorporate the Kettle River Valley
Railway Company.

WHEREAS a petition has been presented praying that it be enacted 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, declares and enacts as follows:—

- 1.** Lloyd A. Manly and Hugh S. Cayley, both of the city of Grand Forks, and William T. Smith of the city of Greenwood, all in the Province of British Columbia, together with such persons as become shareholders in the company, are hereby incorporated under the name of "The Kettle River Valley Railway Company," hereinafter called "the Company."
- 2.** The undertaking of the Company is hereby declared to be a work for the general advantage of Canada.
- 3.** The persons named in section 1 of this Act are hereby constituted provisional directors of the Company.
- 4.** The capital stock of the Company shall be three million dollars, and may be called up by the directors from time to time as they deem necessary, but no one call shall exceed [twenty per cent on the shares subscribed, not shall a greater amount than fifty per cent of the amount subscribed be called up in any one year.]
- 5.** The head office of the Company shall be in the city of Grand Forks, or such other place in the Province of British Columbia as the Company from time to time determines by law.
- 6.** The annual meeting of the shareholders shall be held on the second Wednesday in September in each year.
- 7.** At such meeting the subscribers for the capital stock assembled, who have paid all calls due on their shares, shall choose five persons to be directors of the Company, one or more of whom may be paid directors.
- 2.** The majority of the board of directors, including the president, shall at all times be British subjects and resident in Canada.
- 8.** The Company may lay out, construct and operate a railway of a gauge of four feet eight and one-half inches, from a

Preamble.

Incorporation.

Corporate name.

Declaratory.

Provisional directors.

Capital stock.

Head office.

Annual meeting.

Election of directors.

Majority to be British subjects.

Line of railway described.

point on the international boundary line at or near Cascade City, in the district of Yale, in the Province of British Columbia, thence running in a westerly direction following the course of the Kettle River, to a point on the said international boundary line at or near Carson City in the said district, with a branch from a point at or near Grand Forks to a point fifty miles up the North Fork of the Kettle River, following the valley of the same river, also with a branch from a point at or near Grand Forks, proceeding in a south-westerly direction by way of Greenwood to a point on the international boundary line at or near Midway.

Connection
with United
States lines.

9. The Company may also form a connection at the international boundary line, at the said points, namely at or near Cascade City and at or near Carson City and Midway, with a proposed railway to Republic in the State of Washington, and generally with the railway system of the United States.

Bond issue
limited.

10. The Company may issue bonds, debentures, or other securities to the extent of thirty-five thousand dollars per mile of the railway and branches, and such bonds, debentures, and other securities may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Time for
construction
limited.

11. [If the construction of the railway is not commenced, and two and one-half per cent of the amount of the capital stock is not expended thereon, within one year from the passing of this Act, or if the railway is not finished and put in operation within two years from the passing of this Act, then the powers conferred upon the Company by Parliament shall cease and be null and void as respects so much of the railway as then remains uncompleted.]

Branch lines.

12. Subject to the provisions contained in sections 121 and 122 of *The Railway Act*, the Company may construct, operate and maintain one or more branch lines from convenient points on its main line to any mine or group of mines adjacent to its main line, provided however that any such branch line shall not exceed ten miles in length.

Charges for
carriage of
ore.

13. The Governor in Council may, whenever he deems it expedient, make or prescribe regulations relating to the carriage of ores by the Company over the railway and [or] relating to the tolls and charges for such carriage, and [or] regulating the maximum or minimum toll, which minimum toll shall be exacted for the carriage of such ores.

Power to
annul
charter.

14. If the Company shall, at any time, wilfully disregard, evade or violate any of the said regulations the Governor in Council may declare the powers and privileges granted by this Act to be forfeited, and this charter shall thereupon cease and come to an end.

Telegraph and
telephone
lines.

15. The Company may construct and maintain a telegraph line and telephone lines along the whole length of its railway and branches, and may establish offices for the transmission of messages for the public and collect tolls for so doing; and for

the purpose of erecting and operating such telegraph and telephone lines the Company may enter into a contract with any other company, or may lease the Company's lines or any part thereof.

5 2. The Company may enter into arrangements with any other telegraph or telephone company for the exchange and transmission of messages, or for the working in whole or in part of the lines of the Company. Arrangements with telegraph and telephone companies.

10 3. No rates or charges shall be demanded or taken from any person for the transmission of any messages by telegraph or telephone, or for leasing or using the telegraph or telephones of the Company, until such rates or charges have been approved of by the Governor in Council. Rates to be approved.

15 4. *The Electric Telegraph Companies Act* shall apply to the telegraphic business of the Company. R.S.C., c. 132.

16. This Act may be cited as *The Kettle River Railway Act* 1900. Short title.