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No. 123.

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

BILL

An Act to incorporate the Yale Mining
District Railway Company.

First reading, March 29, 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 Yale Mining District
Railway Company.

WHEREAS a petition has been presented praying that it be Preamble.
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
5 of Commons of Canada, declares and enacts as follows:—

- 1.** Joseph B. McArthur of the city of Rossland in the Incorporation.
province of British Columbia, James Barnet McLaren of the
town of Buckingham in the province of Quebec, Thomas H.
Sheppard of the town of Orillia in the province of Ontario,
10 William Forbes Alloway of the city of Winnipeg in the
province of Manitoba, and William Strachan of the city of
Montreal in the province of Quebec, together with such
persons as become shareholders in the company, are hereby
incorporated under the name of "The Yale Mining District
15 Railway Company," hereinafter called "the Company." Corporate name.
- 2.** The undertaking of the Company is declared to be a Declaratory.
work for the general advantage of Canada.
- 3.** The persons named in section 1 of this Act are constitut- Provisional
ed provisional directors of the Company. directors.
- 20 **4.** The capital stock of the Company shall be five hundred Capital stock.
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.
- 5.** The head office of the Company shall be in the city of Head office.
25 Grand Forks, in the province of British Columbia, or in such
other place in Canada as is fixed by by-law.
- 6.** The annual meeting of the shareholders shall be held on Annual
the last Tuesday in September in each year [or at such other meeting.
time as is fixed by by-law.]
- 30 **7.** At such meeting the subscribers for the capital stock Election of
assembled who have paid all calls due on their shares shall directors.
choose not less than five or more than nine persons to be
directors of the Company, one or more of whom may be paid
directors; and a majority of whom shall at all times be
35 British subjects resident in Canada.
- 8.** The Company may lay out, construct and operate a line Railway
of railway of the gauge of [not less than three feet and not and branches
described.

more than] four feet eight and one-half inches in the District of Yale in the province of British Columbia (a) from a point on the international boundary line at or near Carson City where the Kettle River intersects the international boundary line, thence following the valley of the Fourth of July Creek to a point at or near the junction of the East and West Forks of the said creek, thence in a general westerly course to Phoenix Mining Camp; (b) branch lines from convenient points on its main line as follows:—(1) to a point on the Columbia and Western Railway between the said starting point and Grand Forks or to a point on the said railway east of Grand Forks, (2) to the Central (or White's) Mining Camp, (3) to the Wellington Mining Camp, (4) to the Skylark Mining Camp, (5) to the Summit Mining Camp, (6) to the city of Greenwood. (7) and, subject to the provisions contained in sections 121 and 122 the *The Railway Act*, to any mine or group of mines adjacent to its main line and not more than twelve miles therefrom.

1888, c. 29.

Powers as to steamers, etc.

9. The Company may also construct, acquire, own, charter, navigate, use and operate steam and other vessels, barges and ferries on Kettle River and its tributaries and otherwise in connection with the said railway and its enterprise.

Other powers.

10. The Company may also acquire, construct, maintain and operate on the property of the Company, or on property controlled by the Company, tramways, reservoirs, dams, flumes, race and other ways, water powers, aqueducts, wells, roads, piers, wharfs, docks, buildings, shops and the machinery, plant and appliances of every description necessary therefor, and buy, sell, manufacture and deal in all kinds of goods, stores, implements, provisions, chattels and effects required by the Company or its workmen or servants in connection with its undertaking.

Other powers.

11. The Company may also construct, erect, maintain and operate smelters, reduction, electrical and other works for the purpose of (a) raising, crushing, milling, washing, smelting, reducing, refining, amalgamating and otherwise treating all kinds of ores, metals, minerals and their products, (b) transmitting heat, light and power for any and all of the purposes aforesaid, (c) selling and otherwise disposing of the said products or any interest therein.

Tolls.

12. The Governor in Council may, whenever deemed expedient, make and prescribe regulations relative to the carriage of ores by the Company over the railway, and may regulate and fix the maximum and minimum tolls which shall be charged by the Company for the carriage of such ores.

Agreement with another company.

13. The Company may also enter into an agreement with [any other railway, steamboat or other company or corporation] for conveying or leasing to such company or corporation the railway of the Company, in whole or in part, or for conveying or leasing to such company or corporations any right or power acquired under this Act in whole or in part, together with the franchises, surveys, plans, works, plant, material,

- machinery and other property to it belonging, [for the Company may enter into an agreement with any other railway, steamboat or other company or corporation for connection with and running powers over any railway, tramway, waterway and
- 5 other roads or ways which are now, or may hereafter be constructed and operated to carry freight, passengers and other traffic to and from mining camps and other places situate south of the international boundary line,] upon such terms and conditions as are agreed upon and subject to such
- 10 restrictions as to the directors seem fit; provided that each such agreement has first been approved of by two-thirds of the votes of the shareholders at a meeting duly called for the purpose of considering it, at which meeting shareholders representing at least two-thirds in value of the stock are present
- 15 or represented by proxy, and that such agreement has also received the sanction of the Governor in Council.
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 each
- 20 electoral district through which the railway of the Company runs and in which a newspaper is published.
3. A duplicate of the agreement referred to in subsection 1 of this section shall, within thirty days after its execution, be
- 25 filed in the office of the Secretary of State of Canada, and notice thereof shall be given by the Company in *The Canada Gazette*, and the production of *The Canada Gazette* containing such notice shall be prima facie evidence of the requirements of this Act having been complied with.
- 30 **14.** The Company may construct, equip, work and maintain telegraph lines and telephone lines along the whole length of the railway and branches, and may establish offices for the transmission of messages for the public and collect tolls for so doing; and for the purposes of erecting and operating such
- 35 telegraph and telephone lines the Company may enter into a contract with any other company or may lease any of the Company's lines or any portion thereof.
2. The Company may enter into agreements with any other telegraph or telephone company for the exchange and transmission of messages, or for the working in whole or in part of
- 40 the lines of the Company.
3. No rates or charges shall be demanded or taken from any person for the transmission of any message by telegraph, or for leasing or using the telegraphs or telephones of the
- 45 Company, until such rates or charges have been approved of by the Governor in Council.
4. *The Electric Telegraph Companies Act*, chapter 182 of R.S.C., c. 132. the Revised Statutes, shall apply to the telegraphic business of the Company.
- 50 **15.** The Company may, in the operation of the work hereby authorized, use steam, electricity, compressed air, or other motive power.

Approval of shareholders and of Governor in Council.

Notice of application for sanction.

Agreement to be filed with Secretary of State.

Telegraph and telephone lines.

Agreements with other companies.

Rates to be approved.

Motive power.

Connection
with railway
in U. S.

16. The Company may also form a connection at the international boundary line at or near its starting point on Kettle River with the railway of any railway corporation organized under the laws of the State of Washington.

Bond issue.

17. The Company may issue bonds, debentures and other securities to the extent of twenty-five 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 the railway constructed, or under contract to be constructed.

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