



## CHAP. 14.

## An Act to Incorporate "The New Westminster and Port Moody Railway Company."

[21st April, 1882.]

WHEREAS a Petition has been presented praying for the Incorporation of a Company for the purpose of constructing and working a Railway, a Telephone Line, and an Electric Telegraph Line, from a point in the City of New Westminster to a point at or near Port Moody :

Preamble.

And whereas it is expedient to grant the prayer of the said Petition :

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:—

1. Ebenezer Brown, Merchant; James Cunningham, Merchant; Robert Dickinson, Trader; John Hendry, Mill-owner; William Norman Bole, Barrister; Loftus R. McInnes, Physician; and John Irving, Steamboat Owner, all of the City of New Westminster, and such other persons and corporations as shall, in pursuance of this Act, become shareholders, are hereby constituted a body corporate and politic, by the name of "The New Westminster and Port Moody Railway Company" (hereinafter called the Company).

Incorporation.

2. The capital stock of the Company shall be two hundred thousand dollars, divided into two thousand shares of one hundred dollars each, which shall be applied first to the payment of all costs and expenses incurred in obtaining the passing of this Act, and the remainder for the purpose of the Company's undertaking.

Capital stock \$200,000.

3. The persons named in the first section of this Act shall be and are hereby constituted Provisional Directors of the Company, of whom five shall form a quorum for the transaction of business; and they shall hold office until the first election of Directors under this Act, and shall have power to open stock books and procure subscriptions of stock for the undertaking.

Provisional Directors.

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Head Office.

4. The Office of the Company shall be at the City of New Westminster.

First general meeting of shareholders.

5. The first general meeting of Shareholders shall be held upon two weeks' notice being given at such time as the Directors shall specify therein.

Annual meetings.

6. The subsequent annual general meetings of Shareholders shall be held as may be determined by the By-Laws of the Company.

Power to borrow money.

7. The Company shall be entitled to borrow money on mortgage and bond.

Tolls, how fixed and regulated.

8. Tolls shall be from time to time fixed and regulated by the By-Laws of the Company, or by the Directors, if thereunto authorized by the By-Laws, or by the Shareholders at any general meeting, and may be demanded and received for all passengers and goods transported upon the Railway, and shall be paid to such persons and at such places near to the Railway, in such manner and under such regulations as the By-Laws direct.

Grants the privilege of constructing and working a line of railway from New Westminster to Burrard Inlet.

9. The Company may lay out, construct, acquire, equip, maintain and work a continuous line of Railway, with double or single track of iron or steel, and uniform gauge of four feet eight and one-half inches, from a point in the City of New Westminster to a point at or near Port Moody, or elsewhere on Burrard Inlet, or to a point between Port Moody and Pitt River.

Time limit for commencement of construction and completion.

Proviso in case of default.

10. The construction of the said Railway shall be commenced within one year from the passing of this Act and shall be completed within four years from the passing of this Act: Provided always, that if the Company fail to comply with the last mentioned stipulations the Lieutenant-Governor in Council may by proclamation repeal this Act.

Grants the privilege of erecting Telegraph and Telephone lines.

11. The Company may construct, equip, maintain and work a Telephone Line and an Electric Telegraph Line in connection with the said Railway.

Power to receive grants of land or money.

12. The Company may receive from any persons or bodies corporate, municipal or politic, who may have power to make or grant the same in aid of the construction, equipment and maintenance of the said Railway, free grants of land, premises, loans, or gifts of money or securities for money.

May accept, purchase, &amp;c., lands for railway purposes.

13. The Company may accept, purchase, hold and occupy such lands as may be deemed necessary or convenient for the construction or maintenance of the Railway, and for the establishment of all proper sheds and warehouses, sidings, embankments, bridges,

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culverts, draws, wharves, and other works, and the approaches thereto, and also for the establishment of stations and other works, and the approaches thereto, at the ends and along the course of the line, for the convenience of passengers, the reception of goods and the accommodation of the public.

14. The said Railway and all station grounds, workshops, buildings, yards, and other property, rolling stock and appurtenances required and used for the construction and working thereof, and the capital stock of the Company shall be free from Provincial taxation up to the First day of July, 1885.

Certain exemptions from Provincial taxation.

15. The Company shall not at any time after such gates, hand-rails, and other fences, as are referred to in sections 61 and 68 of the Act referred to in the "Vancouver Island Railway Clauses Consolidation Act, 1863," as the principal Act, have been made, and during such time as the requirements of the said section shall be complied with, be liable for any damage which may be done by their trains or engines to cattle, horses, or other animals, unless wilfully done or occasioned by wilful negligence; and the said section 61 shall be read as if the words "other than a public carriage way" were not inserted therein.

Limits liability for damages done by trains on certain works being done.

16. The "Vancouver Island Lands Clauses Consolidation Act, 1863," as modified by the provisions hereafter contained, shall be read with and form part of this Act.

The "Vancouver Island Land Clauses Consol. Act, 1863," to form part of this Act.

17. All such parts of the "Vancouver Island Railway Clauses Consolidation Act, 1863," and the Act therein referred to as the Principal Act, which refers to the depositing of plans, sections, and books of reference, and to the construction of the Railway according to such plans and sections, or over the land referred to in the book of reference, and sections 6, 7, 8 and 11 of the "Vancouver Island Railway Clauses Consolidation Act, 1863," and Sections 7, 8, 9, 10, 11, 12, 13, 14, 15, 23, 25, 26, 27, 28, 29, 46, 47, 49, 50, 51, 54, 57, 59, 77, 81, 82, 94, 95, 107, 114, 159, 161, 163, 164, and 165 of the Act referred to in the "Vancouver Island Railway Clauses Consolidation Act, 1863," as the Principal Act, shall not apply to the undertaking authorized by this Act, but the remainder thereof shall apply.

What sections of the said Act and the "Vancouver Island Railway Clauses Consol. Act, 1863," apply to the undertaking authorized by this Act.

18. The following expressions, wherever appearing in the clauses of the "Vancouver Island Land Clauses Consolidation Act, 1863," and the "Vancouver Island Railway Clauses Consolidation Act, 1863," incorporated with this Act, shall in the construction and for the purposes of this Act have the several meanings hereby assigned to them, that is to say:—

Definition of terms.

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"Vancouver Island and  
its dependencies.""Vancouver Island and its Dependencies" shall mean the  
Province of British Columbia.

"Governor."

The "Governor" shall mean the Lieutenant-Governor or other  
officer for the time being administering the Government of the  
Province of British Columbia.

"Colonial Secretary."

The "Colonial Secretary" shall mean the Provincial Secretary.

"Treasury."

The "Treasury" shall mean the Treasury of the Province of  
British Columbia."Supreme Court of Civil  
Justice."The "Supreme Court of Civil Justice" shall mean the Supreme  
or any Superior Court of British Columbia.

"Board of Trade."

**19.** Whenever in any of the clauses referred to in this Act the  
Board of Trade is mentioned, or Court of Petty or Quarter Sessions  
is referred to, in lieu thereof there shall be read: The Chief  
Commissioner of Lands and Works, for the Board of Trade; and  
the Supreme or any Superior Court of British Columbia or a Judge  
thereof, for the Court of Petty or Quarter Sessions, as the case  
may be.

"Court of Petty or  
Quarter Sessions."

Short title.

**20.** This Act may be cited as "The New Westminster and Port  
Moody Railway Company Act, 1882."