



## CHAPTER 53.

### An Act to Incorporate the Burrard Inlet Railway and Ferry Company.

[20th April, 1891.]

**WHEREAS** George G. Mackay, John T. Carroll, Adolphus Williams, Preamble.

Edward A. Brown, and Walter F. Page have petitioned that an Act may be passed incorporating them under the name of "The Burrard Inlet Railway and Ferry Company," and authorizing the construction, operation, and maintenance of a railway from some point on the north shore of Burrard Inlet, near the North Arm, or on the west shore of the North Arm of Burrard Inlet; thence westerly to a point on English Bay, near Point Atkinson, or on Howe Sound; with power to construct, operate, and maintain branches, and also to maintain and operate one or more ferry boats between points on the said railway on the northern side of Burrard Inlet and English Bay and the City of Vancouver, in the Province of British Columbia:

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 British Columbia, enacts as follows:—

**1.** The said George G. Mackay, John T. Carroll, Adolphus Williams', Incorporation.  
Edward A. Brown, and Walter F. Page, 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 Burrard Inlet Railway and Ferry Company," hereinafter called "the Company."

**2.** The Company shall have full power under this Act—

(a.) To construct, maintain, and operate a railway or tramway from some point on the north shore of Burrard Inlet, near the North Arm, or on the west shore of the North Arm of Burrard Inlet; thence westerly to a point on English Bay, near Point Atkinson, or on Howe Sound, with branches in a southerly direction to the waters of Burrard Inlet and English Bay:

Power to construct  
railway and other  
works.

- (b.) And also to take, transport, and carry passengers and freight upon the same by electricity, steam, or such other motive power as the Company may deem expedient, and to erect, maintain, and construct all necessary works, poles, wires, buildings, building appliances and conveniences connected therewith :
- (c.) And also to build, equip, maintain, run, and navigate one or more ferry boats suitable for passengers and freight traffic from some place or places on the northern side of Burrard Inlet and English Bay, near or convenient to some point or points on the said railway, to the City of Vancouver aforesaid :
- (d.) And also to construct wharves, docks, elevators, station-houses, offices, and such other buildings as may be found requisite or convenient for the carrying on of the business of the said Company :
- (e.) And also to construct and maintain works for the purpose of generating electricity to be used as a motive and lighting power for the works of the said Company, and for the purpose of generating electricity to take and use so much of the waters of Capilano and Seymour Creeks as may be necessary for such purpose :
- (f.) And also to construct, maintain, and operate branch railway lines from convenient points on the said railway to a convenient point on Howe Sound by way of the Capilano Valley, and to Pemberton Meadows by way of the valley of Seymour Creek.

Capital stock.

3. The capital stock of the Company shall be five hundred thousand dollars, to be divided into ten thousand shares of fifty dollars each, 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 ; nor shall more than sixty per cent. on the shares subscribed be called up in any one year.

Provisional Directors

4. The said George G. Mackay, John T. Carroll, Adolphus Williams, Edward A. Brown, and Walter F. Page are hereby constituted provisional directors of the Company (a majority of whom shall form a quorum), and shall hold office as such until the first election of directors under this Act, and shall have power forthwith to open stock books, and procure subscriptions of stock for the undertaking, and to receive payments on account of stock subscribed, and to cause plans and surveys to be made, and to deposit in any chartered bank of Canada moneys received by them on account of stock subscribed :

Vacancies.

- (a.) If any provisional director dies or resigns his office before the first general meeting, the vacancy may be filled by the remaining provisional directors.

5. So soon as fifty thousand dollars of the said capital shall have been subscribed as aforesaid, and ten per cent. thereof paid into some chartered bank in Canada, the provisional directors shall call a meeting of the shareholders of the Company, at the City of Vancouver, at such time and place as they think proper, giving at least two weeks' notice in one or more of the daily papers published in the said city, at which meeting the shareholders shall elect five directors from the shareholders possessing the qualifications hereinafter mentioned, of whom three shall form a quorum, and the directors so elected shall hold office until the next annual meeting as hereinafter provided.

First election of  
Directors.

6. The annual general meeting shall be held on the first Wednesday in March in each year, which annual general meeting shall be held in the City of Vancouver, and public notices thereof shall be given by two weeks' advertisement in the British Columbia Gazette, and in one or more of the daily papers published in the said City of Vancouver. In the notices shall be specified the place, day, and hour of meeting.

Annual general  
meeting.

7. At such annual general 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, of whom three shall be a quorum; and such subscribers may also pass such rules, regulations, and by-laws as may be deemed expedient, provided they are not inconsistent with this Act, or the "British Columbia Railway Act."

Annual election of  
Directors.

8. No person shall be elected a director of the Company unless holding at least twenty shares in the stock of the Company, and has paid up all calls made thereon.

Qualification of  
Directors.

9. No person shall be disqualified from being elected a director by reason of or on account of his receiving any pay or remuneration for attending to the affairs of the Company as managing director, or agent, or solicitor for the Company.

Ditto.

10. The head office of the Company shall be in the City of Vancouver.

Head office.

11. The Company shall have power to purchase iron and other material for any term of years from any railway company lawfully authorized to enter into such an agreement, and they shall also have power to lease or sell the said railway, or any part thereof, or to make any agreement with any corporation or person for operating, or partially operating, the railway, telephone lines, motive power, wharves, ferries, or other property of the Company.

May agree with any  
other company for  
certain rights.

12. The Company may receive from any private individual, or from any company or municipality, any bonus or gift for the extension of the said railway within the distance aforesaid.

May receive bonuses

May take gravel.

**13.** The Company shall be entitled to take stone, earth, gravel, and timber from the Crown lands adjoining the line of railway for the purpose of constructing, completing, and maintaining the same.

Application of "B. C. Railway Act."

**14.** The several clauses of the "British Columbia Railway Act," respecting "Interpretation," "Incorporation," "Powers," "Plan and Surveys," "Lands and their Valuation," "Arbitration," "Mines," "Highways and Bridges," "Fences," "Tolls," "General Meetings," "President and Directors," "Calls," "Dividends," "Shares and their Transfer," "Shareholders," "Municipalities taking Stock," "By-laws, Notices, etc.," "Actions for Indemnity and Fines and Penalties and their Prosecution," are incorporated with and form part of this Act, and shall apply to the said Company and the railway and generating works to be constructed by them, except only so far as they are inconsistent with the express enactment hereof, and the expression "this Act" when used herein shall include the clauses of the said "British Columbia Railway Act" so incorporated with this Act.

Commencement and completion.

**15.** The railway may be constructed in sections, and the first section between Seymour and Capilano Creeks shall be commenced within two years, and completed within four years, from the passing of this Act, otherwise the powers granted by the said Act shall cease and be null and void.

Short title.

**16.** This Act may be cited as the "Burrard Inlet Railway and Ferry Company Incorporation Act, 1891."

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VICTORIA, B. C.:

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