



CHAPTER 71.

An Act respecting the Westminster and Vancouver Tramway Company and the Westminster Street Railway Company.

[20th April, 1891.]

WHEREAS the Westminster and Vancouver Tramway Company Preamble.
was duly incorporated by the Act passed by the Legislature of British Columbia in the fifty-third year of Her Majesty's reign, chaptered 67 :

And whereas the Westminster Street Railway Company was duly incorporated by the Act passed by the Legislature of British Columbia in the fifty-third year of Her Majesty's reign, chaptered 65 :

And whereas the said Companies have by their petition prayed for an Act amalgamating their Companies into one Company and corporation, and for the grant to such Company and corporation of the powers and privileges hereinafter mentioned :

And whereas it is expedient to grant the prayer of 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. In the interpretation of this Act, unless the context shall require Interpretation.
a different interpretation, the word "railway" shall include "tramway or street railway;" the words "the Company" shall mean the company hereby incorporated; the words "the Companies hereby amalgamated" shall mean the Westminster and Vancouver Tramway Company and the Westminster Street Railway Company, and the words "Company hereby amalgamated" shall mean such one of the last named Companies as the context may point out.

Incorporation. 2. From and after the passing of this Act, the shareholders of the Companies hereby amalgamated are declared to be a body corporate and politic under the name of the "Westminster and Vancouver Tramway Company."

Rights of Amalgamated Companies vested in the Company. 3. All the rights, claims, property, estate, and effects of each of the companies hereby amalgamated are hereby vested in the Company.

Company authorized to maintain and complete lines. 4. The Company shall be and is hereby authorized and empowered to maintain and complete the lines of railway already constructed, or in course of construction by any of the Companies hereby amalgamated, with all the works, stations and equipments thereof; and to construct and maintain a street railway or railways in the City of New Westminster and the districts adjacent thereto, and a tramway or tramways between the Cities of New Westminster and Vancouver, with all necessary sidings, works, stations and equipments, and on all or any part thereof to make, lay and maintain a single or double track.

Board of Directors. 5. From and after the passing of this Act, until the first election of directors, David Oppenheimer, Henry V. Edmonds, Benjamin Douglas, Samuel T. Mackintosh, with power to add to their number, shall be the first directors of the Company, and continue to exercise all the powers conferred by the said Incorporation Acts of the Companies hereby amalgamated and by this Act.

Capital stock. 6. The capital stock of the Company shall be seven hundred and fifty thousand dollars, being an amount equal to the combined capital stock of the Companies hereby amalgamated, divided into seven thousand five hundred shares of one hundred dollars each, and each holder of stock in either of the Companies hereby amalgamated shall be a shareholder in the Company to the amount of stock he held in either of the Companies hereby amalgamated.

Presiding officer at meetings. 7. If at any meeting the President is not present within fifteen minutes after the time appointed for holding the meeting, the Vice-President, if present, may preside, and if neither President nor Vice-President be present, the members may choose some one of their number to be Chairman.

By-laws. 8. The By-Laws of the Westminster and Vancouver Tramway Company, as adopted on the 11th day of November, 1890, shall be the By-Laws of the Company, with power to amend as therein set out.

Authority to issue paid up stock. 9. The directors of the Company may make and issue as paid up stock shares in the Company, whether subscribed for or not, and may agree for the sale of such stock, or any part thereof, at such price as they may think fit, and may select and hand over paid up stock or

bonds in the payment of right of way, plant, rolling stock, or materials of any kind, and also for the services of contractors, engineers, or other persons employed by the directors, and such paid up stock shall not be subject to assessments.

10. It shall be lawful for the Company, their servants, agents, and workmen from time to time, and at all times hereafter, as they shall see fit, and they are hereby authorized and empowered, to enter into and upon the land of any person or persons, bodies politic or corporate, lying between the cities of New Westminster and Vancouver, and to survey, set out and ascertain such parts thereof as they may require for the said works, and to contract with the owners and occupiers of the lands lying between the said points and those having any interest in the same for the purchase of the same, or of any part thereof, or of any privilege that may be required for the purpose of this Act, and for the right to take timber, stone, gravel, sand, and other materials from the aforesaid land, or any lands adjacent thereto, for the use and construction of the said works, and in case of disagreement between the Company and the owners and occupiers of the said lands respecting the amount of the purchase money or value thereof, or as to the damages any such appropriation shall cause to them through the construction of the said street tramway or tramways, the same shall be decided in the manner set out in section 20 of the "British Columbia Railway Act," so far as the same is applicable; the notice mentioned in sub-section (1) of section 20 of the said Act shall be given after the said disagreement has arisen:

Authority to enter and survey.

(a.) For the purpose of this Act the words "New Westminster" shall be substituted for the word "Victoria," in sub-sections (13), (26), and (27) of section 20 of the "British Columbia Railway Act."

11. The Company is authorized and empowered to make necessary arrangements to contract and agree with any other Railway Company in New Westminster City or District, if lawfully authorized to enter into such arrangements for amalgamation, provided that the terms of such amalgamation are approved of by two-thirds of the shareholders voting either in person or represented by proxy at a special meeting to be held for that purpose.

Power to amalgamate.

12. The Company shall have power to enter into and conclude any agreement with any other railway company or any corporation, for leasing or selling to them the railway herein authorized, or any part thereof, or for the working of the said railway, or for running powers over the same, or for leasing, purchasing or acquiring running powers over lines of other railway companies, provided that such agreement shall be approved of by two-thirds of the shareholders at any special meeting called for that purpose.

Power to lease.

Power to construct telegraph line. **13.** The Company shall have all necessary powers to construct, work, and protect telegraph and telephone lines on their line of railway.

Arrangements for passengers and freight carriages. **14.** The Company shall have power to enter into and conclude any agreement with the proprietors of carriages for passengers or freight, or express conveyances for the delivery of passengers, freight or express to any part of the cities of New Westminster or Vancouver, or district adjacent thereto, or to purchase or equip passenger, freight, or express conveyances for the aforesaid purpose.

To confirm agreements. **15.** The Company is authorized to carry out any agreements made by the directors of the Companies hereby amalgamated, or either of them, for the purpose of constructing or equipping the said railways.

Acts of incorporation consolidated. **16.** The hereinbefore recited Acts relating to the Companies hereby amalgamated, in so far as they are inconsistent with this Act, are hereby repealed, and this Act shall be construed and considered as a consolidation of all the powers, privileges and rights of each of the Companies hereby amalgamated, and an investment of the Company therewith, so that however any powers, privileges and rights of either of the Companies hereby amalgamated and not inconsistent with this Act, even though not specially set out or referred to in this Act, shall be held, exercised, and enjoyed by the Company as if specially conferred hereby.

Completion and equipment. **17.** The Company shall complete and equip that portion of its works, equipment, line and roadway lying and situate between the boundaries of the cities of Vancouver and New Westminster before March 31st, 1892.

Short title. **18.** This Act may be cited as the "Westminster and Vancouver Tramway Company Amalgamation Act, 1891."

VICTORIA, B. C.:

Printed by RICHARD WOLFENDEN, Printer to the Queen's Most Excellent Majesty.