



## CHAPTER 66.

An Act to incorporate the Victoria and Sidney  
Railway Company.

[23rd April, 1892.]

**W**HEREAS the petition has been presented praying for the passage Preamble.  
of an Act to incorporate a Company to construct, maintain and  
operate a railway from the City of Victoria to the Townsite of Sidney,  
in the District of North Saanich, in the Province of British Columbia,  
with all the necessary and proper powers, rights and privileges inci-  
dental thereto :

And whereas it is desirable 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.** Julius Brethour, Robert Irving, and Henry Brethour, together Incorporation.  
with such other persons and corporations as shall, in pursuance of this  
Act, become shareholders of the Company hereby incorporated, are  
hereby constituted a body corporate and politic, under the name of  
“The Victoria and Sidney Railway Company,” hereinafter called “the  
Company.”

**2.** The head office of the Company shall be at the City of Victoria, Head office.  
or at such other place in the Province as the Company may from time  
to time appoint.

**3.** The capital stock of the Company shall be five hundred thousand Capital stock.  
dollars, divided into five thousand shares of one hundred dollars each,  
which shall be applied first to the payment of all costs and expenses  
incurred in the passing of this Act, and the remainder for the purposes  
of the Company’s undertaking.

Election of Directors.

4. So soon as one hundred and twenty-five thousand dollars of the capital stock shall have been subscribed and allotted, and ten per cent. of the amount subscribed shall have been paid in to some chartered bank in Canada, the provisional directors shall call a meeting of the shareholders of the Company at the place where the head office is situate, at such time as they shall think proper, giving the notice prescribed by section 5 of this Act, at which meeting the shareholders who have paid ten per cent. on the amount of stock subscribed by them shall, from the shareholders possessing the qualifications hereinafter mentioned, elect five directors, who shall hold office until others are elected.

Notice of meetings to be advertised.

5. At least two weeks' public notice of any meeting of the shareholders of the Company shall be given by advertisement, published in the British Columbia Gazette, and at least in one newspaper published in the City of Victoria, which notice shall specify the place and the day and the hour of meeting. All such notices shall be published weekly, and a copy of such Gazette and such newspaper containing the first publication of such notice shall, on production thereof, be evidence of the sufficiency of such notice.

Provisional Directors.

6. The persons named in the first section of this Act shall be and are hereby constituted provisional directors of the Company, of whom three 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, and allot the stock, and to receive payments on account of stock subscribed, and to make calls upon subscribers in respect of their stock, and to sue for and recover the same, and to cause plans and surveys to be made, and to receive for the Company any grant, loan, bonus or gift made to it, and to enter into any agreement respecting the conditions or disposition of any gift or bonus in aid of the railway, and with all such powers as, under the "British Columbia Railway Act," are vested in ordinary directors to be elected as hereinafter mentioned, may, in their discretion, exclude any one from subscribing for stock who, in their judgment, would hinder, delay, or prevent the Company from proceeding with and completing the undertaking under the provisions of this Act; and if at any time a portion or more than the whole stock shall have been subscribed, the said provisional directors, or board of directors, shall allocate and apportion it amongst the subscribers as they shall deem most advantageous and conducive to the furtherance of the undertaking, and in such allocation the said directors may exclude any one or more of the said subscribers.

Annual general meeting.

7. The annual general meeting of shareholders shall be held on the second Wednesday in October in each year, at which meeting a board

of five directors (of whom three shall be a quorum for the transaction of business), for the management of the Company's affairs, shall be elected.

**8.** It shall be lawful for the Company from time to time to make By-laws. such by-laws as they may think fit for the purpose of regulating the conduct of the officers and servants of the Company, and for providing for the due management of the affairs of the Company in all respects whatsoever, and from time to time alter and repeal any such by-laws and make others; provided such by-laws be not repugnant to the provisions of this Act or the "British Columbia Railway Act."

**9.** The Company may purchase, hold, receive or take land or other Power to hold and sell lands, etc. property, and also alienate, sell, or dispose of the same.

**10.** The Company shall be entitled to borrow money on mortgage To borrow money. and bond, or either.

**11.** The Company shall have (in addition to the powers conferred Additional powers. by the "British Columbia Railway Act") the following powers, viz. :—

- (a.) To construct and operate telegraph and telephone lines for the purposes of its undertaking, and the Company may construct or acquire by purchase, lease, or otherwise, any other line or lines of telegraph connecting with the line so to be constructed along the line of the said railway : To construct telegraph lines, etc.
- (b.) To construct wharves, docks, elevators, dockyards, slips, and piers, warehouses, station-houses, offices, and such other buildings as may be found requisite in carrying on the business of the Company. To construct wharves, etc.

**12.** No person shall be eligible as a Director of the Company unless he is the owner and holder of at least ten shares in the capital stock of the Company, and qualified to vote for directors at the election at which he is chosen. Qualification of Directors.

**13.** The Directors of the Company, by authority of the shareholders to them given by resolution at any general or special meeting for that purpose, among others, called, at which meeting shareholders representing at least two-thirds in value of the subscribed stock of the Company are present, or are represented by proxy, may issue bonds not exceeding twenty thousand dollars per mile of railway, under the seal of the Company, signed by the President or other presiding officer, and countersigned by the Secretary or Treasurer, and such bonds may be payable at such time, and in such manner, and at such place or places in Canada or elsewhere, and shall bear such rate of interest, not exceeding eight per cent. per annum, as the Directors may think proper; and the Directors shall have power to issue and sell all or any Power to issue and sell bonds.

part of the said bonds at the best price and upon the best terms and conditions which at the time they are able to obtain, for the purpose of raising money for prosecuting the said undertaking.

May pledge bonds. **14.** The Company may, from time to time, for advances of money, pledge any stock, debentures, or bonds, which under the powers of this Act can be issued, for the construction of the railway hereby authorized or other purposes of the Company.

Calls limited. **15.** No calls shall be made at any one time for more than fifteen per cent. of the whole amount of subscribed stock, nor shall a greater amount than fifty per cent. of the amount subscribed be called in in any one year.

Power to build railway. **16.** The Company may lay out, construct, maintain and operate a line of railway from some convenient and accessible point within the City of Victoria, by the most feasible and available engineering route, to the Townsite of Sidney, in the District of North Saanich.

To collect charges, etc. **17.** The said Company shall have power to collect and receive all charges subject to which goods or commodities may come into their possession, and on payment of such back charges, and without any formal transfer, shall have the same lien for the amount thereof upon such goods and commodities as the person to whom such charges were originally due, and shall be subrogated by such payment in all the rights and remedies of such persons for such damages.

Clauses of 1890, c. 39, incorporated with this Act. **18.** The clauses of the "British Columbia Railway Act" with respect to "interpretation," "incorporation," "powers," "plans 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.," "working of the railway," "action for indemnity and fines and penalties and their prosecution," except in so far as they are inconsistent with or repugnant to the express provisions hereof, shall be incorporated with this Act.

Commencement and completion of railway. **19.** The Company shall commence the construction of the said railway before the first day of May, 1893, and complete the same before the first day of September, 1894.

Short title. **20.** This Act may be cited as the "Victoria-Sidney Railway Act, 1892."