



### CHAPTER 37.

#### An Act to incorporate the New Westminster and Vancouver Short Line Railway Company.

[6th April, 1889.]

**W**HEREAS the construction of a line of railway, as hereinafter set forth, is desirable, and a petition has been presented praying for the incorporation of a Company to construct and work the same, and it is expedient to grant the prayer of the petitioners: Preamble.

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

1. Robert Dickinson and Henry Hoy, both of the City of New Westminster, in the Province of British Columbia, and Thomas Dunn and Robert G. Tatlow, both of the City of Vancouver, in said Province, together with such other persons and corporations as shall, in pursuance of this Act, become shareholders in the Company hereby incorporated, are hereby constituted a body corporate and politic, by the name of "The New Westminster and Vancouver Short Line Railway Company," hereinafter called the Company. Incorporation.

2. The capital stock of the Company shall be five hundred thousand dollars, divided into shares of one hundred dollars each, which shall be applied, in the first place, to the payment and discharge of all costs, charges, expenses and disbursements connected with the obtaining of this Act and the organization of the Company, and for making the survey, plans and estimates connected with the works hereby authorized, and the remainder of such money shall be applied for the purpose of the Company's undertaking. (Capital stock.)

3. The several persons named in the first section of this Act shall be the Provisional Directors of the Company. Provisional Directors.

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- Board of Directors, Quorum. **4.** The said Provisional Directors of the Company, until others shall be appointed as hereinafter provided, shall constitute the Board of Directors of the Company, of whom three shall form a quorum, with power to fill vacancies occurring therein, to associate with themselves therein not more than four other persons (who being so appointed shall become Provisional Directors of the Company equally with themselves), to open stock books, to procure subscriptions of stock for the undertaking, and to call a meeting of the subscribers thereto for the election of other Directors, as hereinafter provided.
- Head office. **5.** The head office of the Company shall be at the City of New Westminster.
- First meeting of shareholders. **6.** The first general meeting of shareholders shall be held, upon two weeks' notice being given, in such manner as the Directors may appoint, and at such time and place as they shall specify therein.
- Annual meetings of shareholders. **7.** The subsequent meetings of shareholders shall be held as may be determined by the by-laws of the Company.
- Power to charge tolls and fares for goods and passengers. **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.
- Power to borrow money, and give security for the same. **9.** The Company shall have full power to borrow from time to time, either in Canada or elsewhere, such sums of money as may be expedient for completing, maintaining, and working the railway upon such terms as may be deemed advisable, and to make the bonds, debentures, or other securities granted for the sums so borrowed, payable either in sterling or in currency, and at such place or places within Canada or without, and to sell the same at such prices or discount as may be deemed expedient or be necessary, and to hypothecate, mortgage, or pledge the lands, tolls, revenues, and other properties of the Company for the due payment of the said sums and the interest thereon.
- Power to construct railway from Fraser River to Burrard Inlet. **10.** The Company, and their agents or servants, shall have full power under this Act to construct a railway, with double or single tracks of four feet eight and one-half inches gauge, from some point on the north side of Fraser River between Pitt River and Lot 172, Group 1, in the District of New Westminster, to some point on Burrard Inlet within the limits of the City of Vancouver, and to construct all necessary bridges over rivers crossing the said line between the above points; but no bridge over a navigable stream shall be constructed

until such construction shall have been approved of by the Governor-General in Council.

**11.** The construction of the said railway shall be commenced within two years from the passing of this Act, and shall be completed within three years from the passing of this Act, but if the said railway is not commenced within said period, then all rights under this Act shall be forfeited.

Works to be commenced in two years and completed in three years.

**12.** The Company may construct, equip, maintain and work a telephone line and an electric telegraph line in connection with said railway.

Power to operate telegraph and telephone lines.

**13.** The Company may receive from any Government, or 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 said railway by way of free grants of land, bonus, gifts, or loans of money or debentures, or other securities for money, or exemption or freedom from any municipal, provincial, or other tax or impost.

Company may receive public aid in money or land.

**14.** The Company may accept and purchase 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, culverts, draws, gravel pits, 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.

Power to acquire, &c., land.

**15.** 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 and municipal taxation for five years from the date of the passing of this Act.

Exemption from taxation for five years.

**16.** All deeds and conveyances of land to the said Company for the purpose of this Act, in so far as circumstances will admit, may be in the form given in the Schedule to this Act subjoined, or in any other form to the like effect.

Form of deed granting land to the Company.

**17.** Sections 194, 195, 196, 197, 198, 199, and 287 of the 51 Vic., chap. 29, of the Dominion Statutes, known as the "Railway Act," shall be read as part of this Act so far as the same is not inapplicable to the undertaking hereby authorized.

Certain sections of the Railway Act of Canada to apply.

The Vancouver Island Land Clauses Consolidation Act, 1863, to apply.

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

Certain sections of the said Act and the Vancouver Island Railway Clauses Consolidation Act, 1863, to apply.

**19.** 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, 17, 18, 19, 20, 21, 22, 23, 25, 26, 27, 28, 29, 36, 37, 38, 39, 42, 46, 47, 49, 50, 51, 54, 57, 59, 63, 64, 65, 66, 67, 68, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 93, 94, 95, 107, 110, 111, 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.

Definition of terms and expressions.

**20.** 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 purpose of this Act, have the several meanings hereby assigned to them, that is to say:—

"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."

**21.** 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.

**22.** This Act may be cited as the "New Westminster and Vancouver Short-line Railway Company Act."

SCHEDULE.

FORM OF DEED OF SALE.

KNOW all men by these presents that I \_\_\_\_\_, of \_\_\_\_\_, Form of deed.  
do hereby, in consideration of \_\_\_\_\_ paid to me by the New  
Westminster and Vancouver Short-line Railway Company, the receipt  
whereof is hereby acknowledged, grant, bargain, and convey unto the  
said New Westminster and Vancouver Short-line Railway Company,  
their successors and assigns, all and singular that tract or parcel of  
land \_\_\_\_\_, the same having been selected and laid out  
by the said Company for the purpose of their railway, to have and to  
hold the said lands and premises unto the said Company, their succes-  
sors and assigns for ever.

Witness my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, one  
thousand eight hundred and \_\_\_\_\_

Signed, sealed and delivered }  
in presence of }

VICTORIA, B. C. :

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