



## CHAPTER 67.

An Act to incorporate the Westminster and Vancouver  
Tramway Company

[26th April, 1890.]

**W**HEREAS Benjamin Douglas, David Oppenheimer and Henry V. Preamble.

Edmonds have by their petition prayed for an Act of Incorporation for the purpose of constructing and operating a single or double Tramway between the city of New Westminster and the city of Vancouver and for obtaining power to carry the objects of the proposed Company into effect:

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. The said Benjamin Douglas, David Oppenheimer and Henry V. Incorporation.  
Edmonds, and such other persons and such corporations as shall hereafter become shareholders of the said Company, are hereby constituted a body corporate and politic, under the name of "The Westminster and Vancouver Tramway Company," hereinafter called the Company.

2. The capital of the said Company shall be (\$500,000) five hundred Capital.  
thousand dollars, divided into five thousand shares of one hundred dollars each, but the capital may be increased by the shareholders as hereinafter provided.

3. No shareholder in the said Company shall be in any manner liable Limit of share-  
holders' liability.  
or charged with the payment of any debt or demand due by the said Company beyond the amount of his, her, its or their subscribed share or shares in the capital stock of the said Company.

Provisional  
directors.

4. The said Benjamin Douglas, David Oppenheimer and Henry V. Edmonds shall be the Provisional Directors of the said Company to obtain subscriptions for stock and organize the said Company, and shall hold office until the election of Directors as hereinafter provided for.

Meeting for election  
of directors.

5. So soon as fifty thousand dollars of the capital stock has been subscribed the shareholders shall proceed to the election of a Board of Directors for the said Company, and the Provisional Directors, or a majority of them, shall call a meeting of the shareholders for that purpose, first giving two weeks' notice thereof to the shareholders.

Election of directors  
and their qualifica-  
tion.

6. The Board of Directors shall consist of five Directors, who shall be elected at the meeting to be called as provided for in the preceding section, each of whom shall be a shareholder of not less than one share; such election, and every question to be decided at such election, shall be decided by a plurality of the votes of the stockholders present in person or represented by written proxy, each share to have one vote. The Directors so chosen shall immediately elect one of their own number to be President, which President and Directors shall continue in office for one year, and until such others shall be chosen to fill their places; and if any vacancy shall at any time happen by death, resignation, or otherwise during the said year in the office of President or Directors, the remaining Directors shall elect a qualified person to fill such vacancy for the remainder of the year; and the election of Directors shall take place annually, either on the anniversary of the day of the first election of Directors, or such other day as may be fixed by by-law as hereinafter mentioned.

Vacancies, how  
filled.

Failure to elect  
directors.

7. If the election of Directors be not made on the day appointed by this Act, the Company shall not for that reason be dissolved, but the shareholders may hold the election on any other day in the manner provided for by any by-law passed for that purpose, and all acts of Directors, until their successors are elected, shall be valid and binding upon the Company.

By-laws for manage-  
ment of company.

8. The Directors shall have full power to make all by-laws for the management of the Company, the acquirement, management, and disposition of its stocks, property, and effects, and of its affairs and business, the entering into agreements and contracts, the declaration and payment of dividends out of the profits of the said Company, the form and issuing of share certificates and the transfer of shares, the calling of special and general meetings of the Company, the appointment, removal, and remuneration of all officers, agents, clerks, workmen, and servants of the Company, the fares to be received from persons transported over the said tramway, or any part thereof, and the remu-

neration for the transfer and delivery of all or any goods, chattels, or effects, transferred and delivered through the agency of the said Company, and in general to do all things that may be necessary to carry out the objects and exercise any powers incident to the Company.

9. The Directors may from time to time increase the capital stock of the said Company for such amount or amounts as occasion may require, and also raise or borrow, for the purpose of the Company, any sum or sums of money not exceeding in the whole fifty per cent. of the subscribed capital stock, by the issue of bonds or debentures, in sums of not less than (\$1,000) one thousand dollars, on such terms and credit as they may think proper, and may pledge or mortgage all the property, tolls, and incomes of the Company, or any part thereof (as may be expressed upon the face of any bond or debenture), for the repayment of the moneys so raised or borrowed, and the interest thereon: Provided always, that the consent of the holders of a majority in value of the stock of the Company present, or represented by written proxy, at a special meeting to be called and held for either or both of the purposes aforesaid shall be first had and obtained.

Increase of capital.

Power to borrow money.

Consent of stock-holders.

10. The Company are hereby authorized and empowered to construct, maintain, complete, and operate a single or double track tramway, with all necessary switches, side-tracks, and turn-outs, and other requisite appliances in connection therewith, upon and along such road, or roads, between the limits of the said cities, as the Chief Commissioner of Lands and Works for the time being of the said Province shall specify, who shall fix the location of the tramway over the said highways in said districts, and direct the repairing and grading of such highways, and the erection of poles, and to take, transport, and carry passengers upon the same by the force or power of animals, or such other motive power as the said Company may deem expedient, and to maintain and construct all necessary works, buildings, appliances, and conveniences connected therewith, but all expenses consequent upon carrying out the directions of the Chief Commissioner of Lands and Works shall be solely borne by the Company.

Power of company to construct tramway, &c.

Supervision of Chief Commissioner.

11. The stock of the said Company shall be deemed personal estate, and shall be transferable in such way as the Directors shall by by-law direct.

Stock to be deemed personal estate.

12. The Company may purchase, lease, hold, or acquire and transfer any real or personal estate necessary for carrying on the operations of the Company.

Power to acquire property.

13. The fare shall be due and payable by every passenger on entering the car, and any person refusing to pay the fare when de-

Fares.

Penalty for refusing to pay fare, &c.      manded by the conductor or driver, and refusing to quit the car when requested to do so by the conductor or driver, shall be liable to a fine of not more than twenty dollars, recoverable, with costs, before any two Justices of the Peace, Police Magistrate, or Stipendiary Magistrate in the said Province, in like manner as fines are recoverable before Justices of the Peace under any Act for the time being in force in this Province.

Right of company to use streets, &c.      14. The Company shall have full power and authority to use and occupy any and such parts of any of the streets, and roads, and highways aforesaid as may be required for the purposes of their tramway track, the laying of the rails, the erection of poles, and running of their cars: Provided, always, that the consent of the Chief Commissioner of Lands and Works for the time being of the Province of British Columbia shall be first had and obtained, who is hereby authorized to grant permission to the said Company to construct their tramways as aforesaid across and along, and to use and to occupy, the said streets or highways, or any part of them, for that purpose, upon such condition and for such period or periods as may be agreed upon between the Company and the Chief Commissioner of Lands and Works aforesaid.

Consent of Chief Commissioner to be obtained.

Short title.      15. This Act may be cited as the "Westminster and Vancouver Tramway Company's Act, 1890."

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