



## CHAPTER 67.

### An Act respecting the incorporation of the Stave River Electric and Power Company, Limited Liability.

[21st February, 1895.]

**W**HEREAS Thomas James Beatty, of the City of Vancouver, pros- Preamble.  
 pector, James Augustus Wood, of the same place, capitalist, and  
 Charles David Rand, of the same place, real estate agent, have by their  
 petition applied to be incorporated as a Joint Stock Company, with  
 power to take and use from the Stave River, in the District of New  
 Westminster, in the Province of British Columbia, so much of the  
 water thereof as may be necessary to obtain therefrom power for the  
 purpose of generating electricity to be used either for electric lighting,  
 motive power or other works of the said petitioners, or so much of the  
 water thereof as may be necessary to obtain therefrom power to be  
 used for the operation of stationary machinery, or for any other  
 purpose or purposes, or to be supplied by them to consumers as a  
 motive power for hauling, pumping, lighting, smelting, drilling, or for  
 any other purposes for which it may be applied or acquired, with  
 power to the Company to construct and maintain buildings, erections,  
 dams, ditches, flumes, raceways, or other works in connection there-  
 with for improving and increasing the water privilege, and also to  
 enter upon and expropriate land for a site for power-houses, and for  
 dams, ditches, raceways, and reservoirs, or for carrying the electric  
 current underground or overhead, or for such other works as may be  
 necessary, or for the building thereon of mills, manufactories, or any  
 erection for the purpose of carrying on any industry; also to erect,  
 lay, construct, and maintain buildings, pipes, poles, wires, appliances or  
 conveniences necessary or proper for the generating or transmitting of  
 electricity or power; and also to construct, equip, operate, and main-  
 tain tramways for the purpose of carrying passengers or freight from

some convenient point on the Stave River to any point or points within a radius of fifty miles from the mouth of the said Stave River, or from or to any other point or points within such radius, and for all such other powers as may be necessary to fully and completely carry on and operate such works as aforesaid :

And whereas it is expedient to grant the prayer of such petition, save as hereinafter provided :

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

Incorporation of  
“The Stave River  
Electric and Power  
Company,” Limited  
Liability.”

1. Thomas James Beatty, James Augustus Wood, Charles David Rand, Dennis Murphy, John William McRae, John Wilson, and Frederick William Howay, and such other persons as may become shareholders in the Corporation, to be by this Act created, constituted, and declared to be a body corporate and politic by the name of “The Stave River Electric and Power Company, Limited Liability,” hereinafter called “the said Company.”

Capital stock.

2. The capital stock of the said Company shall be one hundred thousand dollars, and shall be divided into shares of one hundred dollars each, and the said capital stock may, after the whole thereof has been subscribed, and at least fifty per cent. thereon paid up, be increased from time to time by resolution of the Board of Directors, by and with the consent of the majority in value of the shareholders, present in person or represented by proxy at any annual general meeting, or at any special general meeting of the shareholders called for that purpose, to such an amount as the shareholders may deem necessary or advisable.

Increase thereof.

Head office.

3. The head office of the Company shall be at the City of Vancouver, or at such other place in the Province of British Columbia as may be hereafter determined upon by the Directors of the Company.

#### *Directors.*

Provisional Directors.

4. The persons named in the first section of this Act shall be the Provisional Directors of the Company, and shall have power and authority to open stock books, and to procure subscriptions for shares in the capital stock of the Company, to make calls upon the subscribers, and to cause surveys and estimates to be made.

Provisional Directors to call general meeting,

5. The Provisional Directors shall, within three months after this Act comes into operation, call a general meeting of the shareholders of the Company, at such place as the Provisional Directors may determine, giving at least two weeks' notice thereof, by registered letter addressed to each shareholder, of the time, place, and purpose of such

meeting, at which meeting the whole of the Provisional Directors shall retire from office, and a Board of not less than three nor more than five Directors, as may be from time to time determined by the shareholders by resolution, shall be elected, and the Directors so elected or appointed shall hold office until the annual general meeting of the Company next after their respective election or appointment.

For election of Directors.

6. An annual general meeting of the Company for the election of Directors shall be held at such time and place as may be provided by the Company in general meeting, and if no other time and place is prescribed the annual general meeting shall be held on the first Monday in the month of August in each year, at such time and place in the City of Vancouver as may be determined by the Directors.

Annual general meeting for election of Directors.

7. If at any time an election of Directors be not made or do not take effect at the proper time, the Company shall not be held to be thereby dissolved, but such election may take place at any general meeting of the Company duly called for that purpose, and the retiring Directors shall continue in office until their successors are elected.

In case such meeting is not held, etc.

8. When a vacancy occurs by the death or resignation of a Director the vacancy shall be supplied by the remaining Directors at a subsequent meeting of the Directors, appointing by resolution a Director or Directors in the place or stead of the Director or Directors retiring or resigning.

Vacancy in Directors by death, etc.

9. At all meetings of the shareholders each share shall entitle the holder to one vote, which may be given in person or by proxy; but no one who is not a shareholder shall act or vote as such proxy, and no shareholder shall be entitled, either in person or by proxy, to vote at any meeting upon any share or shares in respect to which any call is in arrears.

Who may vote.

10. The Directors of the said Company for the time being may open, or cause to be opened, stock-books for the subscription of parties desiring to become shareholders in the capital stock of the Company, in such places as they think fit, and all parties so subscribing shall pay ten per cent. on allotment; and the Directors may, from time to time, make calls on such shares, payable at such times, and in such amounts, at such places, and in such manner as they shall from time to time determine; but no call shall exceed ten per cent., and an interval of at least thirty days shall intervene between the time fixed for the payment of any one call and that fixed for the payment of the succeeding call.

Power of Directors to open stock-books, etc.

Calls.

11. A call shall be deemed to have been made at the time when the resolution of the Directors authorizing such call was passed, and if a shareholder fails to pay any call due from him before or on the day

When call deemed to be made.

Interest on unpaid calls. appointed for the payment thereof, he shall be liable to pay interest for the same, at the rate of nine per cent. per annum, from the day appointed for payment to the time of actual payment thereof.

Notices of calls, how given. **12.** All notices of calls upon the shareholders shall be given by advertisement, at least once a week, for three successive weeks, in some newspaper published in the City of Vancouver, and by mailing a notice of such call, postpaid, addressed to each shareholder liable to pay the same, at his post office address, as recorded in the books of the Company at least two weeks before the time appointed for payment thereof.

Directors' powers to make, etc., rules, etc. **13.** The Directors may from time to time make, alter, amend, or repeal such by-laws, rules or regulations as they may deem necessary and proper for the management of the affairs of the Company generally; but every such by-law, and every repeal, amendment or re-enactment thereof, unless in the meantime confirmed at a general meeting of the Company duly called for that purpose, shall only have force until the next meeting of the Company, and in default of confirmation thereat shall, at and from that time only, cease to have force: Provided, always, that not less than one-fourth part in value of the shareholders of the Company shall at all times have a right to call a special meeting thereof for the transaction of any business specified in such written requisition and notice as they may issue to that effect; and ten days' notice of every such special meeting shall be given in one or more of the newspapers published or circulating in the place where the head office of the Company is situated.

Proviso.

Assignments, how made. **14.** No assignment or transfer of any shares shall be valid or effectual until such transfer be entered and registered in a book to be kept for that purpose by such officer as the Directors may from time to time designate: Provided, that whenever any shareholder shall transfer in manner aforesaid all his stock or shares in the said Company, such shareholder shall cease to be a member of the said Corporation.

Directors may decline to register certain transfers. **15.** The Directors may decline to register any transfer of shares belonging to any shareholder who is indebted to the Company.

Liability of shareholders. **16.** The liability of the shareholders shall be limited to the amount unpaid on their shares, in accordance with and as if the Company had been incorporated under Part First of the "Companies' Act," and the Act of the Imperial Parliament passed in the 25th and 26th years of the reign of Her Majesty Queen Victoria, chapter 89, entitled the "Companies' Act, 1862," as herein modified; and the Company shall have all the rights and privileges conferred, and in all things not hereinbefore provided for shall conform to and be governed by the said

Company to have rights, etc., under "Companies Act" and "Companies Act, 1862."

Part First of the "Companies' Act," and the "Companies' Act, 1862," save in so far as the said Part First of the "Companies' Act" and the "Companies' Act, 1862," is modified or altered by this Act.

*Powers of Company.*

**17.** The Company is hereby authorized and empowered to take and divert at such point or points on Stave River, in the District of New Westminster, in the Province of British Columbia, as they shall judge suitable and proper, and to appropriate and use for the purpose of working paper and pulp mills and other works of the Company, and of generating electricity, so much of the waters of the said Stave River as to the Company may seem necessary, with power to the Company to construct and maintain all erections, weirs, wheels, dams, raceways, flumes, or other works necessary for making the water power available, with the right to improve and increase the same:

Company's power to take water of Stave River for certain purposes.

(a.) The Company shall not, in the exercise of the said powers unnecessarily waste or diminish the natural flow of the said Stave River, and shall at all parts where the said works are erected provide all usual and proper means for returning the water used by them to the said Stave River from which the said waters are so taken in the first instance :

Not to waste same.

Return to the river.

(b.) The powers granted by this section shall not be used in such a manner as that the said river shall be rendered unsuitable for the purpose of floating timber or logs thereon, and at all points where the Company shall construct any dam, raceway or other works the Company shall provide such slides or flumes as may be necessary to carry said logs or timber over or past such dams, raceways, or works.

Rights of persons to float timber, etc., protected.

**18.** The said Company are hereby authorized and empowered to erect, construct, operate, and maintain electric works, power-houses, generating plant, and such other appliances and conveniences as are necessary and proper for the generating of electricity or electric power, and for transmitting the same to any part of the said area, to be used by the Company as a motive power for the operation of motors, machinery, or electric lighting works, paper and pulp mills, or other works of the Company, or to be supplied by the Company to consumers for heating, or as a motive power for propelling tramways, or for driving, hauling, lifting, pumping, lighting, crushing, smelting, drilling, and milling, or for any other operations to which it may be adapted, or to be used or supplied for or in connection with any other purposes for which electricity or electric power may be applied or required. And for any of the above purposes the Company is hereby authorized and empowered by its servants, agents, contractors, and workmen, from time to time, to make and erect such electric works, and to sink, lay, place, fit, maintain, and repair such electric lines,

Power to maintain electric works, etc.

accumulators, storage batteries, electric cables, mains, wires, pipes, switches, connections, branches, electric motors, dynamos, engines, machines, cuts, drains, water-courses, pipes, buildings, and other devices, and to erect and place any electric line, cable, main, wire, or other electric apparatus, above or below ground, along, over or across any street in the said area, and to erect poles for the purpose of placing the same in such manner as the said Company shall think fit, necessary or proper for the purpose of carrying out the operations of the said Company in respect of and incidental to the making, generating or supplying of electricity; and also for all such purposes to open and break up the soil and pavement of the streets or bridges within the said area, and to open and break up any sewers, drains, or tunnels within or under such streets and bridges, and to erect posts, poles, pillars, lamps, globes or other apparatus in or upon the said streets and bridges, or against any wall or walls erected on the same or adjoining thereto, and to dig and sink trenches and drains, and to lay electric lines, cables, and mains, and to put electric lines, wires, switches, and connection branches from such electric lines, cables, and mains in, under, across, or along such streets and bridges, and from time to time to cut, move, alter, repair, replace, and relay such electric lines, cables, mains, wires, switches, and connection branches, or other apparatus:

In municipalities, subject to terms imposed by Corporation.

In district municipalities, appeal to Lieut.-Governor.

In other places, subject to C. C. of L. & W.

Power for Company to contract with owners of lands for same, etc.

Lands acquired by Company vested in same.

(a.) Provided that all such powers shall, so far as regards any lands included within the area incorporated as a municipality, be subject to the assent of and upon such terms and conditions as the corporation may impose: Provided, however, that in the case of a township or district municipality, the Company shall have a right of appeal to the Lieutenant-Governor in Council, who shall prescribe under what regulations and on what terms the Company shall be allowed to exercise the powers hereby conferred within the limits of such township or district municipality:

(b.) And provided, also, that in places other than municipalities the powers shall be subject to such conditions as the Chief Commissioner of Lands and Works may impose.

**19.** It shall be lawful for the Company to contract with the owners or occupiers of lands required by the Company for the works in this Act authorized, for the purchase thereof, or any part thereof, or of any easement or privilege that may be required for the purposes of the said Company, and for the right to take all timber, stone, gravel, sand, and other materials from the same or adjacent lands for the use and construction of the said works.

**20.** The lands, rights, and privileges which shall be ascertained, set out, and acquired by the said Company shall, so long as the said Company use the same for the purpose of this Act, be vested in the said Company.

*Further powers of the Company.*

**21.** It shall be lawful for the said Company to contract with any person or company for supplying with electricity any such person, or any streets, ways, lanes, passages, tramways, manufactories, shops, warehouses, public or private houses, buildings, and places, and for such purposes may from time to time lay down, carry, fit up, connect, and furnish any electric accumulator, storage battery, electric line, cable, wire, pipe, switch, connection, branch, burner, lamp, meter, or other apparatus, for or in connection with any electric line, main, lead, or cable, which for such purposes may be required, and to let any such apparatus for hire for such sum as may be agreed upon.

May contract with persons or companies for the supply of electricity, etc.

**22.** Any person appointed by the Company may at all reasonable times enter any premises to which electricity is or has been supplied by the Company, in order to inspect the electric lines, accumulators, fittings, works, and apparatus for the supply or application of electricity belonging to the Company, and therein and for the purpose of ascertaining the quantity of electricity consumed or supplied, or where a supply of electricity is no longer required, or where the Company is authorized to take away or cut off the supply of electricity from any premises for the purpose of removing any electric lines, accumulators, transformers, motors, distribution boards, meters, fittings, lamps, works, or apparatus belonging to the Company.

Company may authorize persons to inspect premises supplied by them.

**23.** Where any electric lines, accumulators, transformers, motors, generators, distribution boards, lamps, fittings, works, or apparatus belonging to the Company are placed in or upon any premises not being in the possession of the Company for the purpose of supplying electricity, such electric lines, meters, accumulators, transformers, motors, generators, distribution boards, lamps, fittings, works, or apparatus shall not be subject to distress or the landlord's remedy for rent for the premises where the same may be, nor be taken in execution under any process of a Court of Law or Equity against the person in whose possession the same may be.

Property of Company,

Not subject to distress for rent of premises in which they are.

**24.** If any company or person neglect to pay any charge for electricity, or any other sum due from them to the Company, either in respect of the supply of electricity to such company or person, or in respect of the rent reserved by the Company for the use of electric lines, meters, accumulators, transformers, motors, distribution boards, lamps, fittings, works, or apparatus lent or supplied for hire to such company or persons, the Company may cut or disconnect any such electric line or other work through which the electricity may be supplied, and remove such articles and works above mentioned as were lent for hire to such company or person.

Power to cut off light for non-payment of rent.

Power to deal with other electric light systems,

**25.** The Company may purchase, acquire, or lease and hold, and may sell, dispose of, or surrender any lands, buildings, or tenements, and may purchase or lease, for any term of years, any electric light system or any tramway system established or to be established within the said area, and may enter into working arrangements with, or may enter into a lease of, or acquire the right to work the line or lines of any such tramway, or use the property and plant of such electric light system; and may sell or lease to any company authorized to operate tramways within the said area, either wholly or in part, the rights hereby granted, upon such terms and conditions as may be agreed upon by the Board of Directors of the respective companies: Provided, however, that every such transaction shall be subject to the approval of two-thirds of the votes of the shareholders of the Company present or represented by proxy at a special general meeting called for that purpose, and after such agreement shall be made with any other company, the Company may acquire and hold shares, bonds, or securities of such other company.

Subject to approval of two-thirds vote of shareholders.

Power to build single or double track tramway.

**26.** 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, turn-outs, and other requisite appliances in connection therewith, from some point on the said Stave River to such point or points within a radius of fifty miles from the said Stave River, or from or to any other point or points within such radius, upon and along such road or roads within the said radius as the Chief Commissioner of Lands and Works for the time being of the said Province, or where within a Municipality, the Council of such Municipality shall specify, who shall fix the location of the tramway over the said highways in the 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 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 or of such Council shall be solely borne by the Company: Provided, however, that nothing in this Act contained shall be deemed to authorize the Company to build, equip, or operate any line or lines of tramway between the Cities of Vancouver and New Westminster, or in the said Cities, or either of them, or any of the streets thereof, or to carry passengers or freight in or between the said Cities.

Proviso.

Restriction on Company as to supplying power in Vancouver.

Nor shall the said Company be authorized to acquire, build, maintain, equip, or operate any works for the purpose of supplying electric light to any person or corporation within the limits of the City of Vancouver except for public lighting, but nothing in this section shall curtail the powers of the Company to supply electric power to anyone.



**27.** The Company shall have full power and authority to use and occupy any and such parts 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, or when within a Municipality, the Council, 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 or of such Council aforesaid.

Power to use streets and roads.

With consent of Chief Commissioner.

#### *Bonds.*

**28.** The Directors of the Company may from time to time borrow, for the purposes of the Company, such sum or sums of money as they may consider expedient, and may issue bonds or debentures of the Company in sums of not less than one hundred dollars each, and on such terms and credit as they may think proper, and may pledge or mortgage all the property, tolls, income, and uncalled capital of the Company, or any part thereof, for the payment of the moneys so raised or borrowed and the interest thereon: Provided, always, that before any such bonds are issued the consent of three-fourths in value of the shareholders of the Company, present or represented by proxy, shall be first had and obtained at a special meeting to be called and held for that purpose.

Borrowing power on Bonds or debentures.

#### *Rules and Regulations.*

**29.** The Directors shall have full power to make by-laws, rules, and regulations to be observed by the officers and servants of the Company and by all other persons using the tramways, rails, electric lines, electricity, electrical lighting, or other appliances, or any property of the Company.

May make by-laws, etc.

**30.** Also rules and regulations for the maintenance of the Company's undertakings, and for the collection of rates for electricity supplied, and rents for electric lines and appliances for hire, and tolls for carrying passengers or freight, and for fixing the time or times and the places where the same shall be payable, and in case of default of payment to enforce payment by cutting off the electricity, or by suit at law, or both: Provided, always, that such by-laws are not in conflict with any of the provisions of this Act.

Ditto.

#### *Amalgamation with other Companies.*

**31.** The Company may unite, amalgamate, and consolidate its stock, property, business, and franchises with those of any other company incorporated for all or any of the purposes which the Company

Amalgamation with other companies.

is formed to carry on, and may enter into working engagements with, or may enter into a lease of or take and hold shares in, or acquire the right to work the line of any other company which has been or may hereafter be empowered to construct and operate tramways or to generate or supply electricity for any purpose within the area aforesaid, upon such terms and conditions as may be agreed upon by the Board of Directors of the respective Companies.

*Negotiable Instruments.*

Negotiable instruments.

**32.** The Company may become party to promissory notes and bills of exchange for sums of not less than one hundred dollars; and every such note or bill made, drawn, accepted, or endorsed by the officer of the Company authorized by the by-laws of the Company in that behalf, and countersigned by the manager, shall be binding upon the Company; and every such promissory note or bill of exchange so made, drawn, accepted, or endorsed shall be presumed to have been made, drawn, accepted, or endorsed with proper authority, until the contrary is shown; and in no case shall it be necessary to have the seal of the Company affixed to such promissory note or bill of exchange, nor shall the Manager or other officer so authorized be individually responsible or liable for the same, unless such promissory note or bill of exchange has been issued without proper authority; but nothing herein shall be construed to authorize the Company to issue any note or bill payable to bearer, or intended to be circulated as money or as the bill or note of a bank, or to deal in exchange, or to issue commercial credits, or to carry on the business of discounting negotiable paper, or to loan money on warehouse receipts issued by other persons, firms, or corporations.

*Provisos.*

Restrictions.

**33.** The privileges and powers by this Act granted are subject to the following provisos:—

Public right to roads, water-courses, etc.

(a.) The Company shall not interfere with the public right of travelling on or using such roads, streets, highways, or water-courses, and shall not do any unnecessary damage, nor in any way obstruct the entrance to any door or gateway, or free access to any building erected in the vicinity; the Company shall not affix any wire less than eighteen feet above the surface of the street or road, nor erect more than one line of poles along any road or street without the consent of the Municipal Council having jurisdiction over the roads or streets of the Municipality. In any such Municipality the poles shall be as nearly as possible straight and perpendicular, and shall be painted, if so required by any by-law of the Council:

Wires.

Poles in municipalities.

In case wire cut during fire.

(b.) Whenever in case of fire it becomes necessary, for its extinction or the preservation of property, that the poles or wires should

be cut, the cutting under such circumstances of the poles or any of the wires of the Company, under the direction of the Chief Engineer or other officer in charge of the fire brigade, shall not entitle the Company to demand or claim compensation for any damage thereby incurred. The Company shall be responsible for all damage which its agents, servants, or workmen cause to individuals or property in carrying out or maintaining any of its said works:

- (c.) Within the limits of any Municipality, the opening up of streets for the erection of any poles, or for carrying the wires underground, shall be subject to the direction or approval of the engineer, or such other official as the Council appoints, and shall be done in such manner as the Council directs; the Council may also direct and designate the place where the poles are to be erected in such Municipality: Opening up streets for erection of poles, etc.
- (d.) The surface of the street shall in all cases be restored as far as possible to its former condition by and at the expense of the Company: Restoration of surface.
- (e.) The Company shall not, within the limits of any Municipality, exercise the powers of expropriation, erecting electric lines or poles, or laying cables, mains, or wires, without first obtaining the approval of the Municipal Council, such approval to be expressed in the form of a resolution or by-law of such Municipality, or in an agreement in writing to be made between such Municipality and the Company. Expropriation in municipalities.

**34.** No Act of Parliament requiring the Company, in case efficient means are devised for carrying wires underground, to adopt such means and abrogating the right given by this Act to continue carrying their electric lines or poles, shall be deemed an infringement of the privileges granted by this Act. Act of Parliament requiring underground wires not to be deemed an infringement hereof.

**35.** The Company shall, from time to time, supply electricity to any premises lying within fifty yards of any main, supply wire or cable, on being required by the owner or occupier of such premises: Provided, however, the Company, before supplying electricity or making such connection, or as a condition to the Company continuing to supply the same, may require any consumer to give reasonable security for the repayment to the Company the costs of making such connection, and for the payment of the proper charges for electric supply and for rent of instruments: Provided, however, that all parties supplied with electric light by the Company may be required to place and use only such lamps as may be approved of by the Company. Company to supply electricity when required. Proviso.

**36.** The powers and privileges conferred by this Act and the provisions hereof are hereby declared to be granted subject to the Privileges hereby granted are subject to rights of the Crown.

rights of the Crown, and also subject to any future legislation regarding the subject-matter of this Act, or of the powers or privileges hereby conferred, which the Legislature may see fit to adopt; and this Act is passed under the express condition that the Lieutenant-Governor in Council may from time to time impose and reserve to the Crown, in right of the Province, such rents, royalties, tolls, and charges in respect of the waters or of the lands of the Crown (if any), rights and privileges, which shall be set out, appropriated, or enjoyed by the Company, or are conferred by this Act, as by the Lieutenant-Governor in Council shall be deemed to be just and proper, and may likewise make and pass such regulations and rules as may be deemed necessary and advisable for the collection and enforcement of such rents, royalties, tolls, and charges, or any of them, but so that no increase in the amount of such rents, royalties, tolls, and charges, or any of them, fixed by such Order in Council, shall be made within the space of five years from the passage of the Order in Council fixing the same.

*Limitation of Actions.*

Limitation of actions.

**37.** All actions or suits for indemnity for any damage or injury sustained by reason of the works or operations of the Company shall be commenced within one year next after the time when such supposed damage is sustained, or if there is continuance of damage, within six months next after the doing or committing of such damage ceases, and not afterwards; and the defendant may plead the general issue, and give this Act and the special matter in evidence at any trial to be had thereupon, and may prove that the same was done in pursuance of and by authority of this Act.

Commencement and completion of works.

**38.** The Company shall commence their works within two years, and shall so far complete the same as to be able to supply electricity and power to other corporations, companies, and persons within four years of the passage of this Act.

Aliens and non-residents may hold stock.

**39.** All shareholders in the Company, whether British subjects or aliens, or resident of Canada or elsewhere, shall have equal right to hold stock in the Company and shall be eligible to office in the Company.

*Interpretation.*

Interpretation of "electric line."

**40.** In this Act, unless the context otherwise requires, the expression "electric line" shall mean and include, in addition to any of the electrical appliances specifically mentioned in this Act, wire or wires, cables, conductors, or other means which are now in use or hereafter may be used for the purpose of conveying, transmitting, or distributing electricity, with any casing, coating, covering, post, tube, pipe, or insulator enclosing, surrounding, or supporting the same, or any part thereof, or any apparatus connected therewith, for the purpose of con-

veying, transmitting, or distributing electricity, electric power or electric current, or any apparatus for converting electrical into mechanical power, or for converting mechanical into electrical power.

**41.** Nothing contained in this Act shall be construed to give the Company have no Company any exclusive privilege as to generating or supplying power exclusive privilege or constructing such works as herein authorized within the area specified. within area specified.

**42.** In the event of any municipality, in which any of the works Municipalities undertaking similar authorized by this Act have been constructed, desiring to undertake works to offer to similar works as a municipal undertaking, they shall be at liberty to purchase Company's do so without first offering to buy out the works constructed by the works. Company, notwithstanding any general provision to the contrary in the Act incorporating such municipality.

**43.** This Act may be cited as the "Stave River Electric and Power Short title. Company's Incorporation Act, 1895."

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