



CHAPTER 61.

An Act respecting the Incorporation of the Rossland Water and Light Company.

[17th April, 1896.]

WHEREAS John A. Finch, Patrick Clark, and W. S. Norman, all Preamble.
of the Town of Rossland, in the Province of British Columbia, have, by their petition, prayed for an Act to incorporate a company, to be known as "The Rossland Water and Light Company," for the purpose of supplying water for domestic and fire purposes to the Town of Rossland, and also to supply electric light and power to the inhabitants of said town; also to supply water, electric light, and electric power to the mines adjacent to the said Town of Rossland; the water to be taken from Stoney Creek, Little Stoney Creek, and Sheep Creek; and for all powers, rights, and privileges for the purposes of carrying out the objects aforesaid:

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. The said John A. Finch, Patrick Clark, and W. S. Norman, and Incorporation.
such other persons and corporations as shall, in pursuance of this Act, become shareholders, are hereby constituted a body corporate and politic by the name of the "Rossland Water and Light Company."

2. The capital stock of the Company shall be (\$50,000) fifty Capital stock.
thousand dollars, divided into five thousand shares of (\$10) ten dollars each, which shall be applied first in payment of all costs and expenses incurred in obtaining this Act, and the remainder for the purpose of the Company's undertaking; the capital stock may be increased from

time to time by the vote of the majority in value of the shareholders present or represented by proxy at any meeting specially called for that purpose.

Head office.

3. The head office of the Company shall be at the Town of Rossland, or at such other place in British Columbia as the Company shall in general meeting determine.

Notice of meetings.

4. At least two weeks' public notice of any meeting of the shareholders of the Company shall be given by advertisement published in one newspaper published in the place where the head office is situate, in which notice shall be specified the place and the day and the hour of meeting, and the object thereof. All such notices shall be published at least weekly, and a copy of such newspaper containing such notice shall, on production thereof, be evidence of the sufficiency of such notice.

Liability of shareholders.

(a.) The liability of the members of the Company shall be limited to the amount, if any, remaining unpaid on the shares respectively held by them.

Provisional Directors.

5. The persons mentioned in the first section of this Act shall be and are hereby constituted Provisional Directors of the Company, of whom two 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 to 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.

General annual meetings.

6. The annual general meeting of shareholders shall be held on the third Wednesday of July 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.

Making of by-laws.

7. It shall be lawful for the Company from time to time to make such by-laws as it may think fit for the purpose of regulating the conduct of the officers and servants of the Company, and 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.

Water-works.

8. The Company shall have power to design, construct, build, purchase, improve, hold, and generally maintain, manage, and conduct water-works and all reservoir buildings, machinery, and appliances therewith connected, or necessary thereto, in the Town of Rossland, and parts adjacent thereto, as hereinafter provided.

9. The Directors may, when authorized by a by-law for that purpose, passed and approved of by the Company in a general meeting, borrow money upon the credit of the Company, and issue bonds, debentures, promissory notes, bills of exchange, or other securities for any sums so borrowed, at such rate of interest and generally on such terms as are deemed necessary or expedient, and may mortgage, hypothecate, or pledge the real or personal property of the Company to secure any sums so borrowed and the interest thereon; but the amount borrowed shall not at any time be greater than fifty per cent. of the actual paid-up capital of the Company.

Issue of debentures and negotiable instruments.

10. For the purposes of this Act the Company may purchase, lease, rent, surrender, and sell such lands, works, buildings and tenements as may be necessary.

Acquisition of lands, tenements, etc.

11. It shall be lawful for the said Company, its agents, servants, and workmen, from time to time, and at all such times hereafter as it shall see fit, and it is hereby authorized and empowered to enter into and upon the lands of the Crown (subject to the consent and supervision of the Chief Commissioner of Lands and Works), or of any person or persons, bodies politic or corporate in the Town of Rossland, and to survey, set out, and ascertain such parts thereof as it may require for the purposes of the said works, or the construction of any dam, race-way, flume, or other appliances for the purpose of diverting or carrying water, and also to divert and appropriate so much of the waters of Stoney Creek, Little Stoney Creek, and Little Sheep Creek, as the Lieutenant-Governor in Council may deem necessary and proper, above the elevation of 3,021 feet above the sea, as shown upon the profile of the Trail Tramway Company filed of record in the Department of Lands and Works, Victoria, elevation 3,021, being in Block 14, in the Town of Rossland, B. C.

Entry on Crown lands.

Or of persons or bodies politic.

Flume, etc.

12. The Company is hereby authorized and empowered to take and divert from Stoney Creek, Little Stoney Creek, and Little Sheep Creek, at such point or points as it shall judge suitable and desirable, and to appropriate and use for the purpose of generating electricity so much of the waters of the said creeks, or any of them, as may be above the elevation referred to in the preceding section, as may be necessary to obtain water power, with power to the Company to construct all works that may be necessary for making such water power available, and from time to time to improve such water privilege by erecting dams, diverting the waters of the said creeks into any channel or channels, constructing any race-ways or other works which may from time to time be required in connection with the improvement or maintenance of the said water privilege hereby granted; and for the purposes aforesaid the Company, its workmen, servants and agents, is empowered and authorized to enter into and upon any lands in the vicinity of the

Use of waters of Stoney Creek and other waters for electricity.

Entry on lands therefor.

Compensation.

said creeks, of any person or persons, bodies politic or corporate, to survey, set out, ascertain and take, expropriate, hold and acquire, such parts thereof as it may require for the purpose of obtaining the said water power or for the construction of any dam, race-way, flume, channel, or other appliance, for the purpose of increasing the water power as may be necessary, or for the erection of a power-house and generating plant; subject, however, to making compensation therefor in manner hereinafter mentioned; but the powers (other than the powers to enter, survey, and set out and ascertain what parts thereof are necessary for the purposes aforesaid, or for making the plans hereinafter mentioned) conferred by this section shall not be exercised or proceeded with until the plans and site of the said works have been approved of by the Lieutenant-Governor in Council: Provided, however, that before the Lieutenant-Governor in Council shall authorize any diversion of water, other than the quantity used and diverted by the Company before the passage of this Act, the Company shall satisfy him that they have, by advertisement for not less than four weeks in the British Columbia Gazette and in the newspaper published nearest to the points affected, given notice of their intention to apply for his sanction to such diversion, and that such notice contained full particulars of the quantity of water required and the points at which it is to be diverted:

Advertisement.

Clearing right of way.

(*u.*) The Company may also, by its workmen, servants or agents, enter into and upon any lands adjoining the works of the Company, whereupon any line or lines of pipe, fluming or wire have been laid or erected by the Company in connection with any of the purposes referred to in this Act, and clear the said lands of timber and underwood to such width on each side of the said works, or such line or lines of pipe, fluming, or wire as aforesaid, as the Company may deem necessary for the proper protection of the same, subject, however, to making compensation in manner hereinafter mentioned for such clearing or any damage done.

Powers of erecting and maintaining electrical works.

13. The Company is hereby authorized and empowered to erect, construct, operate and maintain electric works, power-houses, generating plant, and all such other appliances and conveniences necessary and proper for the generating of electricity or electric power, and for transmitting the same to any part in the vicinity of the said town, to be used by the said Company as the motive power for the works by the Act authorized, or to be supplied by the Company as a motive power for hauling, pumping, lighting, smelting, drilling, or 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, accumulators, storage batteries, electric cables, mains, wires, switches, connection branches, electric meters, dynamos, engines, machines, cuts, drains, wheels, water-courses, pipes, buildings, and other devices as may be deemed necessary. 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, lamp 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, remove, alter, repair, replace, and relay such electric lines, cables, mains, wires, switches, and connection branches or other apparatus.

Electric lines.

Streets, etc.

14. It shall be lawful for the Company to contract with the owners or occupiers of any 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 purpose of the said Company, and for the right to take all timber, stone, gravel, sand, and other materials from the same, for the use and construction of the said works.

Contract with owners of lands for purchase.

15. In case of disagreement between the said Company and the owner or owners or occupiers of the said lands, in regard to any such privilege or privileges, right or rights, as aforesaid, respecting the amount of purchase money or value thereof, or as to the amount of damages arising through the disturbance of the surface of any of the said lands in the course or by reason of the construction of any of the works by this Act authorized, or as to the compensation to be paid by the Company in respect of the clearing or damage mentioned in subsection (a) of section 12 of this Act, the same shall be decided by three arbitrators to be appointed as hereinafter mentioned, namely: The Company shall appoint one, the owner or owners shall appoint another, and such two arbitrators shall, after their appointment, appoint a third arbitrator; and the proceedings to be had hereafter shall be in accordance with the provisions of the "Arbitration Act, 1893."

Arbitration in case of dispute.

Disability of owner. **16.** In case any such owner or occupant be an infant, insane, or under any other legal disability, or be absent from this Province, one of the Judges of the Supreme Court of British Columbia, on application being made to him for that purpose by the Company, shall nominate and appoint three indifferent persons as arbitrators.

Arbitrators' duties. **17.** The arbitrators to be appointed as hereinbefore mentioned, shall award, determine, adjudge, and order whether any, and if so, what sum or sums of money the Company shall pay to any person or persons in respect of the matters so referred, and the award of the majority shall be final.

Hearing, etc. **18.** The said arbitrators shall be and they are hereby required to attend at some convenient place at or in the vicinity of the said Town of Rossland, to be appointed by the Company, after eight days' notice given for that purpose by the Company, then and there to arbitrate and award, adjudge and determine, such matters and things as shall be submitted to their consideration by the parties interested, but no formal agreement or submission in writing shall in any case be necessary. The said arbitrators shall, before entering into consideration of any of the matters so referred to them, each be sworn before one of Her Majesty's Justices of the Peace for any County or Electoral District of British Columbia, well and truly to decide between the parties to the best of his judgment.

Time in which award shall be made. **19.** The said arbitrators shall make their award within thirty days after the day on which the last of such arbitrators shall have been appointed, or within such extended time (if any) as shall have been appointed for that purpose by such arbitrators under their hands.

Costs. **20.** The costs of any such arbitration may, on the application of either party, be taxed by the Registrar or any Deputy Registrar of the Supreme Court, and on such taxation the said Registrar or Deputy Registrar may allow all such costs and expenses, including fees to arbitrators, witnesses and counsel, as he shall consider reasonable and proper, having regard to the importance of the matters in dispute and the length of time occupied in the said arbitration.

Award in writing. **21.** The arbitrators shall, upon payment of their proper fees in that behalf, deliver their award in writing to the Company, and the said Company shall retain the same, and shall forthwith, on demand, at their own expense, furnish a copy thereof to the other party of the arbitration, and shall at all times, on demand, produce the said award, and allow the same to be inspected or examined by such party or any other person appointed by him for that purpose.

Award not to be set aside for irregularity, etc. **22.** No award made with respect to any question referred to arbitration under the provisions of this Act shall be set aside for irregu-

larity or error in matter of form, but any such award shall be subject to be set aside or be referred back to the arbitrators on application to the Supreme Court of British Columbia, in the same manner and on the same grounds (except irregularity in matter of form) as in ordinary cases of arbitration. For the purposes of such application, any award made under this Act shall be deemed to have been so made under a submission which has been duly constituted a rule or order of the said Supreme Court of British Columbia.

23. Upon payment or tender of the amount so awarded the owners or occupiers of the lands, rights, or privileges aforesaid, shall, at the cost and expense of the Company, make, do, and execute all such acts, deeds, matters and things necessary on the part of such owners or occupiers, or any of them, to vest a complete and perfect title to the said lands, rights or privileges, in the said Company and its successors.

24. The lands, rights, and privileges which shall be ascertained, set out, or appropriated by the said Company for the purposes aforesaid, shall, so long as the said Company use the same for the purposes of this Act, be vested in the said Company.

25. It shall be lawful for the said Company to contract with any person for supplying with electricity any such person, or any streets, ways, lanes, passages, manufactories, mines, shops, warehouses, public or private houses, buildings and places, and for such purposes 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 from 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.

26. It shall be lawful for the said Company to construct, erect, and maintain in and upon such lands all such reservoirs and water-works and machinery requisite for the undertaking, and to convey the water thereto and therefrom, in, upon, or through any of the grounds and lands lying intermediate between the said reservoirs and water-works and the stream, creek, or body of water from which the same is procured, and the said Town of Rossland and parts adjacent thereto, by one or more lines, as may from time to time be found necessary; and for better effecting the purposes aforesaid, the said Company and their servants are hereby empowered to enter and pass upon and over said grounds or lands intermediate as aforesaid, and the same to cut or dig up if necessary, and to lay down the said pipes through the same, and in, upon, over, under, and through the highways and roads in the Town of Rossland and parts adjacent thereto, and in, through, over, and under the public ways, streets, lanes, or other passages of

Reference back.

Tender of amount awarded.

Lands appropriated to be vested in Company.

Company may contract with persons, etc., to supply electricity, etc.

Water-works, etc.

Entry on lands in connection with.

Streets.

Crown lands.

the said Town of Rossland, and in, upon, through, over, and under the lands and premises of the Crown, and of any person or persons, bodies corporate or politic whatsoever, and to set out, ascertain, use, and occupy such parts or parts thereof as it, the said Company, shall think necessary and proper for the making and maintaining of the said works, or for the opening of new streets for the same, and for purchasing of any lands required for the protection of the said works, or preserving the purity of the water, or for taking up, removing, altering or repairing the same, and for distributing the water to the inhabitants of the Town of Rossland and parts adjacents thereto, or for the uses of the Company, or the proprietors or occupiers of the land through or near which the same may pass, and for any other purposes whatsoever; and for this purpose to sink and lay down pipes, make reservoirs and other conveniences, and from time to time to alter all or any of the said works, as well in the position as the construction thereof, as to the said Company shall seem meet, doing as little damage as may be in the execution of the powers hereby granted to them, and making reasonable and adequate satisfaction to the proprietors, to be ascertained in case of dispute by arbitration as aforesaid, and all such water-works, pipes, erections, and machinery requisite for the said undertaking shall likewise be vested in and be the property of the Company. The above powers are granted subject to the consent of the Chief Commissioner of Lands and Works as to Crown lands, and of the proper authorities having control of the streets, roads, and bridges.

Arbitration.

Persons supplied
with water not to
sell same, etc.

27. If any person being occupant, tenant, or inmate of any house, or otherwise supplied with water from the said water-works by the Company, sells or disposes of the water thereof, or gives it away, or permits it to be taken or carried away, or uses it or applies it to the benefit of others, or to any other than his own use or benefit, or wrongfully neglects or improperly wastes the water, every such person shall, on conviction thereof before any Justice of the Peace, be by such Justice adjudged and condemned to pay a penalty for every such offence not exceeding twenty-five dollars, together with costs, and such Justice may, in default of payment, condemn such person to be confined in the common gaol of the district for a space not exceeding one calendar month, with or without hard labour. If any person or persons, not being in the employment of the Company, and not being a member of any duly constituted fire brigade in the Town of Rossland and not duly authorized in that behalf, shall wilfully open or close any hydrant, or obstruct the free access to any hydrant, stop-cock, chamber, or hydrant chamber, by placing on it any building material, rubbish, or otherwise, or wrongfully take or appropriate to his own use any water from any public or private tap, any such person shall, on conviction before any of Her Majesty's Justices of the Peace, forfeit

Penalty.

Obstruction to
hydrant, etc.

and pay for each offence a sum not exceeding twenty-five dollars, or on default of payment be imprisoned in the common gaol of the district for a term not exceeding thirty days, and each time the said hydrants are interfered with, and each day the said obstructions shall continue, shall be considered a separate offence.

28. If any person shall bathe, or wash, or cleanse any wool, cloth, leather, skins or animals, or place any nuisance or offensive thing within or near the source of supply for such water works in any lake, river, pond, source, or fountain from which the water of the said water-works is obtained, or shall convey, or cast, cause, throw, or put any filth, dirt, dead carcasses, or other noisome or offensive thing therein, or cause, permit, or suffer, the water of any sink, sewer, or drain to run or be conveyed into the same, or cause any other thing to be done whereby the water therein may be in anywise tainted or fouled, every such person shall, on conviction thereof before any Justice of the Peace, be by such Justice adjudged and condemned to pay a penalty for every such offence not exceeding two hundred and fifty dollars, together with costs, and such Justices may, on default of payment, condemn such person to be confined in the common gaol of the district for a space not exceeding three calendar months, with or without hard labour.

Fouling water supply.

Penalty.

29. In all cases where a vacant space intervenes between the outer line of the street and the wall of the building or other place into which the water is to be taken, the Company may, with the consent of the owner, lay the service pipe across such vacant space, and charge the cost thereof to the owner of the premises, such charge to be payable with the first payment of water rates, and to be collected in the same manner from the said owner; or such owner may himself lay such service pipes, provided the same is done to the satisfaction of the Company or persons appointed by it in that behalf. The service pipe from the main pipe to the interior face of the outer wall of the building supplied, together with all branches, couplings, stop-cocks, and apparatus placed thereon by the Company, or by the owner or occupant of the premises, shall be under the control of the Company, and if any damage be done to this portion of the service pipe or its fittings, either by neglect or otherwise, the Company may repair the same and charge the same to the occupant or owner of the premises. The stop-cock placed by the Company inside of the building shall not be used by the water tenant except in cases of accident, or for the protection of the building or the pipes, and to prevent flooding the premises.

When vacant space between outer wall and street.

30. All parties supplied with water by the Company may be required to place and use only such taps as may be approved by the Company. The said Company shall not be liable for damage caused

Taps, etc.

by the breaking of any service pipes or attachment, or for any shutting off of the water for the purpose of repairing, maintaining, or cleaning the pipes.

Servants of the Company may have access.

31. It shall be lawful for the officers of the said Company and their servants, and every person authorized by it for that purpose, to have access at all reasonable hours, and upon reasonable notice given and request made for that purpose, to all parts of every building in which water is delivered and consumed.

Regulation and price of water.

32. The Company shall regulate the distribution and use of the water on all places and for all purposes, and shall from time to time fix the rent or price which any owner or occupant of any house or building who shall use such water shall pay for the use thereof; but in no case shall the said Company fix a greater rent than seventy-five cents a thousand gallons for water: Provided, always, the Company shall, upon the application of any person or persons, furnish a supply of water within a reasonable time from the date of such application; provided, always, that the applicant or applicants deposit with the Company a sum sufficient to pay for the actual cost of laying the necessary service pipe.

Limit.

Water meters.

33. In order to prevent the waste of water, and settle disputes arising therefrom as to the quantity consumed, the Company is empowered to place water meters upon any service pipe or connection within or without any house or building where water is used, and neither the meter nor any fitting thereunto belonging shall be subject to or liable for rent by the possessor or owner of any premises wherein the same may be.

Acquisition of rights of persons now supplying water, etc.

34. It shall be lawful for the Company to purchase and acquire the property, rights, and privileges of any person or persons engaged in supplying the present Town of Rossland with water, or to amalgamate with any such person or persons as aforesaid, and after such purchase or amalgamation, to maintain, operate, extend, and improve such water works, and works connected therewith, in the same way as if such water works had been originally constructed under the authority of this Act.

Right of purchase by a municipality.

35. In the event of the incorporation, within the meaning of the Municipal Acts for the time being in force in this Province, of the Town of Rossland, the said corporation so created shall at any time they may think fit have the right to purchase, and the Company shall be compelled to sell the works and property of the Company, on the said corporation paying to the Company the cost of construction and a sum sufficient to make up the interest on the capital invested in cost of construction and maintenance to the amount of twelve per cent. per annum to date of purchase, after taking into account any profit that

may have been made up to that time, and a further sum equal to a bonus not exceeding thirty per cent. on the capital actually invested :

(a.) In arriving at the sum to be paid by such corporation, the words “ cost of construction ” shall be deemed to include— Cost of construction.

- (1.) All sums of money actually and bonâ fide spent in and about the organization of the Company, including all engineering, legal, and clerical expenses :
- (2.) All sums of money actually and bonâ fide spent in and about the construction and maintenance of said works up to date of purchase of the said works and property :
- (3.) All sums paid by the Company as and for damages, value, and compensation, to any person or persons, or body of persons, in accordance with the provisions of sections 20 to 37, inclusive, of this Act :
- (4.) All or any sum or sums reasonably and actually paid by the Company to any person or persons, or body of persons, under the provisions of section 34 of this Act.

36. 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 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. Action of damages.

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

38. When any electric lines, meters, accumulators, transformers, motors, generators, distribution boards, lamps, fittings, works, water pipes and meters, 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 or water, such electric lines, Fixtures of Company not liable for distress in premises where they are for supplying electricity or water.

meters, accumulators, transformers, motors, generators, distribution boards, lamps, fittings, works, water pipes and meters, or apparatus, shall not be subject to distress for rent for the premises where the same may be, nor be taken in execution under any process of the Court of Law or Equity against the person in whose possession the same may be.

Recovery of dues.

39. If any company or person neglect to pay the charge for electricity or water, or any other sum due from them to the Company either in respect of the supply of electricity or water to such company or person, or in respect of the rent reserved by the Company for the use of water taps, meters or 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 water pipe or other work through which the electricity or water may be supplied, and remove such articles and works above mentioned as were lent for hire to such company or person.

By-laws.

40. The Directors shall have full power to make by-laws, rules, and regulations to be observed by all persons using the water, electricity, electrical or other appliances, or any property of the Company; also rules and regulations for the maintenance of the Company's undertakings and for the collection of rates for electricity or water supplied, and rents for electric lines and appliances let for hire, and for fixing the time or times when 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 water, 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.

Amalgamation and consolidation with other companies.

41. 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 this Company is formed to carry on within the area aforesaid.

Right of Crown, etc.

42. The powers and privileges conferred by this Act, and the provisions hereof, are hereby declared to be granted, subject to the rights of the Crown, and also subject to any future legislation regarding the subject-matter of this Act, or of the powers and provisions hereby conferred, which the Legislature may see fit to adopt; and this Act is passed upon the express conditions 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 that no increase in the amount of any such rents, royalties, etc., fixed by any such Order in Council, shall be made within the space of five years from the passage of the Order in Council fixing the same.

43. The Company shall so far complete its works as to be able to supply water and electricity to other corporations, companies, and persons within six months of the passage of this Act. ^{Completion of works.}

44. The said Company shall not interfere with the public right of travelling or using highways or streets within the said area. ^{Public travel.}

45. This Act shall not be deemed in any way to authorize any interference with or abrogation of the powers, rights, and privileges of any person or corporation heretofore granted or acquired. ^{Rights, etc., already granted.}

46. This Act may be cited as the "Rossland Water and Light Company Incorporation Act, 1896." ^{Short title.}

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