



CHAPTER 57.

An Act to Authorise the Pacific Coast Coal Mines, Limited, Non-Personal Liability, to Construct Railways, and Conferring Other Powers.

[12th March, 1909.]

W HEREAS a petition has been presented by the Pacific Coast Coal Mines, Limited, Non-Personal Liability, praying for an Act authorising and empowering the said Company to construct and operate tramways or railways in the Districts of Cranberry and Cedar, and in the District of Rupert, or in any districts adjacent thereto, for the purpose of carrying coal from its coal mines situate in said districts to some convenient point or points at the sea shore, or to connect with some other line of railway communication, or to acquire or to construct and operate tramways or railways in any of said parts of the Province, from any coal mine which may be owned or operated by it from time to time, to some convenient point or points of shipment, and telegraph and telephone lines in connection with the same; and, also, that the said Act shall ratify and confirm the Company's incorporation: Preamble

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

1. The Pacific Coast Coal Mines, Limited, Non-Personal Liability, hereinafter called the "Company," is hereby authorised and empowered from time to time and at any time hereafter to lay out, construct and operate a railway or railways of the gauge of four feet eight and one-half inches (4 feet 8½ inches), in the Districts of Cranberry and Cedar, and in the District of Rupert, or in any districts adjacent thereto, from its coal mines situate in said Line of railway

Districts to some convenient point or points at the sea shore, or to connect with some other line of railway communication, and also in any of said parts of the Province from any coal mine which may be owned or operated by the Company from time to time, to some convenient point or points of shipment; with power to construct, maintain or operate branch lines from any point or points along the said railway or railways.

Telegraph and telephone business.

2. The Company may undertake to transmit messages for the public by its line of telegraph or telephone, and collect tolls for so doing.

Not common carriers.

Proviso.

3. Nothing contained in clauses 1, 2 and 3 hereof shall render it obligatory on the Company in the operation of any railway or railways constructed by it to engage in or carry on the business of common carriers: Provided, however, that it shall be lawful for the Lieutenant-Governor in Council from time to time to pass Orders in Council requiring the Company to carry passengers and freight on any of its lines, in which case the Company shall as to such railway or railways carry passengers and freight as required by the provisions of the "Railway Act."

"B. C. Railway Act" to apply.

4. The clauses or sections of the "British Columbia Railway Act," and all future amendments thereto, except in so far as same may be inconsistent with or repugnant to the clauses 1, 2 and 3 hereof, shall apply to the Company in the operation of any such railway or railways in the same manner and to the same extent as if the same had been set forth clause by clause in this Act.

Incorporation and powers.

5. The incorporation of the Company and the corporate name of the Pacific Coast Coal Mines Limited, Non-Personal Liability, as contained and set forth in the Company's Memorandum and Articles of Association filed with the Registrar of Joint Stock Companies at the City of Victoria, British Columbia, on the 21st day of March, 1908, is hereby established and confirmed, as also the power in the Company to engage in the business of coal mining in all its branches in addition to the powers conferred by this Act and the provisions of sub-section (*b*) of section 56 of the "Companies Act," and immediately after where the words "company the objects of which are restricted as herein aforesaid" or the words "company specially limited under this section is authorised to carry on" occur in sub-clauses (7), (8), (9) and (12), of said sub-section (*b*) of section 56, the words "or company having objects or powers in whole or in part similar to those of this Company," shall be deemed to occur in reading and ascertaining the powers of the Company.

Plan and profile.

6. Upon the Company filing with the Chief Commissioner of Lands a plan and profile of its proposed railway now under con-

struction for the purpose of carrying its coal from its mine situate in Cranberry District to Boat Harbour, the same shall be deemed to be a railway constructed under authority of this Act.

7. This Act may be cited as the "Pacific Coast Coal Mines, Short title. Limited, Non-Personal Liability, Act, 1909."

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