

No. 11.

PETITION.

To the Honourable the Speaker and Members of the Legislative Assembly of the Province of British Columbia, in Parliament assembled :

The petition of the Corporation of the City of Victoria humbly sheweth:—

That in the year 1873 your honourable body was pleased to confer upon your petitioners certain powers to enable the supply of water to the inhabitants of the City of Victoria. The Statute in question conferred upon your petitioners the right to enter in and upon the land of any person or persons, bodies politic or corporate, in the City of Victoria, or within twenty miles of the said city, and to divert and appropriate within such area any springs, streams, lakes or bodies of water suitable, and after negotiation for purchase to acquire the same, with procedure for determining the price to be paid by your petitioners, and to construct a water-works system.

That your petitioners, in pursuance of such powers, entered upon certain lands in Lake and Saanich Districts and constructed water-works and brought the waters accumulated into the City of Victoria for the use of the inhabitants.

That in the year 1892 the powers so conferred by the Act of 1873 of entry upon lands in the said City, or within twenty miles of the said city, and the diversion and appropriation of waters, were confirmed to your petitioners with certain other powers.

Since the year 1892, not only have the limits of the City of Victoria been extended, but municipalities have been formed in Oak Bay and Saanich, contiguous to the City boundaries, and the population of your petitioners' city has increased, and also the population in the said municipalities adjacent, and there is a reasonable certainty that there will be, year by year, a large increase of population, which increase your petitioners believe may come with great rapidity within the next few years. The population of the City of Victoria, including the population immediately adjacent in the said municipalities, is estimated at exceeding 35,000. Your petitioners already supply, under the powers in their Act, certain of the inhabitants of Saanich and Oak Bay Municipalities, and the said municipalities are desirous of entering into arrangements for the supply of water to be purchased from your petitioners, but to be under their control, and they desire to have the means of raising, by frontage tax or otherwise, the moneys necessary to pay your petitioners for the supply of water.

Your petitioners have recently endeavoured, under the provisions of the "Water Clauses Consolidation Act," to obtain a record of waters from Goldstream River running to waste, but have been prevented from so doing by litigation instituted against them by the Esquimalt Water-Works Company. After trial in the Supreme Court, appeal to the Full Court, and from thence to the Judicial Committee of the Privy Council in England, it has been decided that such waters are not open to record, and it was furthermore held that the powers and privileges granted by your honourable body to the Esquimalt Water-Works Company in 1885, amended in 1892, are not affected by the Acts, the "Water Privileges Act" and "Water Clauses Consolidation Acts," which your honourable body passed in the years 1892 and 1897, with a view of controlling and obtaining revenue from waters of the Province not used for a beneficial purpose, and your petitioners are advised that the effect of the decision of the said Privy Council places your petitioners in the same position with regard to the powers and privileges granted to them in 1873 and confirmed in 1892 as aforesaid. Your petitioners, to finally settle their rights, beg your honourable body to be pleased to ratify and confirm the privileges given to them by the said Acts of 1873 and 1892.

Your petitioners have, under the advice of a competent hydraulic engineer, caused surveys to be made at Sooke Lake and in the Highland District, all being within twenty miles of your petitioners' City, and your petitioners have been advised by such engineer that the present supply of water to the said City will shortly be inadequate to meet the wants and necessities of the inhabitants of the city, and that immediate steps ought to be taken to secure an increased supply.

Complaints have, during the past few years, been made by the inhabitants of your petitioners' City of such inadequate supply, and, although steps have been taken to regulate supply and prevent waste, your petitioners are aware that such complaints are well founded, and that an increased source of supply will, in the course of the next few years, become an imperative necessity.

Your petitioners more particularly desire to point out the serious danger to which the City of Victoria is subjected by inadequate supply of water and force of water to be used in the extinction of fires, and the very serious increase in insurance rates consequent upon increased risk.

Your petitioners have, during the present year, to raise considerable sums for renewal and improvement of their distributing system, and also for the general improvement of the water-works system, and your petitioners are advised that additional powers for the raising of moneys upon the security of water revenue are desirable. Your petitioners desire to represent that it may be found to be the wish of the inhabitants of the City to acquire certain franchises, properties and undertakings, and additional powers for borrowing moneys to pay the consideration money in cash or debentures are requested.

Your petitioners are advised that the powers to levy and collect taxes, rates and charges for the supply of water should be more clearly defined.

Your petitioners are advised by the engineer aforesaid that a very adequate supply of water—upwards of twenty-five million gallons daily—can be obtained from Sooke Lake and the water-shed thereof, and of Sooke River. Your petitioners have submitted to a referendum of the ratepayers of the City, pursuant to the provisions of the "Municipal Clauses Act," the question of whether your petitioners should seek to obtain additional water supply from said Sooke Lake, Sooke River and water-shed, and as a result of such referendum one thousand three hundred and fifty-seven (1,357) votes, out of a total of 3,648 ratepayers voting at such election, were cast in favour of your petitioners so doing.

It is the desire of your petitioners to obtain parliamentary direction that all the revenues of the water-works system should be treated and remain separate and apart from municipal revenue, and amendments of the City Acts are necessary to give effect to this.

Your petitioners advise that other amendments on minor subjects are needed in the said Acts effectively to enable the provisions of the same to be carried out.

Within the past few years the economical and advantageous results obtained from the use of electrical energy for use in all branches of industry has become more and more evident. Your petitioners' City contains many industries using and desiring to use power. This is at present supplied by a corporation, the demands upon which corporation cannot be deemed adequately met; whereas no provision for expansion of demand is being made or appears possible. The lighting of the public streets of the City and the demands for energy for corporate works should, your petitioners represent, be procurable by them at the lowest possible cost to the inhabitants, and your petitioners are desirous of using the waters which they are empowered, and will be empowered, to take for the production of electric light and electric energy for power purposes to be used by your petitioners; and your petitioners seek in aid of the industries and manufactures of the city to grant the privilege of using the water for creating power to any corporation desirous of obtaining the same, upon fair and equitable terms, the waters used for such power purposes being, after creating electrical energy, always available for domestic consumption.

Your petitioners, therefore, pray your honourable body to be pleased to grant to them such additional powers and privileges as the occasion and facts herein set forth demonstrate to be necessary and convenient.

And your petitioners will ever pray.

[L.S.]

LEWIS HALL,
Mayor.

WELLINGTON J. DOWLER,
Clerk of the Municipal Council.