

No. 11C.

PETITION.

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

The petition of the British Columbia Electric Railway Company, Limited, of the City of Victoria, in the Province of British Columbia, humbly sheweth :—

1. That your petitioners are an incorporated company, incorporated in England under the Imperial Companies Act, and are duly licensed to carry on business in the Province of British Columbia.

2. That your petitioners are the successors in title of the National Electric Tramway and Lighting Company, Limited Liability.

3. That the said last-mentioned Company were the assignees of an agreement entered into by James Douglas Warren and others with the City of Victoria on the 20th day of November, 1888, under which agreement the said parties were entitled to carry on the business of a street railway and a general electric and lighting business in the City of Victoria and suburbs.

4. That by an Act of this Legislature, passed on the 6th day of April, 1894, the said agreement with the Corporation of the City of Victoria was ratified and confirmed, and the said National Electric Tramway and Lighting Company, Limited Liability, were empowered to carry same into effect, and were entitled to all the benefits and franchises in said agreement set out. A copy of the said agreement is attached as Schedule "A" to said Act.

5. That your petitioners subsequently acquired all the undertaking of the said National Electric Tramway and Lighting Company, Limited Liability, and became the successors in title of all the rights, powers, privileges and franchises mentioned in said agreement. Said agreement was to be in force for a period of fifty (50) years from the 20th day of November, 1888.

6. That the Corporation of the City of Victoria have lately presented a Bill to this Legislature, entitled "An Act to amend the 'Corporation of Victoria Water Works Act, 1873,' and the 'Victoria Water Works Amendment Act,' chapter 64 of the Statutes of 1892, and to give additional powers."

7. That the said Act, among other things, provides that the Corporation of the City of Victoria shall have power to construct, operate and maintain electric works, power-houses, generating plants and such other appliances and conveniences as are necessary and proper for the generating of electricity and electric power, or any other form of developed power, and for transmitting the same to be used by all persons contracting with the Corporation therefor, within a radius of ten (10) miles from the City Hall in the City of Victoria, as a motive power for the operation of motors, or machinery, or electric lighting, or other works; and to supply the said power for heating, and in aid of any industry, manufacture, or work of any description to which it may be adapted; and also to supply the said power for any other

purpose for which electricity or electric power may be employed or required ; and also to build, construct, maintain telephone and telegraph poles and wires, and all other plant, material and works which are necessary for carrying on a general electrical business.

8. That if the said powers are granted to the said Corporation, the said Corporation will be enabled to enter into competition with your petitioners in respect of the matters in which the said franchise has been granted to your petitioners by the City of Victoria, and they will also be able to become competitors with your petitioners in all kinds of electrical business of generating and supplying electricity or light, heat and motive power within and without the City of Victoria.

9. Your petitioners submit that if the said powers are granted to the said Corporation they will operate as a direct infringement upon the statutory powers, privileges and franchises enjoyed by your petitioners.

Your petitioners therefore pray that your Honourable House may be pleased to grant leave to your petitioners to be heard by counsel, agents and witnesses in support of objections which they may be advised to take to the provisions of the said Act, and the right to read and refer to all documentary evidence in their possession, or to which they may obtain access, shewing the rights, powers and privileges of your petitioners.

And, as in duty bound, your petitioners will ever pray.

Dated the 14th day of February, A.D. 1908.

BRITISH COLUMBIA ELECTRIC RAILWAY COMPANY, LIMITED,

By their Attorney in Fact,

W. H. SPERLING.

VICTORIA, B. C. :

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