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London, S.E.

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P.O. Box 683

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creek wagon road, the
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tion of the timber from
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kind regards,
very sincerely,
GREY.lestoake Bridge
at engineers are busily
ing out the plans for
to be built over the
vestoke. The office
completed and the
uction will be com-
pily date. The bridge
neighborhood of \$40,-PASSES ON TERMS OF
OAK BAY AGREEMENTCity Finally Submits Terms of
Agreement As to Water
Supply

(From Tuesday's Daily)

After first expressing its moral ob-
ligation to supply the municipality of
Oak Bay with as good a supply of
water as it would itself possess and to
enter into an agreement to that effect;
after during the subsequent months
constantly refusing to accede to the
request of the municipality to enter
into any such agreement, the city coun-
cil has at last come to a settlement
with the municipality of Oak Bay, at
last night's meeting a draft agreement
was passed upon which will today go
to the municipal council, when, if its terms
are satisfactory, the agreement will be
executed by the city council and the
municipality of Oak Bay.

Memorandum of agreement made and
entered into this day of October, one
thousand nine hundred and eight, be-
tween:

The corporation of the city of Victo-
ria, (hereinafter termed "the corpora-
tion") of the one part, and
The municipality of Oak Bay (hereinafter
termed "the municipality") of the
other part.

Witnesseth that for the considera-
tion hereinafter appearing the parties
hereto do hereby mutually covenant,
promise and agree in one with the
other of them in manner following,
that is to say:

1. This agreement is intended to be
binding on the parties for two years
herefrom and no longer.

2. The corporation shall, in carrying
out the redistribution of the city water
supply, bring water from the city water
works system by a 12-inch main to the
junction of the Poul Bay road and Oak
Bay avenue, and also to the corner of
Cadboro Bay and Poul Bay road by
the present pipe (to be hereafter
increased to an 8-inch pipe when the
demand so necessitates). The corpora-
tion will place the water main at the
city limits, and thereafter the water
supplied in the Oak Bay municipali-
ty (with the exception of the water
scheduled) shall be supplied to the
municipality and not to the individual
consumer.

3. The supply of water to the municipa-
lity is for consumption within the
municipality and is in no case to be
supplied or distributed by the municipa-
lity for use outside.

4. Before the expiration of two
years herefrom, arrangements between
the parties for the permanent supply
of water to the municipality and for
the payment for the same the fair value
thereof.

(a) The municipality to acquire the
water mains and apparatus of the cor-
poration now in the municipality and
to pay for the same the fair value
thereof.

(b) The price to be paid for the wa-
ter, which price shall never be less
than the current price paid by domes-
tic consumers in the city per 1,000
gall, with any frontage tax added, and
the times and mode of payment;

(c) The mode of supply.

(d) Every other detail necessary in
ensuring and operating a permanent
supply of water to the municipality
and in connection therewith, under
the agreement herein contained.

5. Nothing herein, or in any agree-
ment to be hereafter made, shall give
to the municipality the right to take
rights of the citizens of the city of
Victoria, and all arrangements shall
be subject to the regulation, control
and rights of the citizens of Victoria.

6. All disputes, disagreements and
differences which may hereafter arise
between the parties in connection
with the intent and meaning hereof, or
of anything to be done or omitted by
either party, or arising out of any
matter or thing within the scope
and purview of this agreement, including
the settlement of the terms of every
necessary bylaw, document or instru-
ment, shall be referred to arbitration,
shall be referred to arbitration under
the arbitration act provisions and this
agreement shall constitute a submis-
sion under the arbitration act provisions
of this agreement, and the necessary
provisions of said act shall be deemed
to be incorporated herein as if expressly
repeated.

7. Nothing herein contained or in
any agreement to be hereafter made
shall be construed to prevent the cor-
poration from supplying water by
agreement or otherwise in other or
to other municipalities or to persons
outside the city limits wherein they
are entitled to supply.

This agreement shall not take effect
until executed by both parties hereto.
In witness whereof, etc.

Question Raised

The only portion of the above agree-
ment which occasioned any consider-
able discussion was sub-section 4, of
section 4, which reads as follows:

"The price to be paid for the wa-
ter, which price shall never be less
than the current price paid by domes-
tic consumers in the city per 1,000 gal-
lons with any frontage tax added, and
the times and mode of payment."

Ald. Paulson, who introduced the
section as submitted declared that the
city would simply be selling wholesale
to the municipality at a price which
it would charge individual users in the
city while in the city in the case
of large amounts being used by large
consumers the latter are given a lower
figure than the ordinary consumer,
and he felt that the municipality
is expected to take the water in large
quantities the minimum limit of price
as fixed in the agreement was hardly
fair or just to the municipality.

Mayor Hall explained that the peo-
ple of Oak Bay will not be charged
with the up-keep and maintenance of
the water mains and plant, they will
assume no responsibility therefore,
the city doing all that. But the pres-
ent agreement is only tentative one,
and all the city is doing is to con-
tract to supply Oak Bay with a water
supply as soon as it can, the ques-
tion of price to be decided upon later.
It was not a question of whether the
municipality supplied its customers
within its boundaries, but that such
municipal customers should not
get a supply cheaper than the city
consumers.

Ald. Cameron took the agreement
to mean that the Oak Bay consumer
should pay as much as the city con-
sumer plus the frontage tax which the
city intends to levy when the system
is completed, but there was a doubt
as to whether the provision in the
agreement meant that the municipa-
lity gets a rate the same as that given
to large consumers in the city or that
paid by the general consumer—the cur-
rent rate.

City Solicitor Mann explained that
when the waterworks system is com-
pleted there will be a frontage tax to
be levied on the water, the rate of
the mains and there will be current rate
for consumers, that is the rate paid
by the great majority of consumers,
and it was the rate that was referred
to which the Oak Bay municipality is
expected to pay.

He then explained, however, pointed out
that there would be several rates for
various quantities, any one of which
could be called the current rate for
supplying the amount of water sup-
plied within the city. This should be
made clear in the agreement. Finally
it was decided to make sub-section
"B" of section 4 read as follows: "The
price to be paid for the water, which
price shall never be less than the cur-
rent price paid by domestic consumers
in the city per 1,000 gallons with any
frontage tax added, and the times and
mode of payment."

The agreement was then formally
adopted and will go to the Oak Bay
council for its ratification.

FROM OTTER POINT

Mr. Brydon's Lecture on Horticulture
Much Appreciated—Bear Killed
By Small Boy

Otter Point, Nov. 2.—T. A. Brydon,
of Saanich, representing the Provin-
cial Board of Horticulture, delivered
an interesting lecture at the old school
house on Wednesday, October 28. Con-
sidering the inclement state of the
weather, the attendance was quite
satisfactory. Mr. Brydon's principal
subject was the planting and training
of fruit trees, which he illustrated
by the importance of marketing fruit in
proper condition. At the conclusion of
his address, Mr. Brydon was accorded
a hearty vote of thanks by those pres-
ent.

A most enjoyable entertainment was
held in the Otter Point schoolhouse
on Wednesday, Friday, October 30.
There was a varied programme of
dancing and games, which were kept
up until late hours. The schoolhouse
had been beautifully decorated for the
occasion. Those mainly responsible for
this happy event were Mrs. Milligan
and Mrs. Goudie.

Re air brakes. In reference to the
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With regard to the overcrowding
of cars, from today we are able to give
a proper service to the city. As
Esquimalt lines, and I quite hope
within the next couple of days an
improved service can be given on the
other lines.

I am very pleased to state that on
yesterday's rainfall we are en-
abled to give a service to the city.
value, both for commercial motors and
lighting. I have today notified the city
engineers that we are able to run the
rock crusher should be \$1,425.

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COMPANY EXPLAINS
ITS POWER SHORTAGEForecasts But Welcomes Pro-
mised Investigation By
Civic Officials

(From Tuesday's Daily)

The city at a recent meeting decided
that in view of the shortage of power,
an investigation into the question of
the ability of the B. C. Electric com-
pany to furnish an adequate supply
of power for motive and lighting pur-
poses should be made and the city
electrician was appointed to make an
investigation and report not only upon
the power question but also as to what
the city should do to secure a more
adequate supply of power. The electrician
also took into the question of over-
crowding on the cars. The numerous
complaints made by the city electrician
in connection with the power shortage
and the inconvenience occasioned by the
lack of power as well as the fact that
the city electrician was held up because
the rock crusher could not be run
moved the council to take the above
action. The company has foretold the
situation and stating that it welcomes
any such investigation by the city.

At last night's council meeting the fol-
lowing communication was received from
A. T. Goward, local manager of the
company:

Victoria, Nov. 2, 1908.
W. J. Dowler, Esq., Clerk of the Munici-
pal Council, Victoria.

Dear Sir:—I am duly in receipt of
your letter of the 28th inst. regarding
the shortage of power. I note from
your letter that the city council
would wish for a report to be made by
the city electrician on the power ques-
tion, which led our company to reduce its
service. I have not as yet seen the
city electrician but will be glad to
pleased for him to go thoroughly into
this question and report fully to the
council.

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The application of A. T. Goward,
local manager of the B. C. Electric
company, to run a spur track from
Hastings street across to section 58,
Spring Road, and for the proper street
grade, was referred to the city engineer
for report. The company also asks
that the usual thirty days notice in
such cases be waived. This portion of
the request will be referred to the city
engineer.

Thereafter the formality of reading
through both the initial bylaw and the
final assessment bylaw in cases of by-
laws for local improvement works will
be greatly shortened, as printed forms
of bylaws being prepared with spaces
for the necessary data and the long
clauses which always appear alike in
all these measures will be taken as
correct only the necessary certificates
of the city engineer, city controller
and city solicitor being necessary when
the various items of detail are cor-
rect. In this manner a great deal of
time and labor will be saved. Alder-
man Henderson also pointed out the
necessity of some proper record being
kept of all local improvements, so that
it will be possible to see at a glance
the status of the city's improvements.

The following local im-
provement works reported upon by the
city engineer, were adopted and will
be duly advertised:

Permanent walks on both sides of Lang-
ford street from Russell street to the
western intersection of the first alley
to and drain and gravel the same. To-
tal cost \$1,651.23, of which the city's
share will be \$1,425.

Permanent walk on the north side of
Dallas road from Douglas street to
Government street and from South
Turner street to Montreal street. To-
tal cost \$3,439.95, city's share, \$2,316.65.

Permanent sidewalks on the north
side of Dallas road from Government
street to South Turner street. To-
tal cost \$1,032.30, city's share,
\$734.40.

The grading, macadamizing and
drainage of Cook street from the south
side of Pandora avenue to the south
side of Pankington street and to boule-
vard street, including maintenance
of the sidewalk on the south side of
Pandora avenue to the north side of
Pankington street. To-
tal cost \$2,883.28, city's share,
\$1,981.76.

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side of Pankington street and to boule-
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side of Pankington street and to boule-
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of the sidewalk on the south side of
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tal cost \$2,883.28, city's share,
\$1,981