By-Law Respecting

WHEREAS, by certain articles of agreement bearing date the twentieth day of November, A. D., 1888, certain powers and privileges were granted by the Corporation of the City of Victoria to J. Douglas Warren, Andrew Gray, Thomas Shotbolt, Joseph Hunter and David Williams Higgins, and which said agreement is in the words and figures following:

50

1

Memorandum of agreement made and entered into this 20th day of November between the Corporation of the City of Victoria (hereinafter called the corporation) of the first part and J. Douglas Warren, Andrew Gray, Thomas Shotbolt, Joseph Hunter and David Williams Higgins, (hereinafter called the parties of the second part). Whereas the parties of the second part are desirous of forming a company for the purpose of constructing, completing and maintaining a proposed line of tramways, or street cars, in the said City of Victoria, and for making, doing and building all the acts, deeds, works and things necessary for the construction, completion and maintenance of such proposed line, and for that purpose have requested the Corporation to grant them certain rights, powers and privileges, and to permit them to make, do and perform and build certain acts, deeds, things and works which the Corporation have agreed to do. Now these presents witness that in consideration of the premises and of the covenants hereinafter contained, the' Corporation hereby covenant with the parties of the second part, and the parties of the second part hereby for themselves jointly and severally covenant with the Corporation as follows:

1. That it shall be lawful for the parties of the second part to lay a single or double line of rails in the centre of the streets mentioned in the schedule hereto for the purpose of a tramway or a line of street cars, and for that purpose to enter into and upon said streets, and to do all necessary excavations and alterations upon and to grade said streets.

2. That it shall be lawful for the parties of the second part to erect poles and to lay overhead wires along all or any of the said streets and roads of the municipality of the City of Visions for the supply of electricity for lighting and motor surposes and for any other electrical purpose, and for the purpose of the erection of such poles and the laying of such wires to enter upon any such streets and roads and to make such excevations and to do such acts and things as may be necessary.

8. That it shall be lawful for the parties of

for the carriage of passengers four miles of such track or tramway lines by the first day of July, 1890.

9. That the parties of the second part shall and will at all times during the construction of such tracks or tramway lines, or the erection of such poles and the laying of such wires, and during any repair or alteration of the same, take due and proper precautions for the safety of foot and other passengers, and of horses and carriages passing along the said streets, cr any of them, on which such construction, alteration or repair is being performed.

10. That after the construction of such tracks or tramway lines or after the completion of any repair, addition or alteration to the same, and also after the erection of such poles and the lay. ing of such poles, wires or any alteration repair or addition thereto, the parties of the second part shall and will repair and amend the said streets and leave them in as good a condition as they shall be in at the time of the commencement of such construction, alteration, repair or amendment so far as the same is compatible with the construction of such tracks or tramway lines or the erection of such poles and the laying of such wires, such work of reparation and amendment of the said streets to be done to the approval of the City Surveyor or some other competent person, to be approved of by the Corporation.

11. That the parties of the second part shall not, whilst they are running any cars over the said streets, under the powers hereinbefore given them, charge more than a maximum fare of 5 cents per head for a single trip over their said lines or any of them.

12. That the powers, permissions, authorities, rights and privileges, hereinbefore contained are granted by the Corporation to the partie, of the second part for the term of 50 years from the time of the passing of any by-law authorizing the execution of this contract, and that the obligations hereinbefore imposed upon the parties of the second part shall be binding upon them so long as they shall run the said tramways or cars under the powers hereinbefore given them.

19. That if the parties of the second part shall under the powers hereinbefore contained, commonce the construction of such tracks or tramway lines and shall not have four miles of the same thoroughly eculpped and in running order for the carriage of passengers by the first day of July, 1890, it shall be lawful for the Corporation to enter into and upon and take possession of all tracks and rails Jaid compensation or to the working of herein contempl

20. The rail to shall be the flat used for the pr horse-car railway

21. Each car of shall be number

22. The cars sh streets mentions which the said to summer and 15 at intervals of r

23: The speed o miles an hour.

24. The conduct each car shall as names of the stre

25. The cars sh carriage of passe

26. The parties ble for all damag tion or operation plated.

27. If the said lect to keep the same or crossing the rails in good essary repairs rails in some the forthwith, some for the same the form as a foresal made and the amportation may be ties of the second jurisdiction.

28. That befor terfering with a purpose of comsaid partles to cause to be givleast 30 days not no more than 250 broken up or opwhen the work menced the san steadily and w rapidly as the gard being had t