



CHAPTER 61.

An Act respecting the City of Victoria.

[20th February, 1912.]

WHEREAS the Municipal Council of the City of Victoria have Preamble
by their petition represented—

- (a.) That on sixteenth January, 1911, the said Council recon By law No. 814
sidered, adopted, and finally passed By-law No. 814,
intituled "A By-law to enable the Corporation of the
City of Victoria to acquire Sooke Lake, Sooke River, and
the Branches and Tributaries of Sooke Lake and Sooke
River, and to utilize the same as a Source of Water supply
for the City of Victoria," and thereby authorized, under
the provisions of the "Municipal Clauses Act Amendment
Act, 1911," the issue of stock to the amount of one million
five hundred thousand dollars upon the credit and security
of the waterworks system and property of the Corporation
of the City of Victoria and the general revenue of the said
system, together with the credit of the said Corporation by
way of guarantee; such stock to bear interest at the rate
of four per centum per annum, payable half-yearly on the
twenty-first day of January and the twenty-first day of
June in each year (the word "June" being, by mistake,
used instead of the word "July"), and the debenture stock
to be payable on seventeenth January, 1961:
- (b.) That on twenty-second May, 1911, the said Council recon By law No. 875
sidered, adopted, and finally passed By-law No. 875,
intituled "A By-law to raise Three hundred thousand
Dollars for Sewer and Drain purposes," and thereby
authorized the issue of debentures to the amount of
three hundred thousand dollars upon the credit of the
Corporation of the said city, to bear date twenty-third
May, 1911, and be payable on twenty-third May, 1961,

and bear interest at the rate of four per centum per annum, payable half-yearly on twenty-first January and twenty-first July in each year:

By-law No. 936.

- (c.) That on the thirtieth June, 1911, the said Council reconsidered, adopted, and finally passed By-law No. 936, intituled "A By-law to raise One hundred and sixty thousand Dollars for the Protection of the Cemetery and Ross Bay," and thereby authorized the issue of debentures to the amount of one hundred and sixty thousand dollars upon the credit of the Corporation of the said city, to bear date first July, 1911, and be payable first July, 1961, and bear interest at the rate of four per centum per annum, payable half-yearly on twenty-first January and twenty-first July in each year:

By-law No. 1107

- (d.) That on the twenty-second day of November 1911, the said Council reconsidered, adopted, and finally passed By-law No. 1107, intituled "A By-law to raise Forty-five thousand Dollars additional for the Protection of the Foreshore of Dallas Road," and thereby authorized the issue of debentures to the amount of forty-five thousand dollars upon the credit of the Corporation of the said city, to bear date twenty-third day of November, 1911, and be payable twenty-third day of November, 1961, and bear interest at the rate of four per centum per annum, payable half-yearly on twenty-first January and twenty-first July in each year:

By-law No. 1062

- (e.) That on the twenty-second day of September, 1911, the said Council reconsidered, adopted, and finally passed By-law No. 1062, intituled "A By-law to assess, levy, and collect the Cost of the Work of Local Improvement (No. 116) under By-law No. 796, and to raise upon Debenture Loan the Necessary Moneys to repay the Temporary Loan made in anticipation of this Assessment," and thereby authorized the issue of local improvement debentures to the amount of three hundred and twenty-seven thousand six hundred and thirty-four dollars and eighty cents on the security of the special rates thereby imposed and on the credit and guarantee of the Corporation at large, such debentures to bear date twenty-third September, 1911, and be payable twenty-third September, 1961, and bear interest at the rate of four per centum per annum, payable half-yearly on the twenty-first day of January and twenty-first day of July in each year:

By-law No. 1064.

- (f.) That on the twenty-second September, 1911, the said Council reconsidered, adopted, and finally passed By-law No. 1064, intituled "A By-law to assess, levy, and collect the Cost of the Work of Local Improvement (No. 64) under By-law No. 719, and to raise upon Debenture Loan

the Necessary Moneys to repay the Temporary Loan made in anticipation of this Assessment," and thereby authorized the issue of local improvement debentures to the amount of one hundred and sixty-nine thousand three hundred and thirty-four dollars and twenty-six cents on the security of the special rates thereby imposed and on the credit and guarantee of the Corporation at large, such debentures to bear date twenty-third September, 1911, and be payable twenty-third September, 1961 and bear interest at the rate of four per centum per annum payable half-yearly on twenty-first January and twenty-first July in each year:

And whereas it is the desire and intention of the Corporation of the City of Victoria, under the provisions of the "Municipal Clauses Act Amendment Act, 1911," to issue an equivalent amount of stock in exchange for the debentures authorized under said By-laws Nos. 875, 936, 1107, 1062, and 1064, respectively, and that such stock shall be issued in sterling with the object of disposing of the same in England:

And whereas the stock authorized by By-law No. 814 has not been issued, and that no debentures have been issued under the authority of the several other by-laws above recited:

And whereas it is represented that the stock to be issued in exchange for the debentures authorized by the said five other by-laws above recited can be disposed of to better advantage if the same can be issued of one uniform date of issue and maturity, so as to be listed on the London Stock Exchange, and the said Municipal Council have prayed that authority be granted to them to issue such stock under the said six by-laws above recited in one uniform issue and maturing at the same date, and it is expedient to grant the prayer of the said petition:

And whereas, at the request of the Board of School Trustees of Victoria, on the fifteenth day of January, 1912, the Council reconsidered, adopted, and finally passed By-law No. 1158, entitled "School Loan By-law No. 9," for the raising of two hundred and seventy-five thousand dollars for the purpose of a high school:

And whereas some doubt has arisen as to the validity of the said by-law, and it is doubtful whether the Board of School Trustees have power to ask for a second levy for extraordinary expenses in any one year, and it is desirable that the said by-law be confirmed:

And whereas it is considered desirable that the Ross Bay Cemetery shall be maintained and kept up in accordance with some uniform plan and the same adorned and made beautiful:

And whereas it is expedient to grant prayer of the said petition:

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

Authority to issue
registered stock.

1. It shall be lawful for the Municipal Council of the Corporation of the City of Victoria to pass a by-law to create a debt of five hundred and fourteen thousand one hundred and three pounds four shillings and sevenpence sterling, by the issue of registered stock to be styled "City of Victoria (British Columbia) Consolidated Stock," the said amount to be made up by a consolidation of the following by-laws of the Corporation, namely:—

By law No. 814, entitled "A By-law to enable the Corporation of the City of Victoria to acquire Sooke Lake, Sooke River, and the Branches and Tributaries of Sooke Lake and Sooke River, and to utilize the same as a Source of Water-supply for the City of Victoria"; and

By-law No. 875, entitled "A By-law to raise Three hundred thousand Dollars for Sewer and Drain Purposes"; and

By-law No. 936, entitled "A By-law to raise One hundred and sixty thousand Dollars for the Protection of the Cemetery and Ross Bay"; and

By law No. 1062, entitled "A By law to assess, levy, and collect the Cost of the Work of Local Improvement (No. 116. under By law No. 796, and to raise upon Debenture Loan the Necessary Moneys to repay the Temporary Loan made in anticipation of this Assessment"; and

By law No. 1064, entitled "A By law to assess, levy, and collect the Cost of the Work of Local Improvement (No. 64) under By-law No. 719, and to raise upon Debenture Loan the Necessary Moneys to repay the Temporary Loan made in anticipation of this Assessment", and

By law No. 1107, entitled "A By law to raise Forty five thousand Dollars additional for the Protection of the Foreshore of Dallas Road."

Date of maturity
of stock

2. It shall be lawful for the said Municipal Council, in the by law to be passed under section 1 hereof, to change the dates of payment of the principal of stock and debentures authorized by the said six (6) by-laws so as to make the same payable on the first day of February, 1962.

Interest dates of
stock

3. It shall be lawful for the said Municipal Council, in the by-law to be passed under section 1 hereof, to make the dates of payment of interest the first day of February and the first day of August in each year.

Contents of by law

4. The said by-law shall contain the following clauses in respect of the payment of the said registered stock so to be issued:—

(a.) There shall be annually set aside and appropriated out of the general revenue of the waterworks system of the Corporation of the City of Victoria next immediately

after the appropriation of the sum of nine thousand four hundred and fourteen dollars and seventy-five cents, being interest and sinking fund on debentures already issued and charged upon the said general revenue of the waterworks system of the City of Victoria, the sum of twelve thousand three hundred and twenty-eight pounds fifteen shillings and fourpence sterling for the purpose of paying the interest and two thousand and eighteen pounds sixteen shillings and eightpence for the purpose of forming a sinking fund for the payment of the principal sum of three hundred and eight thousand two hundred and nineteen pounds three shillings and sixpence sterling, part of the said issue, making a total of fourteen thousand three hundred and forty-seven pounds and twelve shillings; and if the said general revenue of the waterworks system of the Corporation shall not be sufficient therefor, there shall be appropriated out of the general revenue of the Corporation such sum as is necessary to make up the said sum of twelve thousand three hundred and twenty-eight pounds fifteen shillings and fourpence sterling for interest and two thousand and eighteen pounds sixteen shillings and eightpence sterling for sinking fund under the said by-laws:

- (b.) The several and respective special rates set down to be assessed, levied, and collected in each year against the several and respective lots and portions of lots mentioned in By-laws 1062 and 1064 respectively shall be assessed, levied, and collected against each respective lot and portion of lot therein mentioned in the first year and each subsequent year for forty-nine years after the final passage of this by-law, and shall be paid, as to the first year's payment, on or before the thirty-first day of May, A.D. 1912, and to such subsequent payments on or before the thirty-first day of May in each year until the date on which the stock authorized by this by-law to be issued becomes redeemable and payable; and the several provisions in respect of the assessment, levy, and collection of such special rates as contained in such By-laws 1062 and 1064 shall continue in full force and effect, notwithstanding anything to the contrary contained in either of the said by-laws, for the full term of fifty years, and the sums collected thereunder shall be used and applied for the purpose of paying the interest on and forming a sinking fund for the payment of the principal sum of one hundred and two thousand one hundred and sixteen pounds eighteen shillings and eightpence sterling, part of the said issue; and if in any year the said assessment, levies, and col-

lections shall not be sufficient to raise the sum of four thousand and eighty-five pounds thirteen shillings and sixpence sterling for interest and six hundred and sixty-eight pounds seventeen shillings and fourpence sterling for sinking fund, being the amount required to be raised under the said by-laws, then and in such case such deficiency shall immediately be made up out of the general revenue of the Corporation of the City of Victoria; and should the Corporation, having made up such amount out of such general revenue, afterwards by process or otherwise collect any such levy at that time remaining unpaid thereafter, they may recoup themselves by placing in general revenue the amount so collected which has been previously paid by them out of general revenue as afore said:

- (c.) For the purpose of raising annually the required sum for the payment of interest on and forming the sinking fund for the repayment of the principal sum of one hundred and three thousand seven hundred and sixty-seven pounds two shillings and fivepence sterling, being the amount required to be raised under the said By-laws Nos. 875, 936, and 1107, there shall be raised annually the sum of four thousand eight hundred and thirty pounds nine shillings and one penny sterling, or twenty-three thousand five hundred and seven dollars and seventy-five cents, by a rate sufficient therefor on all the rateable land and improvements or real property of the City of Victoria, commencing with the year 1912 and ending with the year 1961:
- (d.) It is the intention of the last three paragraphs that there shall be raised annually, for the payment of interest on and forming a sinking fund for the payment of the principal sum of five hundred and fourteen thousand one hundred and three pounds four shillings and sevenpence sterling authorized by this by-law by the sale of the said registered debenture stock, the sum of twenty thousand five hundred and sixty-four pounds two shillings and sixpence sterling for interest and three thousand three hundred and sixty-seven pounds seven shillings and fivepence sterling for the payment of the said debt, which sum shall be made up: First, out of the waterworks revenue as to fourteen thousand three hundred and forty-seven pounds and twelve shillings sterling for interest and sinking fund; second, from the special rates, charges, and levies under the said By-laws Nos. 1062 and 1064 as to four thousand seven hundred and fifty-four pounds ten shillings and tenpence sterling; third, from the interest

and sinking fund required to be raised annually by the next preceding clause hereof as to four thousand eight hundred and thirty pounds nine shillings and one penny sterling; and so that a sufficient rate shall be raised annually so that the sum of twenty thousand five hundred and sixty-four pounds two shillings and sixpence sterling shall be annually paid for interest by the Corporation, and three thousand three hundred and sixty-seven pounds seven shillings and fivepence sterling shall be annually set aside for the payment of the said charge by the said Corporation on the maturity of the said stock, and the said interest shall be paid half-yearly as aforesaid, and the said amount for sinking fund shall be annually set aside on the first day of February in each year, commencing with the year 1913:

- (e.) No stock or debenture shall be issued under any of the said By-laws Nos. 814, 875, 936, 1062, 1064, and 1107, but loans shall be made thereunder exclusively by the sale of the stock above mentioned, which said stock shall be called "City of Victoria (British Columbia) Consolidated Stock"; but the said several by-laws shall remain in full force and effect for the purposes of effecting thereunder the assessment, levy, and collection of the rates imposed by the said by-laws respectively, and for the purpose of directing the allocation of the moneys received from the sale of the said stock, and for such purposes only:
- (f.) For the expense and for discount and other charges and all other matters hereinbefore mentioned, each of the said by-laws shall share in proportion of the amount provided by each by-law.

5. Subject to the "Municipal Act," the said by-law may contain such other provisions providing for the issue, registration, sale, and transfer of the said debenture stock as the said Municipal Council may direct.

Council may provide for issue, registration, etc.

6. All such stock shall be issued on the credit of the Corporation of the City of Victoria, and shall rank *pari passu*.

Credit of Corporation.

7. When the said stock shall have been issued and the interest thereon which shall have fallen due shall be paid for the period of one year by the Corporation, the said several by-laws, none of which have been quashed by any competent Court, and the by-law authorized to be passed by this Act and the stock issued thereunder, shall be valid and binding upon the Corporation and the ratepayers thereof and on all parties concerned: Provided that this section shall in no way affect or interfere with pending litigation.

When interest paid one year, issue validated.

School Loan By-law
No. 9.

8. It is hereby declared that it shall not be competent for any Court to quash, set aside, or otherwise refuse to recognize the validity of By-law No. 1158 of the by-laws of the Corporation of the City of Victoria, entitled "School Loan By-law No. 9," by reason of the fact that the Board of School Trustees of Victoria made two demands in the year 1911 for a levy for extraordinary expenditure.

Consolidation of
By-laws 876 and
937.

9. It shall be lawful for the Municipal Council to consolidate By-laws Nos. 876 and 937 of the Corporation, and to issue thereunder debentures for the sum of two hundred thousand six hundred and eighty-two dollars; and in the said consolidation by-law to make the date of maturity of the said debentures the third day of September, 1936, and to issue the said debentures in one series, to consist of four hundred and twelve debentures of the denomination of one hundred pounds sterling each and one debenture of thirty-six pounds and sevenpence sterling, and all such debentures shall bear date of the third day of September, 1911, and shall be payable at the Bank of British North America, London, England.

Maintain and
keep in order
Ross Bay Cemetery.

10. Notwithstanding any ownership vested in any body corporate or trustees, it shall be the duty of the Municipal Council of the City of Victoria, and the said Council shall have power, out of the general revenue of the City of Victoria, to maintain, repair, keep in good order and condition all the land within the limits of the Ross Bay Cemetery.

Public Library
maintenance.

11. Notwithstanding anything contained in the "Municipal Act" or in any by-law of the Corporation, it shall be lawful for the Municipal Council to expend for the maintenance and upkeep of the Public Library such sum as the said Municipal Council may direct, not exceeding in any one year in all one-quarter of one mill on the dollar of the assessed value of real property in the Corporation.

VICTORIA, B.C.:

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