

No. 16B.

PETITION.

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

The petition of the British America Timber Company, a body corporate duly licensed as an extra-provincial company to carry on business in the Province of British Columbia, humbly sheweth:—

1. That your petitioner is the owner in fee-simple of large areas of timber lands, and the handling of timber therefrom to the sea would be over and along the Campbell River and Lakes.

2. That there is pending before the Water Commissioner of the Province of British Columbia an application by the Campbell River Power Company, Limited, for 100,000 inches of water to be taken from the Campbell River and used for the developing of power, and that your petitioner has filed with the Provincial Secretary of the Province of British Columbia a protest against the granting of the said petition, on the ground that it will prevent the user of the said Campbell River for the purposes of bringing out timber and of developing the lands lying along the Campbell River and around the Campbell Lakes, large areas of which are owned by your petitioner, as aforesaid.

3. That the matter of the said protest has not yet been heard and determined.

4. That by petition presented to your Honourable Body at the present session, the said the Campbell River Power Company, Limited, is applying for the passing of an Act, under the title of "An Act confirming and ratifying the Incorporation of the Campbell River Power Company, Limited, under the 'Companies Act, 1897,' and conferring other powers," for the purpose, *inter alia*, of validating the incorporation of the said Company, and for the further purposes set forth in paragraphs 2, 3, 4, and 5 of the said Bill, as follows:—

"2. The water licence issued to the Company for water to be taken from Campbell River, in the Province of British Columbia, is or are hereby declared to have been properly, regularly, and legally applied for, obtained, and issued, and it is or are hereby declared to be vested in the said Company, its successors and assigns absolutely, subject to the terms of the 'Water Act, 1909.'

"3. All powers and privileges given by the 'Water Act, 1909,' to power companies are hereby declared to be vested in the Company, but subject to the conditions set out in the said Act.

"4. The approval of the Company's undertaking and works for power purposes, as contained in the certificate of approval, is hereby ratified and confirmed.

"5. The Company may alienate any lands of which it is possessed, no matter how or from whom the same may have been acquired."

5. That if the said Bill is passed it will confer upon the Campbell River Power Company, Limited, exclusive power and authority over the waters of the Campbell River, which river should by right and of necessity be kept open for user on terms of equality for all the owners of land lying along the waters thereof and the waters tributary thereto.

6. Your petitioner, therefore, prays that your Honourable Legislature will be pleased to refuse to grant the petition of the Campbell River Power Company, Limited, for the passing of the above (in part) recited Bill.

And your petitioner, as in duty bound, will ever pray, etc.

Dated at Victoria, British Columbia, this 7th day of February, A. D. 1910.

BRITISH AMERICA TIMBER COMPANY.

Per R. T. ELLIOTT, *of Counsel.*