

No. 62A.

PETITION.

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To Mr. Speaker and Members of the Legislative Assembly of British Columbia :

The petition of the British Columbia-Yukon Railway Company, humbly sheweth:—

1. Your petitioners are incorporated by Statute of British Columbia, 1897, Chapter 49, with power to construct and operate a line of railway from some point in British Columbia at or near the head of Lynn Canal, thence by the most feasible route to the north boundary line of British Columbia, the said line of railway being part of a system of railway communication between the Lynn Canal and the Yukon River and its navigable tributaries.

2. Under the said Act your petitioners have constructed a line of railway over the summit of White Pass, at which point it crosses the International Boundary Line between the United States of America and Canada, as fixed by the *modus vivendi* between the two countries, and thence to Bennett City and along the shores of Lake Bennett to Caribou and White Horse. The total distance constructed and in operation from the summit of White Pass is about 91 miles. The construction of said railway was carried on under great difficulties, and at an expense of from \$30,000 to \$50,000 per mile.

3. The said railway has been fully equipped with the most modern engines, freight cars and coaches; has successfully handled the freight and passenger business of the last two years over the route in question.

4. The said railway was constructed and completed to Bennett City on the 6th of July, 1899, and was completed to White Horse, so as to afford continuous through service, on the 29th July, 1900.

5. Since the completion of the railway, continuous and heavy expenditures have been made upon the railway in the nature of permanent improvements and betterments of the line and grades, and the construction of depôts and station buildings, and also most extensive and modern warehouses at White Horse terminus.

6. The railway has been remarkably instrumental in aiding the development of the interior Yukon country from Bennett and Atlin to White Horse and Dawson.

7. The completion of this railway has enabled the merchants of British Columbia and Canada to control the trade of the entire Yukon country, which was formerly mainly in the hands of foreign merchants and transportation companies.

8. Your petitioners are informed that one John Irving is applying to your Honourable House at its present session for an Act to incorporate a company with power to construct, equip, operate and maintain a line of railway for the carrying of passengers and freight from a point at or near the junction of the Chilcat and Klahini Rivers; thence westerly along the

Klahini River and northerly in the general direction of the Dalton Trail to some point not less than five miles from the Provincial Boundary, in the District of Cassiar, and to build and operate tramways in connection therewith, etc., etc.

9. The said line of railway, in order to be of any practical or commercial value, requires to reach the headwaters of the Lynn Canal at a point navigable for steamships, and for that purpose would have to be extended into the territory to the south of its said proposed point of commencement, which territory is now in dispute between Great Britain, in her right of Canada, and the United States of America, and your petitioners are satisfied that the said line of railway is intended to be used as a link in a line of railway starting from some point on the Lynn Canal, in said disputed territory, to be constructed under powers granted by the Government of the United States of America.

10. His Majesty's Government for the Dominion, who had the British side of the case in hand, announced last year, and His Majesty's Government for the Dominion still maintain, that the granting by the Dominion or the Province of British Columbia of any charters for railways being links in lines of railway commencing at ports in possession of the United States and running through the disputed territory, is contrary to the interests of Canada and to the policy of that Government.

11. The territory to be reached by the said proposed line of railway can be reached with much greater advantage to this Province, and at much less expense, by a line of railway constructed wholly in Canada, starting from a point on your petitioners' line of railway and thence southerly.

12. Your petitioners submit that the said proposed line of railway would conflict with your petitioners' line of railway in its own legitimate field and territory, and your petitioners would humbly present that when a charter for the construction of a railway is granted, and the necessary capital is invested in the enterprise, and the line expeditiously constructed, and an adequate and convenient public service provided, that there arises something in the nature of a corresponding obligation, or at least a disposition on the part of the country and of your Honourable House to protect that company and its capital which has been employed in the work from uncalled-for competition and rivalry within the legitimate territory of its line, particularly where it has opened up a new territory and the enterprise has been hazardous.

Your petitioners, therefore, pray that this Honourable House will not grant the petition of the said John Irving for the said Act, and that your Honourable House will not pass the said proposed Bill, or any Bill, for a railway competing with your petitioners' railway in its own line of territory.

And your petitioners will ever pray, etc., etc.

Dated at Victoria, British Columbia, this 6th day of March, A. D. 1901.

S. H. GRAVES, [L.S.]
President.