

No. B16.

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 constructed a line of railway from the Provincial Boundary of British Columbia on the south, thence over the summit of the White Pass to Bennett City, a distance of twenty-one miles, at a cost of over thirty thousand dollars (\$30,000) a mile, and fully equipped said railway, and the same has been in regular operation for the carriage of passengers and freight since the sixth day of July last, 1899, affording (in connection with an extension of the said railway from the said southern boundary of British Columbia through the disputed territory to Skagway) communication from the sea to Lake Bennett and its tributaries.

3. Your petitioners have now under construction a continuation of their said line of railway from Bennett City to the Northern Boundary of British Columbia, where it will connect with a continuation of said railway system, also now under construction, from the last-mentioned point to White Horse Rapids, which is the head of navigation of said Yukon River and its tributaries. The grading of the said lines of railway is completed from Cariboo Crossing to White Horse Rapids, and the rock cutting of the line between Bennett and Cariboo Crossing, where the work is very heavy and expensive, is being pushed as rapidly as possible. The whole system of railway from the sea to White Horse Rapids can be got ready for operation by the opening of navigation to Dawson City this year.

4. The expenditure upon the said railways down to the opening of the road to Bennett aforesaid was over two millions three hundred and seventy thousand dollars (\$2,370,000). The engineering difficulties of the route, which was the most practicable of any of the available routes for the construction of a railway from the head of Lynn Canal to Lake Bennett, were very great, but the road was constructed in the best possible manner, and the rolling stock and equipment are such as to afford the greatest possible safety and comfort to passengers, and your petitioners have otherwise spared no expense to secure the best system and material.

5. The result of the opening of said railway has been to reduce the cost of carriage of freight from fifteen cents to less than three cents a pound from the sea to Bennett.

6. Your petitioners and their associates in the companies controlling the other parts of the said system are now for the first time about to place their stocks and bonds in the money market in London, upon the price of which will largely depend the financial success or loss of your petitioners and their ability to carry to completion their said system as above indicated.

7. All the money earned by your petitioners last season has been expended in British Columbia in pushing forward construction of their said railway line.

8. Your petitioners are informed that Michael King and others are applying to your Honourable House for a statute empowering them to construct a line of railway from Dyea, on the said Lynn Canal, to a point on or near Lake Bennett aforesaid, thence to the sixtieth parallel of latitude, with power to equip, construct and operate branch lines, to build, own and maintain docks and wharves, to equip, own and maintain and build boats, etc., etc.

9. The proposed line of railway would parallel and in effect occupy the same territory as your petitioners' said line of railway.

10. There is no public necessity, and there is, as a financial proposition, no bonâ fide field for two railways from the Lynn Canal to Bennett, or for two railway systems of communication between Lynn Canal and the headwaters of the Yukon, and the construction of the said proposed railway would destroy your petitioners' chance of reaping the fruits of their enterprise without resulting in any benefit either to the country or those who undertook the construction of the proposed new railway.

11. Whether the said proposed railway is constructed or not, the granting of the proposed charter to its promoters by your Honourable House at this particular time would cause your petitioners serious loss and embarrassment in connection with the proposed placing of their stock upon the money market, and would hamper, if not prevent, the completion of their system of communication as indicated.

12. Your petitioners have reason to believe that the said application for said new railway charter is not made with any desire of now commencing the construction of any such railway, but of securing same for what said charter may be worth, as a charter, to its promoters.

13. Said Michael King and others did not present their petition for said Act in time to be considered by your Honourable House at this present Session, or comply with the Rules of said House, but have presented a petition to your Honourable House to suspend its Rules so as to permit their application for said Act to be considered at this Session.

14. Your petitioners would humbly present that when a charter for a railway is granted to a company it is upon the implied obligation that the line will be expeditiously constructed and an adequate and convenient public service provided; and, if that is fulfilled, 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 Michael King and others for leave to introduce the said Bill at the present Session, or their petition for said Act if permitted to be introduced, 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 22nd day of January, A. D. 1900.

BRITISH COLUMBIA-YUKON RAILWAY COMPANY.

[L.S.]

ARTHUR DAVEY,
Secretary.

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