
PETITION.

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

The petition of "The British Columbia Drainage and Dyking Company, Limited," of the Province of British Columbia, representing large interests in overflowed and unreclaimed meadow land in the Province, sheweth:—

That certain unreclaimed meadow lands, to wit, about 14,000 acres, situate in Pitt Meadows, New Westminster District, have been granted to certain persons by the Dominion Government of Canada, on and subject to the conditions that the said lands should be dyked and preserved from the overflow of the Pitt, Lillooet and Fraser Rivers, to the satisfaction of the aforesaid Government, and their satisfactorily being reclaimed from being overflowed lands, and also on paying a certain price per acre therefor to the said Government.

That in consequence of such grant and with the object of fulfilling the conditions imposed by the Government of the Dominion of Canada, before a Crown Grant could issue for the said lands, the British Columbia Drainage and Dyking Company, Limited, in whom the aforesaid interest in the said lands is now vested, caused to be constructed a large quantity of dyking and dredging plant and machinery, at great cost, for the purpose of dyking and reclaiming the whole of the area granted as aforesaid.

That the British Columbia Drainage and Dyking Company have expended a considerable amount of money in equipment and plant necessary to carry out the said works.

That the said company have already dyked and reclaimed about twenty-three hundred and fifty acres of the said land, and are prosecuting the work with vigour in order to reclaim the remainder of the said lands.

That a certain portion of the said lands is situated and adjoins a block of land that the Maple Ridge Dyking Commissioners, appointed under the provisions of the "Drainage and Dyking Act, 1887," and Amendment Act, 1892, are desirous of dyking.

That the said Maple Ridge Dyking Commissioners have for some time past endeavoured to force the British Columbia Drainage and Dyking Company to have their lands dyked by the Commissioners, who have let a contract, without the consent of the company, for the reclamation of the aforesaid block of the company's land, in accordance with certain plans and specifications procured by them but not approved of by the said company.

That the said company have provided, and have been and are now using, their own plant and machinery with which they intend to continue and complete the reclamation of the lands granted by the Dominion Government as aforesaid, and in accordance with their own plans and specifications under which they have already reclaimed successfully and to the satisfaction of the Dominion Government a portion of the said lands.

That a Bill is now before your Honourable Body intituled "An Act respecting the Drainage, Dyking and Irrigation of Lands," which Bill contains the two following clauses, namely:—

"(b.) Lands vested in the Dominion Government, in the Province of British Columbia, in respect of which no _____ has issued, but which are held under pre-emption, or lease, or are agreed to be sold, granted, or conveyed, shall be liable (while so held or during the existence of such agreement) to assessment from the date of such pre-emption, record, lease, or agreement, or Order in Council, to sell, grant, or convey (as the case may be), but such assessment shall not in any way be held to affect the rights of Her Majesty in such lands.

“(c) When one-third or less of any such marsh, swamp, meadow, or other lands, consist of unpatented lands of the Dominion Government, which are held under pre-emption or lease, or are agreed to be sold, granted, or conveyed, and when by reason of a failure of any condition attached to any such lease, agreement, or sale, or for any other cause, any such lands are resumed by the Dominion Government, and the said Dominion Government do not agree (when so requested), to allow the assessment to stand as a first charge against said lands, then the Commissioner or Commissioners shall have power, and it shall be their duty to increase, from time to time, the assessment of the owners or occupiers of the other land within the district for which such Commissioner or Commissioners shall have been appointed or selected, to a sufficient amount to meet the deficiency that may be caused in the total assessment by the withdrawal of such Dominion unpatented lands therefrom as aforesaid, and all such increased assessments so made shall, equally with all other assessments, become a first charge under section 13 of this Act, and may be levied and collected as original rates.”

That if the said clauses contained in the said Bill become law they will work a great injustice and hardship on the said company, as the aforesaid lands were granted by the Government of the Dominion of Canada on the condition that they should be dyked by the Grantees or their assigns. And the grantees would have to pay a large sum for works, the carrying out of which they have already made full provision for, and are at present engaged on, which have been proved to meet the necessary requirements, and the company will lose a large sum of money invested in plant and machinery for completing the works. And the said company being responsible to the Dominion Government of Canada for the successful dyking of the said lands, and without the approval of whom they cannot obtain a grant in fee simple thereto, will suffer considerable loss by the work being done by the said Commissioners.

That your petitioners respectfully submit that under the provisions of section 125 of the “British North America Act,” “no land or property belonging to Canada or any Province shall be liable to taxation,” and that the effect of the said clauses would be to assess lands belonging to Canada.

Your petitioners, therefore, humbly pray your Honourable Body not to pass the aforesaid clauses into law.

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

B. C. DRAINAGE AND DYKING CO., LTD.,

[L.S.]

D. OPPENHEIMER, *President.*

VICTORIA, B. C.

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