
PETITION.

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

The humble petition of the undersigned taxpayers and owners of lands upon the Serpentine River, assessed or proposed to be assessed under the Surrey Dyking By-Laws, sheweth:—

That, in the year 1889, a petition was presented to the Municipal Council of Surrey, asking that certain works be constructed at the mouth of the Serpentine River, for the purpose of dyking and draining the lands above mentioned, the cost of the same to be levied upon the lands benefited thereby:

That, in the same year, the Council aforesaid let a contract for the construction of the said works, under bonds and sureties for the proper completion of the same:

That, on the tenth day of August, 1889, a by-law was finally passed by the Council to raise the sum of \$12,000, to provide the cost of the said works, which sum exceeded by \$3,000, more or less, the amount of said contract:

That your petitioners consider that these acts of the Council limited the liability of the owners of the lands proposed to be dyked, either to the amount at which it was contracted, under bonds and sureties, to construct the said works, or to the sum proposed to be raised by the said by-law:

That, on account of certain defects in the construction of the said works, the Council refused to accept the same, and, failing reparation by the contractor, the Council completed the contract by day labour, and is now suing at law the bondsmen and sureties for the cost of the said completion of contract:

That neither the above-mentioned by-law, nor the subsequent expenditure of money by the Council, was submitted to the taxpayers of the municipality for their approval, or authorized by them, although the credit of the whole municipality was pledged in the said by-law:

That in the British Columbia Gazette of January 15th, 1891, appears a by-law respecting the "Surrey Dyking and Drainage By-Law, 1891," which proposes to levy an assessment of \$25,000, in the place of the \$12,000 mentioned in the by-law of 1889, upon the lands benefited, or supposed to be benefited, by the said works:

That this by-law has never received the assent of the taxpayers, and proceedings have already been commenced to have it quashed in the Courts of Law:

That, if this by-law were good in law, a great injustice would be done to your petitioners, who claim that they are not responsible for the bad faith of the contractor and his bond and sureties, nor for the mismanagement or illegal conduct of the members of the Municipal Council:

That your petitioners hear with alarm that an attempt is being made to pass a legitimating and indemnifying Bill through your Honourable House for the purpose of legalizing the illegal acts of the Council of Surrey, and of making the above-mentioned by-laws valid, "notwithstanding any defect in the substance or form in or about the passing thereof," &c., &c.:

That your petitioners also protest against a certain resolution passed by the Council of Surrey in favour of the said indemnifying Bill, which resolution was secretly passed at a special meeting, after several taxpayers had been turned out of the room, and one of the Councillors—the only one who owns land in the dyked area—being absent, not having received notice of such meeting.

All of which is respectfully submitted.

Your petitioners therefore pray that your Honourable House will protect them against the oppressive and illegal acts of the Council of Surrey, by refraining from interfering with the due course of justice as to the quashing of the aforesaid by-laws, and also by refusing to pass the said Surrey Municipality Dyking By-Law Bill, or any other Bill, or clauses which may be inserted in the “Municipal Bill, 1891,” or elsewhere, of the like nature.

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

Dated this 25th day of March, in the year of Our Lord One thousand eight hundred and ninety-one.

WALTER J. WALKER,
ERNEST MILES WILTSHIRE,
JOHN D. PARIS,

C. BROWN,
F. WHITE,
ELLIS GEORGE,

and 15 others.

VICTORIA, B. C. :

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PETITION.

To the Honourable the Speaker and Members of the Legislative Assembly of British Columbia.

We, the undersigned, property owners in the Municipality of Surrey, hereby humbly pray that your honourable body will not permit the insertion of any clause in the "Municipality Amendments Act" which will enable the Municipal Council of Surrey to legally assess property owners in said Municipality for certain moneys illegally spent by the said Municipal Council in the carrying out of certain dyking operations, to legalize the expenditure of which the said Municipal Council lately sought to pass through the House a Bill intituled the "Surrey Municipality Enabling Bill," which was very properly thrown out by your honourable body.

The said money was spent, not by the desire of the parties who are to be benefited by the said dyking scheme, nor by the desire of the whole of the ratepayers of the said Municipality, but on the authority of certain members of the said Municipal Council, who mismanaged the work and, solely on their own responsibility, spent many thousands of dollars on the work over and above the amount authorized by the original Bill; and now, having spent this large additional sum, and having, we are credibly informed, permitted the bondsmen to escape their liability, and also having failed to pass through the House their Enabling Bill, they purpose to carry out their designs, if possible, by having certain clauses inserted in the "Municipality Amendments Act," and thus to lay upon the unfortunate owners of lands within the area of the said dyking scheme a grievous burden, none of which will fall upon any of the members of the said Municipal Council—one man excepted—as all the rest do not own any land within the said area.

A more numerous signed petition, signed by those residing on the spot, will, in course of a few days, be laid before your honourable body. Meanwhile, this petition, signed by certain of the property owners at present resident in Victoria, is placed before you that you may be fully acquainted with the facts of the case. Meanwhile, it is earnestly hoped that your honourable body will not permit any such injustice to be practised under the sanction of law.

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

J. D. PEMBERTON,

pp. F. B. Pemberton.

MOODYVILLE SAW MILL Co. (Limited),

pp. R. P. Rithet, President,

R. Seabrook.

JOHN B. CHANTRELL.

[Seal.]