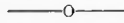


PETITION.



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

The petition of the undersigned, ratepayers of the Corporation of the District of Surrey, humbly sheweth:—

1. That your petitioners, on the 10th day of August, A. D. 1889, passed a by-law to provide for dyking and draining part of the lands situated within the Municipality.

2. That your petitioners afterwards, in the month of November, A. D. 1890, passed another by-law, to provide means for obtaining the money to carry out the work contemplated by the by-law passed in August, 1889, and some further necessary improvements.

3. That your petitioners, believing that the by-law passed as aforesaid, in November, 1890, was a good and valid by-law, obtained from the Bank of Montreal the sum of \$25,000.00, and issued debentures for the said sum, payable in twenty years, and bearing interest at the rate of six per cent. per annum.

4. That the said Bank, upon the security of the said by-law, and the good standing and credit of the Municipality of the District of Surrey, advanced the said sum in good faith and upon reasonable terms.

5. That the said by-law, so passed in November, 1890, as aforesaid, has been declared by the Supreme Court of British Columbia to be invalid, and by an order of the said Court the same has been quashed for want of proper advertising, and other defects.

6. That your petitioners are justly and truly indebted to the said Bank in the sum aforesaid, with the interest thereon, but in consequence of the said by-law having been quashed as aforesaid, your petitioners are unable lawfully to meet their just and legitimate obligations.

7. That your petitioners are desirous of meeting their legitimate obligations and maintaining the credit and honour of the Municipality and the good faith and reputation of the inhabitants thereof.

8. That your petitioners, while admitting their liability to the said Bank, submit that the payment of the principal and interest should be borne by the persons and lands intended to be benefitted by the expenditure of the said sum so borrowed.

Your petitioners, therefore, humbly pray that your Honourable House will be pleased to grant leave to introduce and pass an Act to make the debentures so issued by your petitioners as aforesaid a good and valid security for the moneys advanced by the said Bank, and the interest thereon, and to enable your petitioners to provide means for paying the interest on the said debentures, and the principal sum when the same shall become due, and for levying a rate upon the persons for whose benefit the dyke was constructed.

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

BRITISH COLUMBIA MILLS, TIMBER AND TRADING Co., Royal City Branch,
JOHN HENDRY, General Manager,

MRS. JOHN HENDRY, DAVID McNAIR,
D. MUNN, E. A. JENNS,
G. W. AIKMAN, HENRY ELLIOTT,

And 51 others.

[A similar petition, signed by Johann Wulffsohn and 23 others.]

PETITION.

To the Honourable the Speaker and Members of the Legislative Assembly of the Province of British Columbia:

The petition of the undersigned, George Douglas Brymner, of the City of New Westminster, of the Province of British Columbia, manager of the Bank of Montreal, humbly sheweth:—

That the Corporation of the District of Surrey, by a By-Law known as the "Surrey Dyking and Drainage By-Law, 1889," made provision for the reclaiming of certain lands in the said district, as therein set forth, which By-Law is duly published in the British Columbia Gazette:

That the Council of the said Corporation, for the said year 1889, borrowed upon the credit of the ordinary revenues of the Municipality for that year the sum of \$12,000, to be repaid within that year out of the said ordinary revenues:

That the moneys so borrowed, as aforesaid, were expended by the said corporation in or towards the construction of the said works, in the expectation that the moneys authorized and required by the said By-Law to be levied upon the lands to be benefitted by the said works would be available to re-imburse the moneys so withdrawn from the said ordinary revenues of the said Corporation and applied in or towards the construction of the said works as aforesaid:

That the contractors with the said Corporation for the construction of the said works made default therein, and the nature of the said works was such that unless the same had at once been prosecuted to completion, not only would no benefit be derived from that portion then constructed, but such portion itself was liable to be swept away, and the benefit of the moneys theretofore expended wholly lost, whereby it became necessary for the said Corporation to undertake, and they did accordingly undertake the completion of the said works, and completed the same:

That by reason of the default of the said contractors, the said Corporation found it necessary to expend and did expend the further sum of \$13,000 in completing the said works over and above the sum of \$12,000, being the estimated cost of the works aforesaid at the time of the passing of the said By-Law:

That the said corporation, for the purpose of providing temporarily for the prosecution of the said works, pending the passing of the By-Law hereinafter referred to, applied in the completion of the said works the further sum of \$8,000, which was also borrowed upon the credit of the ordinary revenues of the Municipality, to be repaid out of the same during the then current year:

That the said Corporation, being desirous of providing for the obtaining of the moneys so required for the said works, as aforesaid, upon the credit of the said Corporation, that the same might be procured at a lower rate of interest than could otherwise be expected, and of spreading the repayment thereof over a period of years for the benefit of the persons chargeable with the repayment thereof, and of repaying the moneys so borrowed, as aforesaid, and providing also for the additional sum necessary to make up the total sum of \$25,000 so expended, as aforesaid, passed a By-Law, called the "Surrey Dyking and Drainage By-Law, 1890," which was published in the said British Columbia Gazette, on the 20th day of November, 1890:

That the said moneys so borrowed by the said Council were borrowed from the Bank of Montreal through your petitioner, who advanced the same because of the passage of two

several By-Laws of the said Corporation of the District of Surrey, duly passed and published in the British Columbia Gazette, as aforesaid, authorizing the borrowing of the said respective sums on the credit of the said Municipality and the repayment thereof out of the current yearly revenues of the Municipality :

That, relying upon representations made by the Council of the said Corporation, as to the passage of the By-Law which your petitioner hereby asks to have confirmed, he did not insist, as he would otherwise have done, on the repayment of the said moneys so borrowed from the said Bank of Montreal according to the terms of the said two By-Laws authorizing the borrowing thereof, but delayed such action to enable the Council to complete the passage of the By-Law hereinbefore mentioned, authorizing the issue of Debentures providing for the whole of the said indebtedness :

That the said last mentioned By-Law was accordingly passed by the said Council and published, and the debentures thereby authorized were issued and delivered by your said petitioner for the Bank of Montreal upon account and for the purpose of wiping out the indebtedness then existing, as aforesaid :

That the said By-Law was quashed by a Judge of the Supreme Court of British Columbia for a defect in the publication thereof, and for other alleged irregularities :

That before the quashing of the said By-Law the debentures thereby authorized to be issued had been made and issued and applied as aforesaid.

Your petitioner says that the acts of the said Council, in borrowing the said money from the Bank of Montreal, and in expending the same, and in seeking to provide for the said indebtedness by authorizing the issue of the said debentures were done publicly, and were well known to the ratepayers, because of the same having been discussed and sanctioned by the Council at public meetings thereof, and by the publication of the said By-Laws as aforesaid, and by the default of the contractors in not performing their contract for the construction of the said works which was the subject of much and frequent discussion in the Council and among the ratepayers.

Moreover, one of the principal objectors to the relief which your petitioner asks, being an accountant, was employed by the said Council to prepare the schedule to the said By-Law, which your petitioner hereby asks to have confirmed.

Your petitioner states that notwithstanding what is set forth in the last preceding paragraph no objection was made to the loaning by the Bank of Montreal of the said moneys, or any part thereof, nor was any notice given to the Bank of Montreal or to your petitioner objecting to any such loan, nor was any objection made to the said Council in relation thereto.

Your petitioner submits that, under the circumstances, it would be most inequitable and unjust that the Corporation of the District of Surrey, who received the said moneys and expended the same and the persons benefitted by such expenditure should, notwithstanding, be allowed to repudiate their obligations to repay the same.

Your petitioner, therefore, humbly prays that your Honourable House will be pleased to pass an Act to make the debentures, issued as aforesaid, a good and valid security for the moneys advanced thereon, and to provide for the payment of the interest and principal of the said debentures.

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

GEO. D. BRYMNER,
Manager Bank of Montreal, New Westminster.