

AFFIDAVIT No. 9.

County of Elgin, }
To-Wit: }

I, ALEXANDER MCBRIDE, of the Township of Bayham, in the County of Elgin, Merchant, make oath and say as follows:

- 1st. That I am now and have been for the last thirteen or fourteen years a resident and ratepayer of the Township of Bayham aforesaid, and was a member of the Municipal Council of said Township last year.
- 2nd. That I took a great interest in the Bayham, Richmond and Port Burwell Plank and Gravel Road Company both before the corporation of the said Township lent them money as hereinafter stated, and also afterwards.
- 3rd. That I was at all the meetings held by the people of said Township in reference to lending money to said Road Company, and am positive that previous to the loan by the municipal council of said Township to the said road company of four thousand pounds under the authority of By-Law number one hundred and sixteen, no meeting of the people was called or held to express any opinion as to the loan or otherwise; if such a meeting had been called or held I am positive that I would have heard of and attended it.
- 4th. The said Council issued their debentures under By-Law number one hundred and sixteen in good faith and believing that said By-Law was legal, and on the delivery of said debentures to said company by the said Council the said company made and executed a first mortgage on said road to secure the said Township repayment of said debentures; that said debentures were negotiated and sold soon after their issue, in the year one thousand, eight hundred and fifty-four, and long before any doubts were entertained of their legality. That the persons buying the debentures had no opportunity of knowing that they were issued contrary to the wish of any person, and that, so far as I know, no one had for at least a year after the said debentures were issued and negotiated raised any objections to their issue or had any doubts as to their legality.
- 5th. That the company both before and as soon as the debentures were negotiated, proceeded to grade the line of road and to gravel and plank large portions of it; that in fact the road was nearly completed; that about twelve miles and a-half of the road were fully completed, leaving only about three miles and a-half thereof unfinished, (the whole length of the road being about sixteen miles,) and the heavy grading of those three miles and a-half being finished.
- 6th. That in the year one thousand, eight hundred and fifty-five, after the funds at the disposal of the company were exhausted they applied to the said Council for a further loan of four thousand pounds, and a vote of the people was taken as to granting this second loan which resulted in favor of the loan by a majority of one; that the By-Law granting this