

CARTWRIGHT, MASTER.

SEPTEMBER 9TH, 1907.

CHAMBERS.

COATES v. THE KING.

Particulars — Petition of Right — Commission on Sale of Treasury Bills and Bonds — Names of Purchasers — Dates of Sales—Prices Paid—Particulars for Pleading — Delay.

Motion by defendant for particulars of certain paragraphs of the petition of right.

N. Ferrars Davidson, for defendant.

Featherston Aylesworth, for plaintiffs.

THE MASTER:—In this case the plaintiffs seek to recover a sum of £3,000 or \$14,600, being one quarter of one per cent. on £1,200,000, the amount of certain bonds which were issued by the provincial government for the building of the Temiskaming Railway.

In the 8th paragraph of the petition of right the plaintiffs allege that under a memorandum of 10th October, 1904, signed by the Hon. R. Harcourt, who at the time was a member of the provincial government, and acted as their agent in the matter, it was agreed that the plaintiffs should negotiate (1) the sale of treasury bills for £1,200,000, and that the subsequent sale of the bonds to retire these bills should be intrusted to them. The bills were to be sold at a price representing a rate of interest not exceeding 4 per cent. Nothing was said as to terms of the sale of the bonds.

In the following paragraph it is alleged that treasury bills were successfully sold at the prescribed rate, and in the 14th paragraph it is alleged that, at the request of the Provincial Treasurer, these bills were, on 15th May, 1905, renewed for another 6 months, and sold by the plaintiffs, and the previous issue repaid with the proceeds.

The petition of right was filed on 22nd November, 1906. It was stated on the argument that attempts had been made at settlement, so that the petition was not served until 6th June.