

in the meaning of the said Acts; and the presumption on the facts disclosed in the case is that the claimants do not and never did intend to construct a railway touching at Ottawa and Arnprior.

3. That the said section of railway was not commenced within the three years provided by the Act of 1865 (29 Vic., Cap 80).

4. That ten per cent. on the amount of the capital was not expended on the railway within three years, after the passing of the special Act or the Act of 1865, as provided by the Act respecting railways (Con. Stat. of Canada), Cap. 66, sec. 117; nor until the witnesses on the part of the suppliants have been fully cross-examined upon the points involved in the said objections; nor until the said objections and the other objections raised in the case shall have been fully argued before the Court of Error and Appeal in this Province, and the judgment of the said Court given thereon; nor until sufficient examination and enquiry have been made and full information obtained and evidence given on the part of the defence in the following points, viz. :—1st. As to the length of the shortest practicable route for a line of railway between Ottawa and Arnprior. 2d. As to the time when the said section of railway between Ottawa and Carleton Place was commenced, and what work, if any, was done thereon within three years from the 15th of September, 1865. 3rd. As to the amount that was expended on said section of railway within the said three years, and the particulars of such expenditure.

Mr. Ardagh—That when the House is in Committee on the resolutions in respect to the Municipal Loan Fund and distribution of the Surplus, he will move the following amendments :—

1. That *Whereas* the corporation of the county of Simcoe assisted in the construction of the Ontario, Simcoe, and Huron Railway, now the Northern Railway of Canada, by taking stock in said railway to the extent of \$200,000, in the delusive expectation that the advance would be made good out of the profits of the railway.

And *Whereas* said railway has been greatly instrumental in developing the wealth of this Province, and although now, and for five years past, earning a large revenue, has not paid any interest or dividend on said stock in consequence mainly of the action of the Legislature of the late Province of Canada, by which certain preference bonds and a Government lien for £475,000 sterling and interest were placed before said stock for receipt of distribution from earnings.

And *Whereas*, the said municipality is not benefited by the Statutes 22 Vic, c. 13, it is therefore expedient and just that it should receive the benefit of the railway allowance of \$2,000 per mile proposed to be given to municipalities that have aided railways of great general utility.

Also—That before the passing of the Railway Aid Act of 1871, the municipalities of the town of Barrie and the village of Orillia agreed to give by way of bonus the sum of \$30,000 and \$12,500 respectively to the Toronto, Simcoe, & Muskoka Railway, to assist in the construction of the said line running in the direction of the free-grant district.

And *Whereas* the said respective sums were larger than might have been necessary if the said railway had received aid from the Province under the said Act; it is therefore just and expedient that said municipalities should be held to be entitled to the proposed railway aid allowance of \$10,000 per mile.

Also—That *Whereas* the village of Orillia, the united townships of Orillia and Matchedash, and the township of Tay agreed to aid the Midland Railway by way of bonus (the said village and united township in the sum of \$12,500 each, and the said township of Tay in the sum of \$25,000), to assist in the construction of the said railway.

And *Whereas* the said respective sums were larger than might have been necessary if the said railway had received aid from the Province under the Railway Aid Act of 1871, it is therefore just and expedient to grant to said municipalities the railway aid allowance proposed to be given in the distribution of the surplus to municipalities assisting railways commenced prior to December, 1870.

Mr. Wells—On Monday next—That when the House is in Committee on Bill (No. 191) intitled "An Act to revive and amend the Act incorporating the Toronto House Building Association," he will move in amendment that the following clause be added thereto :—The Company shall have power to amalgamate with the Toronto Gravel Road and Concrete Company upon such terms as may be mutually agreed upon between the provisional director, or directors, as the case may be, of the respective Companies; and

upon a deed of amalgamation, executed by the respective presidents or provisional presidents of the said Companies, being filed in the office of the Provisional Registrar, the said Companies shall be deemed amalgamated, and all the provisions of this Act incorporating the said Toronto Gravel Road and Concrete Company, except sections five, nine, and eleven, shall be deemed incorporated herewith; Provided that in case stock shall have been subscribed for in either of the said companies the consent of a majority of the stockholders in each Company present at any meeting called for the purpose shall be first obtained.

Mr. Rykert—That when the House is in Committee on the Municipal Loan Fund resolutions, he will move the following :—

Whereas, by the Consolidated Municipal Loan Fund Act of 1859, it is provided that every debt due and owing by any Municipality should be reduced to the sum on which the rate of five cents in the dollar would pay interest at five per cent. on the assessment roll of 1858.

And *whereas*, the Corporation of the Town of St. Catharines borrowed the sum of \$190,000 from said fund, and whereas the annual value of the assessable property of the said town was in 1858 \$171,047 00, producing the sum of \$8,552 35 at five per cent.

And *whereas*, the said Municipality has failed to pay the said sum of \$8,552 35 annually, provided by the said Act, and is liable to pay interest on the said sum of \$8,552 35 annually at six per cent as the said amount falls due, by which default in payment there was due in December 1st, 1872, the sum of \$119,732 90 for annual payment and the sum of \$46,695 for interest thereon, making in all the sum of \$166,428 36 due for interest.

And *whereas*, the said sum of \$166,428 36, together with the sum of \$171,047 (being the amount of the assessable property as aforesaid), making in all the sum of \$337,475 is the true amount which, in accordance with Resolution No. 3 must be taken as the basis of the settlement of the said debt of the said town of St. Catharines.

And *whereas*, under Resolution No. 4, the Corporation of the said Town of St. Catharines is entitled to \$2,000 per mile as the amount of its contribution to the Welland Railway, with interest thereon, making in all the sum of \$152,545 48, instead of the sum of \$132,000, which was computed upon the erroneous supposition as regards the length of the said railway.

And *whereas*, by Resolution No. 6, the said town is entitled to \$7,294 00 as its proportion of the Clergy Reserve Fund, with interest upon the several amounts of which the said sum is composed from the times when the said several amounts should have been credited, which interest amounts to the sum of \$

And *whereas*, by Resolution No. 7, the said town is entitled to receive the sum of \$12,417 25 as its proportion of the population allowance, after deducting the debt of the county of Lincoln.

And *Whereas*, from the foregoing, it will appear that the amount of the debt of the said town is for principal \$171,047, and for interest the sum of \$166,428, making the total indebtedness in December 1, 1872, the sum of \$337,475, from which must be deducted, in accordance with the resolution, the following amounts, viz. :—

Railway allowance.....	\$152,545 00
Population allowance.....	12,417 00
Clergy Reserve.....	7,294 00
	<hr/>
	\$172,256 00

Which, deducted from the said indebtedness, will leave the sum of \$165,219 as the amount to be paid by the said town, less the amount of interest due upon the Clergy Reserve money.

Be it therefore resolved that the said schedule be amended in accordance with the foregoing statement.

ORDERS IN COUNCIL.

The Attorney-General—On next—That this House doth ratify the Order in Council approved by His Excellency the Lieutenant-Governor, on the 12th day of March, A.D. 1873, with reference to the aid granted to the Toronto, Grey and Bruce Railway Company, which Order is to the following effect :—

The Committee of Council have had under consideration the application of the Toronto, Grey and Bruce Railway Company, and they advise the former Order of the 26th March, 1872, being considered as lapsed, as to the said Company, that, subject to the ratification of this Order in Council by resolution of the Legislative Assembly (in default of which ratification this Order in Council is inopera-