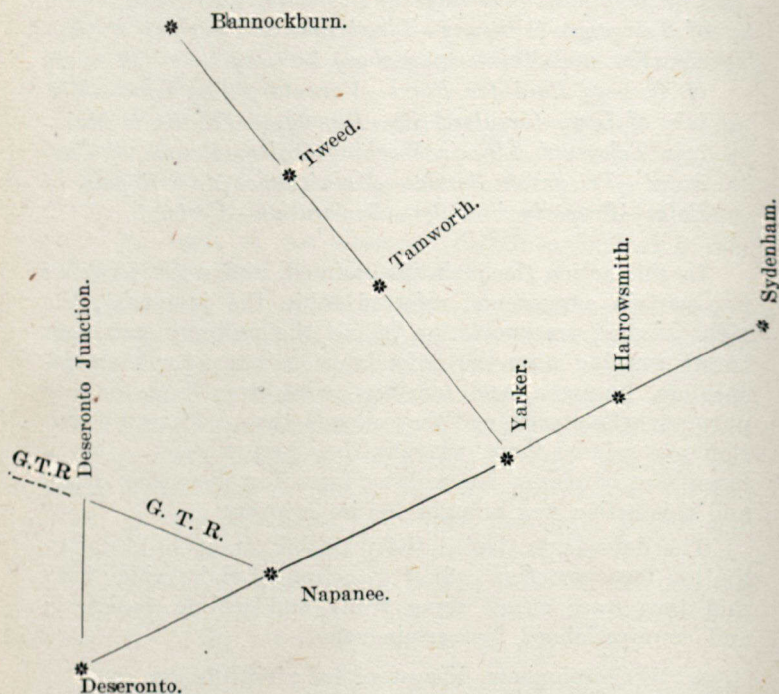


of the Bay of Quinte Railway and Navigation Company and the Napanee, Tamworth, and Quebec Railway Company, under said agreements, and also were entitled to all benefits accruing to the respective railway companies, and therefore, the agreements may be construed as if made in the first instance between the parties to this action.

The following is a copy of exhibit No. 2, shewing the defendants' railway system:—



When these agreements were entered into, the defendants' railway system, then in actual operation, consisted of a section of railway between Napanee and Yarker; another section between Yarker and Tamworth; and a third between Deseronto and Deseronto Junction, connecting with the Grand Trunk Railway. At this time the defendants also owned certain telegraph pole lines, one running along their right of way from Deseronto to Deseronto Junction; another along a right of way owned by them lying alongside of the Grand Trunk Railway's right of way, and extending from Deseronto Junction to Napanee; and a third run-