

bridges may be brought up summarily before the Court on an originating motion: The Municipal Act, R.S.O. 1914 ch. 192, sec. 465(1). This was done on the present application before me at Ottawa, on materials which, so far as they go, shew the boundary-line between the city of Ottawa and the county of Carleton as fixed by the river Rideau. It was said that at the point where the bridge in question exists, "Billings Bridge," the true boundary is not the river, but the southerly limit of land on a small island in the river and near its north bank. This island was, by Crown patent, granted to Bradish Billings in April, 1857, as an island, reserving the line of road over it, which road forms part of street called Bank street, in Ottawa. The former bridge, now out of repair and calling for reconstruction, was from bank to bank of the Rideau, passing across the island and giving, as part of Bank street, means of communication between city and county.

The contention at present is by the county corporation that there are here legally speaking two bridges, one entirely within city limits from the north shore of the Rideau to the south side of the small island, over a shallow stretch of the river, and the second bridge, the real boundary-bridge contemplated by the statute in that behalf, runs from that south side of the island to the north bank of the Rideau, over the navigable part of the stream. The agreement is, that this northerly part of the bridge should be built and kept up at the sole expense of the city, and as to the southerly part the county agrees to share in the expense. It is stated that further evidence might be put in to clear up the question of the boundary of the city on this limit; but, as none has been furnished, I decide upon the materials now before me.

On the 10th December, 1907, upon the application of the city corporation, an order was issued by the Ontario Railway and Municipal Board extending the boundaries of the city of Ottawa to the northerly bank of the river Rideau. The order deals with that portion of the township of Nepean, in the county of Carleton, lying between the Rideau river and the Rideau canal and the westerly boundary of the village of Ottawa East and Concession street in the said city, produced to the Rideau river, and declares that portion of territory to be added and annexed to the city of Ottawa. It is conceded that this area includes the locus in quo of the bridge, and it appears to me conclusive as to where exists the boundary between the city and the county. That boundary is the whole river from bank to bank (the inter-