

regretting that these Companies have not been willing to unite and form one Company for the purpose of constructing the Pacific Railway, the Committee of the Privy Council are unable to advise your Excellency to agree with either of the said Companies separately for the construction and working of the whole line of railway described in the Canadian Pacific Railway Act of last Session, 35 Vict., cap. 71; and they are of opinion, and submit it to your Excellency, that it will be more advantageous for the Dominion, and will better ensure the attainment of the purposes of the Act above referred to, that a Company should be incorporated under the powers conferred by the fifteenth section of the above Act, by charter for that purpose.

"And whereas Sir Hugh Allan, of the City of Montreal, Knight; the Honourable Adams George Archibald, of the City of Halifax, C.M.G., a member of the Queen's Privy Council for Canada; the Honourable Joseph Octave Beaubien, of Montmagny, Commissioner of Crown Lands in the Province of Quebec; Jean Baptiste Beaudry, of the City of Montreal, Esq.; Egerton Ryerson Burpee, of the City of St. John, Esq.; Frederick William Cumberland, of the City of Toronto, Esq.; Sandford Fleming, of the City of Ottawa, Esq.; Robert Newton Hall, of the Town of Sherbrooke, Esq.; the Honourable John Sebastian Helmcken, of the City of Victoria; Andrew McDermot, of the Town of Winnipeg, Esq.; Donald McInnes, of the City of Hamilton, Esq.; Walter Shanly, at present of the Town of North Adams, in the United States of America, Esq.; and John Walker, of the City of London, in the Province of Ontario, Esq., have stated their ability and willingness to form such Company, and that they have a subscribed capital of ten million dollars, and that they are ready to enter into an agreement for the construction and working of the said line of railway; the Committee recommend that negotiations be entered into with the said persons for the purpose of settling the terms of an agreement under the Act between the Government and such persons, and that the Minister of Justice be instructed to conduct the same.

"Certified,

"W. A. HIMSWORTH,

"Clerk, Privy Council."

"Department of Justice,

"Ottawa, 31st January, 1873.

"The undersigned, to whom was instructed the conduct of the negotiations with Sir Hugh Allan and his associates for the construction of the Canadian Pacific Railway, by the Order in Council of this date, begs leave to report:—

"That he has settled an agreement, and a draft Charter under such agreement, with Sir Hugh Allan and his associates, which he begs leave to submit for the consideration of your Excellency in Council.

"JOHN A. MACDONALD."

"COPY of a Report of a Committee of the Honourable the Privy Council, approved by His Excellency the Governor-General in Council, on the 31st January, 1873.

"The Committee of the Privy Council have had under consideration the Report of the Hon. the Minister of Justice, and the accompanying draft agreement prepared pursuant to the Order in Council of this date, and they recommend that the said draft be accepted, and an agreement according to its terms be entered into with Sir Hugh Allan; the Honourable Adams George Archibald; the Honourable Joseph Octave Beaubien; Jean Baptiste Beaudry, Esq.; Egerton Ryerson Burpee, Esq.; Frederic William Cumberland, Esq.; Sandford Fleming, Esq.; Robert Newton Hall, Esq.; the Honourable John Sebastian Helmcken; Andrew McDermot, Esq.; Donald McInnes, Esq.; Walter Shanly, Esq.; and John Walker Esq.; for the construction and working of the whole line of the Canadian Pacific Railway, under the Statute 35 Victoria, cap. 71.

"The Committee have also had before them a stock list, showing that the said persons have a subscribed capital of ten million dollars, and they are of opinion that under and by the terms of the said agreement, such capital is satisfactorily secured.

"They therefore advise that on the execution of such agreement by the said parties, a Charter may properly be granted to them under the Great Seal, pursuant to the 15th clause of the said Act.

"Certified,

"W. A. HIMSWORTH,

"Clerk, Privy Council."