

12 A. R. 234, that under sec. 559, sub-sec. 4 of the Municipal Act, R. S. O. ch. 174, a grant by way of bonus may be made to Dominion railways.

Held, also, that promulgation validates any defect in form or substance in the by-law or in the time or manner of passing it; and therefore cured the defect in the by-law in making the debentures payable after the twenty years which was one of form; but that it does not give jurisdiction: and therefore would not cure the error, if such were the case, in passing the by-law without the required majority of votes; but there was a majority, as the clerk had the right to vote under secs. 155, 299.

Held, also, that under the circumstances the gift was not revocable, and therefore there was no power to repeal the by-law.

Held, also, that sec. 319, as amended by 42 Vic. ch. 31 sec. 9 (O.), does not require a resolution for promulgation; but merely that the paper in which the notice is to be published should be designated by resolution; and that there was sufficient publication here.

An objection was raised that the terms of the by-law on which the debentures were to issue had not been complied with:

Held, that the decision thereon rested with the engineer, and he had given his certificate; but even if it was necessary to decide this question, the evidence shewed that the terms had been substantially complied with. *The Canada Atlantic R. W. Co. v. The Corporation of the Township of Cambridge*, 392.

4. *Railway—Expropriation—Deviation—One mile limit—Railway*

Act of 1879, 42 Vic. ch. 9—46 Vic. ch. 64, (D).—A railway company after the completion of its line, sought to expropriate a piece of land not marked or referred to on any map or plan filed, or book of reference made by the company, but within one mile's distance of the terminus of the railway as delineated on the filed plan, for the purpose of better utilising a certain other property previously acquired by them as a passenger and freight station.

Held, that under 42 Vic. ch. 9, sec. 8, sub-sec. 11, (D.), this was not permissible, there being no provisions affecting the matter in the special Acts of the company.

Held, also, that 46 Vic. ch. 64, (D.), which empowered the company to hold and own land in any municipality through or in which the main line or any branch was carried for the erection and maintenance thereon of stations, sidings, &c., as might be necessary for the purposes of the company, did not empower them to expropriate against the will of the owner. *Murphy v. The Kingston and Pembroke R. W. Co.* 582.

RECEIVER.

See MORTGAGE, 2.

REDEMPTION.

See MORTGAGE, 3.

RE-ENTRY.

Condition of.—*See* DEED.