

under the authority of the said Rideau Canal Act. After the passing of the said Ordinance Vesting Act, the said Nicholas Sparks applied for a restoration of part of the land so taken from him, and thereupon was passed an Act of the Provincial Parliament of Canada (9th Vic., C. 42), 1846, intituled "An Act to explain a certain provision of the Ordinance Vesting Act, and to remove certain difficulties which have occurred in carrying the said provision into effect." And such Act, so far as it is necessary for the purposes of this petition to state the same, is in terms as follows, that is to say:—

10 15. "Whereas, the 29th section of the Act passed in the 7th year of  
 "Her Majesty's reign, intituled 'An Act for vesting in the principal offi-  
 "cers of Her Majesty's Ordinance, the estates and property therein de-  
 "scribed, for granting certain powers to the said officers and for other  
 "other purposes therein mentioned, contains a proviso in the words fol-  
 "lowing: 'Provided always and be it enacted that all lands taken from  
 "private owners at Bytown, under the authority of the Rideau Canal  
 "Act, for the uses of the canal, which have not been used for that pur-  
 "pose, be restored to the party or parties from whom the same were taken;  
 "and doubts have arisen as to the true intent and meaning of the same, and  
 20 "as to the land to which it is intended to apply, and proceedings at law and  
 "in equity, which have arisen out of such doubts, have been commenced  
 "and are still pending. And whereas, during the now last session of the  
 "Legislature a bill was passed by the Legislative Council and Legislative  
 "Assembly of this Province, for the purpose of explaining and amending  
 "the said Act as far as regards the effect of the said proviso, and of set-  
 "ting such doubts at rest, but the said bill being reserved for the signifi-  
 "cation of Her Majesty's pleasure thereon, has not received the Royal  
 "assent. And whereas, as well the principal officers of Her Majesty's  
 "Ordinance as the private parties interested, are desirous that the doubts  
 30 "aforesaid should be removed, and all matters of difference between them  
 "should be fairly and amicably settled: Be it therefore enacted by the  
 "Queen's Most Excellent Majesty, by and with the advice and consent of  
 "the Legislative Council and of the Legislative Assembly of the Pro-  
 "vince of Canada, constituted and assembled by virtue of and under the  
 "authority of an Act passed in the Parliament of the United Kingdom  
 "of Great Britain and Ireland, and intituled an Act to re-unite the Pro-  
 "vinces of Upper and Lower Canada, and for the Government of Canada;  
 "and it is hereby enacted by the authority of the same that the proviso  
 "recited in the preamble to this Act shall be construed to apply to all the  
 40 "land at Bytown set out and ascertained and taken from Nicholas Sparks,  
 "of the said town, Esquire, under the provision of the Act of the Legis-  
 "lature of Upper Canada passed in the eighth year of the reign of King  
 "George IV., intituled An Act to confer upon His Majesty certain  
 "powers and authorities necessary to the making, maintaining and using