

10. The Rideau Canal was completed and opened for traffic throughout its entire length some time in the month of May, 1832.

11. By Act passed on the 9th day of December, 1843, (7 Vic., c. 11) of the Provincial Parliament of Canada, which Act is commonly referred to as "The Ordnance Vesting Act," and is intituled, "An Act for vesting in the principal officers of Her Majesty's Ordnance the estates and property therein described, for granting certain powers to the said officers, and for other purposes therein mentioned," and thereby the lands and other real property therein mentioned or referred to, including the said Rideau Canal and the lands and works belonging thereto, were vested in the Principal Officers of Her Majesty's Ordnance in Great Britain and their successors in the said office, subject to the provisions of the said "Ordnance Vesting Act," and in trust for the service of the said department, and it is hereby provided and enacted (see 29) as follows (that is to say) :—

"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 purpose, be restored to the party or parties from whom the same were taken."

20 12. Your Suppliant alleges, that on or about the 20th day of October, 1845, the said William McQueen hereinbefore mentioned, to wit, the son and heir at law of the said Grace McQueen intestate, also died intestate, leaving your Suppliant his only legal issue and his sole heir at law, him surviving, and thereby entitled to have as owner thereof all the estate and interest whatsoever of the said Grace McQueen and William McQueen, both or either of them in and to the part or portion of the said 110 acres of the said granted lands so set out and ascertained for the purposes of the said canal, but not used therefor, including any right which she or he had or might have to a restoration and rein-
30 vestment of the said part or portion of the said 110 acres set out as aforesaid, which were not actually used for the purpose as aforesaid.

13. No payment, indemnity or compensation was ever made to the said Grace McQueen, nor to your Suppliant, nor to any person entitled to receive the same, in respect of the said part or portion of the said 110 acres so set out as necessary for the canal purposes as before stated, but not used as mentioned for the said purposes of the said canal.

14. And your Suppliant further alleges that the real property adjoining to the lots and parcels of land granted as mentioned to the said
40 Grace McQueen formerly belonging to one Nicholas Sparks. A portion of this was set out and ascertained as necessary for the purpose of the said canal, and was accordingly taken from the said Nicholas Sparks,