

PRIVATE BILLS.

Northern Railway, to Penetanguishene, or some other point on the shore of the Penetanguishene Bay,"—a power which was subsequently enlarged to authorise an extension of the road "from some point on the main line thereof to some point on the line of the Toronto, Grey and Bruce, or the Northern Railway, or any or all the railways in the county of York and Peel." The Council of a certain municipality situated at some distance from the line of the proposed railway, had refused to submit a by-law granting the Company a bonus, on the ground that the municipality was not "interested in securing the construction of the road," and the aid of the law was invoked to compel the performance of the duty imposed by the Act of incorporation. The Company in question, though nearly a year had elapsed since their incorporation, owned, as yet, not a foot of land, and had not, so far as appeared in the affidavits, surveyed or located any portion of their line; yet they claimed the right upon the petition of twenty ratepayers, to compel the submission of a by-law granting them a bonus of \$100,000, without any terms, conditions, or qualifications. Their contention was certainly borne out by the literal wording of their Act of Incorporation and the case was only determined against them on the somewhat charitable supposition, that the Legislature could never have intended to divest the Municipal Council of its legitimate functions in favour of a private company, which for all that appeared in the Act or in the affidavits, had not yet a paid up capital of \$2,500.

The Act incorporating the Company—one of a large class of similar Acts in the Provincial Statutes of 1873 and 1874—was examined and criticised at length in the exhaustive judgment of Mr. Justice Gwynne, and we hope in our next number to notice some of his Lordship's suggestions; but Railway Acts have occu-

ried so large a share of the attention of our legislators, that their consideration demands a separate article.

In support of our statement that regard has not always been had, in passing private bills, to the provisions of the existing law, we might refer to the Incorporation Act of this very Railway; but other and perhaps more glaring instances of inconsistency are not wanting.

Take, for example, the legislative muddle which has rendered all but incomprehensible the municipal relationships of several townships in the District of Muskoka.

By 31 Vict., c. 25, s. 1 (O), His Honour the Lieutenant-Governor was authorized to erect the townships of Monck, Humphrey, Wood and Cardwell, with others, into the "District of Muskoka."

By 32 Vict., c. 56 (O), the township of Monck was constituted a municipality, and "attached for all municipal purposes to the County of Simcoe." By cap. 57 of the same session, the townships of Watt, Cardwell, Humphrey, Christie, Medora and Wood were together constituted a municipality under the name of "The Corporation of the United Townships of Watt, Cardwell, Humphrey, Christie, Medora and Wood," and by sec. 2 the "said municipality" was "attached for all municipal purposes to the County of Simcoe." After being mentioned here and in 31 Vict., c. 35, s. 1, as a township, it seems somewhat strange to find Humphrey constituted a township corporation by 36 Vict., c. 49, s. 1 (O); but this trifling incongruity sinks into insignificance beside the other sections of the same Act, *e. g.* (sec. 7) which unites this township, together with Monck, Watt, Cardwell, Medora, Wood, and twelve others, (*not* including Christie,) into "The Municipal Corporation of the District of Muskoka," the Council of which is to be composed of the Reeves of all these townships (sec. 8), while sec. 12 declares that