

additional Stock; that the whole capital Stock of the Company should be £597,300 in shares of £12 10s. each, of which the Government of Upper Canada should hold 36,360, the Government of Lower Canada 2,000, and private Stockholders 9124; that the management of the affairs of the Company should be entrusted to five Directors, of whom three should be appointed by the Crown and two by the Stockholders; and "That the Tolls received upon the Canal, after deducting the amount required for the charges now made thereon by law, or so much thereof as shall be necessary, shall be first annually applied to discharge the interest which will accrue upon the said sum of £245,000 to be advanced for the purposes aforesaid, and the remainder of the income received by the said Company shall be divided among the private Stockholders, until it shall equal 6 per cent on the amount of their investments." In the last Session, the Act for the purchase of the private Stock was passed, and in the Public Works Act, a vote of £150,000 was taken for the Canal.

The recapitulation of these proceedings shews two things which are very important. First, That the estimates prepared by the projectors of the Canal and upon which the Legislature was called upon first to incorporate the Company, and afterwards to grant assistance from the public revenue, were, whether intentionally or not, most extravagantly incorrect. And secondly, That the Canal had, previously to 1837, been twice mortgaged to the Government, and that under the Act of the 1st W. IV. c. 18, it might, at any time, have been seized by the Receiver General and the whole of the Officers appointed by him without any further legislation on the subject.

But it moreover appears that of the whole amount of £491,777 expended upon the Canal, only £117,800, or less than one fourth has been subscribed by private individuals, while a further expenditure nearly equal to all that has preceded is still required the whole of which is to be provided by the Province. Under such circumstances, can it be maintained, even putting the government on an equality with private Stockholders, that they have secured to themselves an unfair share in the direction, or in so doing have inflicted on the Shareholders, an injury which would entitle them to compensation. Must it not rather be admitted, that they would have been grossly negligent of their duty as Trustees for the public if, when applied to for assistance, towards a work which had been so notoriously miscalculated, and mismanaged, they had omitted to take the necessary precautions for securing the due administration by responsible parties of the Funds which they granted from the public Purse. On this ground at least I cannot think that the Shareholders have any claim.