

diate and partly deferred, the immediate rental being fixed at an amount not more than sufficient to meet the interest of the several classes of bonds hereinbefore mentioned: And whereas by an indenture dated the eighth day of August, one thousand eight hundred and fifty-six, and made between the Buffalo, Brantford, and Goderich Railway Company of the one part, and George Brown, William Smith, and Hugh Finleyson, of the other part, the said company mortgaged the said deferred rental to the parties thereto of the latter part, for the purpose of securing an issue of bonds to the amount of one hundred and sixty-six thousand six hundred and sixty-six pounds thirteen shillings and four pence sterling, the principal thereof to be payable in London, England, on the first day of July, one thousand eight hundred and eighty-six, with interest in the meantime at the rate of six pounds per cent. per annum, which interest the amount of the deferred rental would not be more than sufficient to meet: And whereas by or in pursuance of other arrangements made between the said two companies, in the year one thousand eight hundred and fifty-six, the Buffalo and Lake Huron Railway Company adopted the bonds of all the classes hereinbefore mentioned, and repurchased the said deferred rental, subject to the security of the bonds secured thereon as aforesaid: And whereas in the year one thousand eight hundred and sixty-five, the Buffalo and Lake Huron Railway Company issued certain capitalised coupon bonds to the amount of sixty-one thousand and seventy pounds sixteen shillings and eight pence sterling: And whereas a working agreement which had been made in the year one thousand eight hundred and sixty-four, between the said company and the Grand Trunk Railway Company of Canada, was confirmed in the year one thousand eight hundred and sixty-six by an Act of the Legislature of the then Province of Canada: And whereas by an Act of the Parliament of the Dominion of Canada, passed in the year one thousand eight hundred and seventy, another agreement between the two last mentioned companies, dated the second day of February, one thousand eight hundred and seventy, was made valid and binding in favor of and upon both the said companies, and all mortgagees, debenture holders, and creditors of each of them; and by the said agreement so confirmed, the said agreement of one thousand eight hundred and sixty-four was cancelled, and the railway of the Buffalo and Lake Huron Railway Company was vested in the Grand Trunk Railway Company of Canada, in consideration of certain payments to be made periodically by the latter company to the former, and subject, first, to all obligations imposed on the former company by its several Acts with respect to the maintenance, management, and working of the vested property; secondly, to all then existing mortgages and incumbrances on the same property; thirdly, to all mortgages and incumbrances to be created under a power thereby given to the former company to issue, for the purposes and within the limits therein mentioned, mortgage bonds, debentures, or debenture stock, extending over the undertaking of the former company vested in the latter; and fourthly, to an annual rent-charge, on the vested property and on the tolls or rates arising therefrom, of the sum of forty-two thousand five hundred pounds, payable by the latter company to the former, but not to extend to any further portion of the said periodical payments; and it was provided that the mortgages and incumbrances on the whole or any part of the undertaking of the former company then existing or thereafter to be created under the aforesaid power should, according to the respective rights and priorities of the holders, be the first charges on the sums from time to time payable to the same company under the now reciting agree-