

DEPARTMENT OF JUSTICE, OTTAWA, 30th October, 1882.

SIR.—I have the honor to acknowledge the receipt of your communication of the 10th inst., referring one from the Secretary of the Canadian Pacific Railway Company, requesting that certain Government Reserve land and the Government wharf at Prince Arthur's Landing be put in the possession of that Company; they desiring to utilize the same for the purposes of the railway, and requesting an opinion as to whether or not it is competent for the Department of Railways and Canals, under the provisions of the "Canadian Pacific Railway Act of 1881," to make a transfer of the property in question, as suggested.

I have also to acknowledge your letter of the 17th on the same subject.

By the 5th section of the Act referred to, the Government is authorized to transfer to the Canadian Pacific Railway Company the portion of the railway then already constructed, and as the same should thereafter be completed.

By the 6th clause of the contract set out in the said contract, the Government covenanted to complete the Lake Superior section by the date fixed by the then existing contracts for the completion thereof; and by the 7th clause, to transfer to the Company the possession and right to work and run the several portions of the railway then actually constructed, or as the same should be completed.

Your letter does not inform me whether that portion of the railway, of which the property in question forms part, has been completed or not, nor whether it is part of the Lake Superior Section or part of the Eastern Section. Assuming that it is part of the Lake Superior Section and that it has not been completed, I can see nothing in the Act to authorize the transfer of the property mentioned to the Canadian Pacific Railway Company.

I do not express any opinion as to whether the Government might not, outside of the Act, take measures to afford to the Company the facilities which they request. Their power to do so would depend upon facts on which I am not fully informed.

Papers returned.

I am, Sir, your obedient servant,

GEO. W. BURBRIDGE, D.M.J.

A. B. BRADLEY, Esq., Secretary, Railways and Canals.

CANADIAN PACIFIC RAILWAY,

OFFICE OF THE ENGINEER IN CHIEF, OTTAWA, 2nd November, 1882.

SIR,—A letter, dated 30th October, from the Deputy Minister of Justice, on the transfer of certain Government reserve land and a Government wharf at Prince Arthur's Landing, to the Canadian Pacific Railway Company, having been submitted me, I have the honor to report:—

1st. The work of construction being now in progress between Prince Arthur's Landing and Red Rock, a distance of about sixty-six miles, defines the point of junction of the Eastern and Lake Superior Sections at Prince Arthur's Landing.

2nd. That portion of the main line between Fort William and Prince Arthur's Landing is completed, with the exception of the ballasting, and is in fair condition for the running of trains.

I have the honor to be, Sir, your obedient servant,

COLLINGWOOD SCHREIBER, per F. J. L.

A. P. BRADLEY, Esq., Secretary, Railways and Canals.

OTTAWA, 3rd November, 1882.

SIR,—With reference to your letter of the 30th ultimo, in which you report relative to an application made by the Canadian Pacific Railway Company for possession