

charter, and, as I shall endeavor to explain, this has lead to some confusion as to whether a company so chartered could claim the same rights as a company incorporated by the Dominion Parliament. The Credit Valley Railway has been completed for a distance of 160 miles, down to the western boundary of the City of Toronto. So early as 1876 the Company applied to the Northern Railway Company for right of way, supposing them to be the absolute owners of the 100 feet strip in question. The application was entertained, and in September of that same year we were informed that the Northern Company would "offer no obstacle to the transfer of sufficient right of way from Garrison Common to Brock Street," but: "Provided always that the Credit Valley Railway Company first completes its arrangements with the other railway companies for entrance into the city." The sting of this little document was in the tail. The Northern had no objections whatever to our passing along this strip to Bathurst Street, but there we must stop unless we made arrangements with other companies to get further east to the terminal station near the Union Depot. There we have a water lot of some eight or ten acres, the only property that we could obtain upon which to put our elevator, our terminal station and our wharves. It was absolutely necessary, therefore, that the Credit Valley Railway should get down to that point, and the Northern, having that regard which they have always maintained for their own grounds, protected themselves by the condition that we should not be allowed to come down from Queen to Bathurst Street, unless we made arrangements with other railway companies to go on further. Subsequently we made another application to the Northern, which was also entertained, and they were good enough to lay down upon the map a plan by which we could get into the city. That plan leads along the 100 feet strip from Queen to Bathurst Street, then north of the Northern Company's grounds and across the Grand Trunk Company's grounds to our water lots. It was very good and generous indeed of the Northern Company, but there was just this little difficulty about it—the land over which they led us did not belong to them at all. A day or two afterwards I wrote to Mr. Bell, Solicitor for the Grand Trunk Railway Company, telling him what the Northern had done, and he very promptly replied in these words:—

"These lands are ours, and the Northern Railway have no claim to them in any form. One cannot help, therefore, admiring the generosity of that Company in giving your people liberty to use that which is not theirs. * * * This, I can say, that, if you attempt to take property claimed by us, we will take steps to protect our rights."

The Northern Company have been very much surprised, and have expressed their surprise in various forms, that we did not promptly accept their offer. I think that Mr. Bell's answer was a very good reason for not doing so.

Sir ALBERT SMITH—Was there a question of title between them?

Mr. WELLS—Yes there was a suit between the Grand Trunk and the Northern as to the proprietorship of a portion of the property; the Northern, as I recollect it, contended that the Grand Trunk had only an easement.

Hon. Mr. MACKENZIE—Was it before or after that was decided that the Northern expressed a willingness to give you the right of way?

Mr. WELLS—It was after that decision. Our chief engineer, Mr. Bailey, went down to Montreal to see Mr. Hickson, who was somewhat irritated at first, but ultimately was so considerate and conciliating that we began to think there would be no further trouble. Being very much pressed to proceed with the work, we, rather precipitately, I admit, took possession of a portion of this ground. Of course we notified the Grand Trunk before we did so. The result of that was a suit in Chancery to restrain us from entering upon the ground. In the meantime we applied to the Minister of the Interior