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CANADA GRAND TRUNK RAILWAY.

COPY or **EXTRACTS** of **CORRESPONDENCE** between
the **War Department** and the **Canadian Govern-**
ment respecting the **Transfer** and **Sale** of **LAND**
at *Sarnia*, for the use of the **GRAND TRUNK**
RAILWAY of *Canada*.

(Lord John Manners.)

Ordered, by The House of Commons, to be Printed,
26 June 1861.

379.

Under 2 oz.

CANADA GRAND TRUNK RAILWAY.

No. 1

RETURN to an Address of the Honourable The House of Commons,
dated 13 June 1861;—for,

“ COPY or EXTRACTS of CORRESPONDENCE between the War Department and the Canadian Government, respecting the Transfer and Sale of LAND at *Sarnia*, for the Use of the GRAND TRUNK RAILWAY of *Canada*.”

N. B.—No direct correspondence between the War Department and the Canadian Government on this subject can be traced. The enclosed Correspondence, however, bears on the subject.

War Office, }
25 June 1861. }

THOMAS GEORGE BARING.

(*Lord John Manners.*)

Ordered, by The House of Commons, to be Printed,
26 June 1861.

COPY OF EXTRACTS OF CORRESPONDENCE between the War Department and the Canadian Government, respecting the Transfer and Sale of LAND at *Sarnia*, for the use of the GRAND TRUNK RAILWAY of *Canada*.

— No. 1. —

(Ordnance, No. 110.)

Office of Ordnance, Montreal,
11 July 1853.

Sir,

WE have the honour to forward herewith for the consideration of the Master General and Board, applications that have been preferred on behalf of the contractors for the construction of the Toronto and Sarnia Railway, with the view of acquiring by purchase those portions of the Ordnance Reserve at Point Edward in Sarnia, which are not required for military purposes, and of renting the land which is reserved.

The quantity of land required by the Railway Company is stated by the Commanding Royal Engineer, in his Minute of 18th May, to be 331 acres, of which 170 are swamp, and we would respectfully invite the Master General and Board's attention to that officer's opinion as to the value of the property, and to the Honourable J. A. Macdonald's communication of the 9th ultimo, in which the reasons for so large a space of ground being required at the terminus of the Canadian Grand Trunk Railway on Lake Huron are explained, and as it is doubtless of much importance to the Company that they should receive as early a notification as possible of the ultimate decision of the Master General and Board upon their enlarged requirements, we forward the present report without awaiting the receipt of the instructions which the Commissioner Royal Engineer, in his Minute of the 8th instant, states he is expecting, in reference to his report to the Inspector General of Fortifications of the 18th May.

We have, &c.

(signed) *William Bell*,
Colonel Commanding, Royal Artillery.

M. C. Dixon,
Colonel Commanding, Royal Engineer.

M. W. Blenkarne, D. O. S.

G. Butler, Esq.,
&c. &c. &c.

J. S. Elliott,
O. S., Head Quarters.

Enclosures to the foregoing.

Gentlemen,

Toronto, 5 January 1853.

I AM directed by the directors of the Toronto and Guelph Railway Company to ask if you will consent to lease them any portion of the Ordnance property at Port Sarnia. They are especially desirous of obtaining possession (as tenants) of the point of land projecting into the river above the village.

It is the intention of the company to extend their road to Sarnia, and they are anxious to obtain the right of occupying the land referred to, as presenting the most eligible point of connecting with the navigation.

I am, &c.

(signed) *W. Shanley*,

Chief Engineer, Toronto and Guelph Railway Company.

The Respective Officers,
Her Majesty's Ordnance, Montreal.

Gentlemen,

Kingston, 6 June 1853.

THE contractors for the construction of the Toronto and Sarnia Railway find it necessary for their purposes to obtain the control of the marsh and shoal at Point Edward in Sarnia; they are aware that this shoal, as well as the point, belong to the military Government, and have therefore instructed me to apply for the right of occupancy. It is of importance that a title should be given them for as much of the point and bay as is not absolutely required for military purposes; and for whatever may be reserved for those purposes, they desire to obtain a license of occupation on the usual terms. As the place applied for is of little value, and as the dredging and filling up of the marsh will increase the salubrity of the vicinity, and thus preserve the health of any garrison that may be stationed there, they trust there will be no difficulty in obtaining their object.

The contractors are desirous of pressing their works with all speed, and will therefore be much obliged by your taking their application into your favourable consideration as early as conveniently may be.

The Respective Officers,
&c. &c. &c.
Montreal.

I have, &c.
(signed) *John A. Macdonald*, Solicitor.

Gentlemen,

Daneganas Hotel, Montreal, 9 June 1853.

I HAVE the honour to acknowledge the receipt of your letter of the 8th instant, on the subject of the land required for the terminus, at Port Sarnia, of the Grand Trunk Railway.

Since Mr. Shanley applied for the occupancy of the Ordnance property there, the character and requirements of the road have materially altered; instead of being a local railway depending principally on the way traffic between Toronto and Sarnia, it has become a portion of the great provincial line which is to connect Lake Huron with the Atlantic.

It is confidently anticipated that the advantages offered by this line of railway, will secure for it a large share of the traffic and travel of the north-western section of the United States.

In order to compete successfully for this trade with the American lines, it will be necessary to make very extensive arrangements for the reception, stowage, and transmission of the products of the west, and the land now applied for will not be more than sufficient for the purpose.

The drainage and filling up of the swamp will be a very expensive affair, and cannot be satisfactorily done unless the whole of the wet land is thoroughly reclaimed.

If the land in its present state is considered of any value, the contractors will be prepared to pay for it, and will take every precaution that may be suggested by the military authorities to avoid interference with the military works and position.

The railway companies in the United States have suffered great inconvenience from the limited size of the lands originally purchased by them for depôts, and have in many instances been obliged to expend large sums of money in extending their grounds, an expense which might in a great measure have been saved, had their purchases been sufficiently extensive in the first place, and before the construction of the railways had increased the value of the surrounding property.

This error has been avoided by the railway lately constructed; for instance, the Ogdensburgh Railway Company have acquired for their terminus on the St. Lawrence, as I am informed, considerably more than 100 acres, and its requirements cannot be at all equal to those of the Grand Trunk Railways.

The contractors are bound to furnish to the Company valid and indefeasible titles to the lands required for the railways, as the Company could not safely erect the necessary buildings on land not belonging to them.

It is therefore hoped that their application for the purchase of the Ordnance property not required for military purposes will be favourably received. They would also desire to lease the reserved lands, or to get a license of occupation for it so long as it is not required by Her Majesty's Ordnance.

I have, &c.
(signed) *John A. Macdonald*.

— No. 2. —

(No. 132.)

Royal Engineer Head Quarters Office, Montreal,
18 May 1853.

Sir,

WITH reference to the enclosed application from the directors of the Toronto and Guelph Railway Company, requesting a lease of a portion of the military Reserve, near Port Sarnia, I forward copies of two plans obtained from the chief engineer, showing the extent of land which the Company are desirous of obtaining.

A similar concession having been granted to several railway companies, where the occupation of the ground did not interfere with proposed defensive works, I see no objection to the accommodation now asked for, being afforded to the Toronto and Guelph Railway Company for a continuation of their line to Port Sarnia; but the demand of 331 acres appears exorbitant, and as 100 feet in width is sufficient for a double track, I recommend the Company be only allowed to occupy such quantity, in addition thereto, as may be necessary for a terminus, if one should be required on the bank of the River St. Clair.

The land the Company desire to lease contains, as above stated, about 331 acres, whereof 170 acres are swamp.

* See *P. S.*

The value of the land is 10 *s.* per acre for the dry land, and * £... per acre for the marsh.

No revenue is derived from the property.

The Lieutenant General Commanding, in forwarding to me his opinion on the present application, has been pleased to favour me with the copy of a note made by the late Lieutenant General Sir B. D'Urban, Commander of the Forces, respecting the importance of occupying Port Sarnia Reserve, by a tower and battery, but it will be seen by the enclosed plans that the railway works will not interfere with either of those projected works.

I have, &c.

(signed) *M. C. Dixon,*

Colonel Commanding, Royal Engineer, Canada.

Lieutenant General

Sir John Fox Burgoyne, G. C. B.,

&c. &c. &c.

P. S.—With respect to the foregoing valuation of the Reserve, the land for agricultural purposes would not realise more than the sum stated, namely, 10 *s.* per acre, whilst, perhaps, in the hands of a speculator, 100 *l.* per acre might not be thought too much for the whole property.

(signed) *M. C. D.*

P. S.—In obedience to your Minute, No. 4908, I forward a copy of a sketch, which was attached to the note of the late Lieutenant General Sir B. D'Urban, referred to by the Lieutenant General Commanding in the Military Secretary's letter of the 6th May last, and have marked on the plans returned with this letter, the ground necessary to be retained for the towers and batteries at Point Edward. The Ordnance own no property opposite to the Black River, whereas the second tower and battery referred to by Sir B. D'Urban would be erected, such site being on an Indian reserve, which is in course of sale for settlement by the provincial Government.

(signed) *M. C. Dixon,*

Colonel Commanding, Royal Engineer, Canada.

12 September 1853.

Enclosures to the foregoing,

(R. 7259.)

Gentlemen,

Toronto, 5 January 1853.

I AM instructed by the directors of the Toronto and Guelph Railway Company, to ask if you will consent to lease them any portion of the Ordnance property at Port Sarnia. They are especially desirous of obtaining possession (as tenants) of the point of land projecting into the river above the village.

It is the intention of the Company to extend their road to Sarnia, and they are anxious to obtain the right of occupying the land referred to, as presenting the most eligible point for connecting with the navigation.

The Respective Officers
H. M. Hon. Board of Ordnance,
Montreal.

I have, &c.

(signed) *W. Shanley,*

Chief Engineer,
Toronto and Guelph Railway Company.

(R. 7,259.)

Military Secretary's Office, Montreal,
6 May 1853.

Sir,

HAVING duly submitted to the Lieutenant General Commanding your letter, dated Montreal, 5th May 1853, relating to an application from the Toronto and Guelph Railway Company, to occupy a part of the Military Reserve at Point Edward, near Port Sarnia, I have the honour, by order, to state in reply, that while the Lieutenant General is not aware of immediate objections to the proposal contained in your letter, he considers it right to transmit for your information, the accompanying copy of a note by the late Lieutenant General, Sir Benjamin D'Urban, on the importance of Point Edward as a military position.

Colonel Dixon,
Commanding Royal Engineers,
Canada.

I have, &c.
(signed) *H. Rowan*,
Military Secretary.

(Extract.)

PORT SARNIA.

" A TOWER, with a heavy traversing gun, at Point Edward, would give us the command of the entrance of Lake Huron, and if this should cause the Americans to resort to the Black River, and a canal to enter Lake Huron, another battery must be placed near Sarnia, to command the entrance of the Black River. These works would have nothing to fear from the United States Fort Gratiot. As it is, the Americans can prevent our intercourse with Lake Huron, while we have no control over theirs."

(No. 277.)

Gentlemen,

21 December 1853. (T. 724.)

THE Lords Commissioners of Her Majesty's Treasury having authorized the sale to the Toronto and Guelph Railway Company, at a fair and reasonable price, of the portion of the Military Reserve at Point Edward and Port Sarnia, which is necessary for the extension of the line of railway across the reserve,

I have received the Board's commands to notify the same to you, in reply to your letter of the 11th July last.

The Respective Officers,
Montreal.

I have, &c.
(signed) *G. Butler*.

— No. 3. —

(Ordnance, No 89.)

Office of Ordnance, Montreal,
30 July 1855.

Sir,

WE have the honour to submit for consideration, with reference to the order of 21st December 1853 (T. 724), authorising the sale to the "Toronto and Guelph" Railway Company, since incorporated into the Grand Trunk Railway of Canada, at a fair and reasonable price, of the portion of the Sarnia Reserve required for the purposes of that work, the correspondence shown in the margin,* from which it will be observed that in consideration of the sum of 10s. currency per acre, which is held to be the actual present value of the Reserve, it is proposed to dispose of the whole block described on the plan, with the exception of that part comprised within the radius of 300 yards round the projected work of defence; which is to be resumable whenever required for purposes of defence or military occupation, and is to be subject to the payment

* Letter of Messrs. Gzowski & Co., 17th February 1855. Report thereon of Commander Royal Engineer, 26th February 1855.

Letter of respective officers to Provincial Secretary, 22d March 1855. Reply of Provincial Secretary, 23d June 1855.

Mr. Elliott's report of 10th July, with letter to Messrs. Gzowski & Co. of 14th, and their reply of 20th July 1855.

payment of an annual rent of 10% currency for a term of 30 years renewable, as well as to the stipulation, that no stone buildings be erected within the radius on the north side of the line of railroad.

With this arrangement the contractors, Messrs. Gzowski & Co., have expressed themselves satisfied, and the provincial Government have given their assent to the disposal of the land in the manner above explained, upon the understanding that the purchase money shall be held available for payment into the military or provincial chest according to the result of the negotiations now pending in reference to the transfer of Ordnance lands to the Canadian Government.

We accordingly request that authority may be granted for a deed and lease to be prepared in favour of Messrs. Gyowski & Co., upon the terms specified in our letter to them of the 14th instant.

We have &c.
 (signed) *William Bell*,
 Colonel Commanding, Royal Artillery.
W. R. Ord,
 Colonel Commanding, Royal Engineer.
M. W. Blenkarn, D. O. S.

J. Wood, Esq., &c. &c. &c.

P. S.—The plan will accompany the Commanding Royal Engineer's report to the Inspector General of Fortifications.

(Enclosures.)

Gentlemen,

Toronto, 17 February 1855.

WE have the honour to acknowledge receipt of your communication of 1st instant, and return the plan therein contained; we beg also to enclose a duplicate of that plan, with the railway buildings planned thereon, as shown in a plan sent in our report of the 9th August; we will manage to retire those intruding upon the proposed Reserve.

We take leave to state respectfully, but distinctly, that the quantity of land proposed to be assigned by you is entirely inadequate in quantity, and objectionable in shape, especially when its condition is considered, to meet the requirements of the Grand Trunk Company.

The entire Reserve at Sarnia is very low, and no portion of it can be used for our purposes, without being materially raised, while not less than three-fourths is marsh or swamp, requiring to be actually made before it will be serviceable for any purpose; and we presume we need not inform you that the most expensive mode of acquiring land is to create it, by filling a swamp or water lot. It is only the positive absence of any other suitable terminal point for the Grand Trunk Railway that forces us upon the Reserve. We received the impression from your letter, especially from that of the 18th August last, that the representation made by our agent, the Honourable J. A. Macdonald, the present Attorney General, dated 9th June 1853, and the communications which we ourselves had the honour to address to you subsequently, had satisfied you that in asking for a title for such portion of the Reserve as was not deemed indispensable for military purposes, and the license of occupation of the latter if so required, we ask for no more than would be essential for the reasonable accommodation at its chief terminus of the gigantic railway enterprise with which we are connected, and for which it is our province to provide the right of way, &c.

We do not know that we can better demonstrate the utter insufficiency of the quantity of land you propose to grant, than by calling your attention to the fact that the frontage on the river is only about 900 feet wide, affording only berths for two steamers, after allowing for a slip for the ferry boat, while the Great Western Company have a water frontage exceeding one and a half miles in length, at Windsor, and which they find it necessary to extend.

The railways terminating at Chicago and Milwaukie have enormous depôt grounds, and all complain of not having enough to permit the more advantageous distribution of their machine shops, passenger and merchandise sheds, wood sheds, &c. The Great Western Company, that require so much room at Windsor, is only 230 miles in length, while that of the Grand Trunk will exceed 1,100 miles, and the American railroads named by us, possessing very large though insufficient depôt grounds, will be mere feeders of the Grand Trunk.

Sarnia is the principal and only safe port on Lake Huron, and the natural eastern harbour of Lakes Superior and Michigan, and Huron; when the railway is finished, vessels will be deterred from going further down, exposing themselves to the expense and risk of passing over the shoals between Sarnia and Windsor, known as "St. Clair Flats."

We do not think we are over sanguine in anticipating that the business of the Grand Trunk Railway will require, before any distant day, that the depôt accommodation at Sarnia be extended beyond what will be afforded by so much of the Ordnance Reserve as can be made available, notwithstanding the very great expense of reclaiming it.

Upon the portion reserved for military purposes, and which we desire to lease, no permanent buildings will be erected.

Having assented to all the modifications in our plans, desired in your letter of the 18th August, we hope you will now complete the arrangements with as little delay as possible.

The Respective Officers
H. M. Ordnance, Montreal.

We have, &c.
(signed) *C. J. Gzowski & Co.*

Sir,

Office of Ordnance, Montreal, 22 March 1855.

WE have the honour to transmit, for the information of his Excellency the Governor General in Council, a copy of a communication from the Board of Ordnance, authorizing the disposal, for purposes of the Grand Trunk Railway, of those portions of the Sarnia Reserve which are required for the terminus of the work in that locality, and to state that all the necessary preliminaries have been arranged as to the parts to be sold, and the quantity of the Reserve to be leased, and that it only remains to be ascertained, with reference to the contemplated transfer of the Ordnance lands of the province, whether any objection exists on the part of the Provincial Government, to the ratification of the sale, with the understanding that the purchase money shall be held available for payment into the military or provincial chest, according to the result of the arrangements now pending.

We accordingly request you will favour us by communicating the decision of his Excellency in Council upon this point as early as may be convenient.

We have, &c.
(signed) *William Bell,*
Colonel Commanding Royal Artillery.

J. S. Elliott, O. S.

W. R. Ord,

Colonel Commanding Royal Engineer.

W. H. Blenkarne, D. O. S.

The Honourable the Provincial Secretary,
Quebec.

Gentlemen,

Secretary's Office, Quebec,
23 June 1855.

I AM commanded by the Governor General to inform you, that his Excellency has had under his consideration in Council, your letter of the 22d March last, enclosing a copy of a letter from the Board of Ordnance, authorizing the disposal to the Grand Trunk Railway Company of such portions of the Sarnia Reserve, as may be required for the terminus of the railroad in that locality.

In reference thereto, I am to inform you, in reply to your inquiry upon that head, that no objection exists on the part of the Provincial Government to the ratification of the sale or lease of the lands in question, upon the proposed understanding that the purchase money shall be held available for payment into the military or provincial chest, according to the result of the arrangements now pending, in reference to the transfer of Ordnance lands, to the Provincial Government.

The Respective Officers
of Her Majesty's Ordnance, Montreal.

I have, &c.
(signed) *E. A. Meredith,*
Assistant Secretary.

Gentlemen,

Office of Ordnance, Montreal,
14 July 1855.

WITH reference to your letter of 17th February last, on the subject of the quantity of the Sarnia Reserve, which you require for the purposes of the Grand Trunk Railway.

I am instructed, by the respective officers to acquaint you that there is no military objection to the disposal of the tracts designated swamp, water, and rushes, and brush, on the enclosed plan; and 10s. currency per acre is proposed as the price to be charged for the whole block, with the exception of the portion comprised within the radius of 300 yards round the projected work of defence, for which an annual rent of 10*l.* currency per annum will be required for a term of 30 years, renewable; but reasonable whenever the land may be required for purposes of defence, or military occupation.

The conditions upon which the lands referred to will be sold and leased, are, that the Government or Ordnance should, at all times, have a right of way through the property

sold, that no stone buildings be erected within the radius on the north side of the line of railroad, that should any claims for improvements be urged by squatters or other occupants, they must be arranged by the company.

You will be pleased to communicate your assent to the foregoing terms, and when the arrangements, which are pending, with respect to the Ordnance lands in Canada, are finally completed: you will receive an intimation as to the mode in which you will be required to pay the rent and purchase money.

Messrs. Gzowski & Co.,
Toronto.

I have, &c.
(signed) *W. H. Blenkarne*, D. O. S.

Sir,

Toronto, 20 July 1855.

WE have the honour to acknowledge the receipt of your communication of the 14th instant, setting forth the terms and conditions on which your department is willing to dispose of the Sarnia Reserve to us.

We beg to assent to all of them, and will be glad to receive the deed and lease at your early convenience.

To Captain Blenkarne,
Ordnance Storekeeper, Montreal.

We have, &c.
(signed) *C. J. Gzowski & Co.*

LETTER to Secretary to the Ordnance from the Respective Officers, Montreal, dated 30 July 1855.

SUBJECT.

PROPOSED appropriation of the Sarnia Reserve to the purposes of the Grand Trunk Railway, excepting the portion reserved for defensive objects.

BOARD'S ORDER thereon, dated 14 September 1855.

ACQUAINT the respective officers at Montreal, that the several steps reported in their letter have been approved, and direct them to put the contractors for the Grand Trunk Railway (Messrs Gzowski & Co.) into possession of the Sarnia Reserve on the conditions therein detailed.

The Respective Officers, Montreal.

(signed) *C. Poignand*,
Pro. Secretary.

— No. 4. —

(No. 55.)

Royal Engineer Head Quarter Office,
Montreal, 13 August 1855.

Sir,

I HAVE the honour to forward herewith a copy of the correspondence * relating to the sale of part of the Military Reserve at Port Sarnia, Canada West, to the Toronto and Guelph section of the Grand Trunk Railroad Company. The sanction for this transfer is contained in Master General's and Board's Order, 21st December 1853 (T. 724), which authorized the sale of so much of the land as the Company might require for the extension of their line through the Reserve, at a fair and reasonable price. Enclosed is a plan of the Reserve, showing the portion which in consequence of application having been made, the respective officers consider may be sold to the Company, and have informed the Secretary for Ordnance accordingly.

The demand for so large a tract by the Company, is owing to this point being the terminus of the Grand Trunk Railway in Canada, and its being the intention of the Company to erect a large establishment in connexion with the terminus, as well as extensive wharfage and storehouses on the left bank of the River St. Clare.

The content of the land thus proposed to be sold is about 644 acres, large portions of which being in swamp and marsh.

Its

* See Letter marked "Ordnance, No. 89."

Its value for agricultural purposes, 10's. per acre, from which no income is derived at present. I would, therefore, recommend its sale to the Company at the above rate, as well as the lease to it of the ground reserved for a tower and battery, on the usual terms of military resumption; also with the condition, that no building of stone or brick be erected thereon, at 10 *l.* per annum.

I have, &c.

(signed) *W. R. Ord,*

Colonel Commanding Royal Engineer, Canada.

Lieutenant General

Sir J. F. Burgoyne, G. C. B.,

&c. &c. &c.

— No. 5. —

(No. 66.)

War Department, Montreal,

27 January 1856.

Sir,

WITH reference to our letter of the 25th instant, No. 65, reporting the passage of the Ordnance Lands Transfer Bill, we have the honour to transmit herewith for approval and completion, the deed (in duplicate), which has been prepared by the acting solicitor of the Department at Toronto, in favour of Messrs. Gzowski & Co., for the portion of the Sarnia Reserve which is authorized by the Order of 14th September 1855 (S. 7656) to be granted to those parties for the purposes of the Grand Trunk Railway Company.

We also enclose the blank form of lease (in duplicate) heretofore in use in this command, with plan endorsed thereon, showing the portion of the same Reserve, which is retained for defence, and which is to be leased under the order quoted, for a term of 30 years, renewable to the same parties, subject to payment of an annual rental of 10*l.* currency, and to summary resumption, as well as restrictions against building with stone; and we beg to recommend that the document may be so amended as to meet the requirements of the new Act, and be then returned to us, after execution, for delivery to Messrs. Gyowski & Co., and record in this office.

We beg at the same time respectfully to suggest, with reference to the decision communicated in your letter of the 18th February last, 166-7, that no officer would hereafter be appointed for the execution of deeds and leases in Canada, that we may be favoured with instructions for our guidance, in regard to the course to be adopted, with respect to the issue of leases which are, from time to time ordered to be granted for lands or premises now vested in the Secretary of State for War.

We have, &c.

(signed) *William Bell,*

Colonel Commanding Royal Artillery.

W. R. Ord,

Colonel Commanding Royal Engineer.

H. R. Drewry, Esq.,

&c. &c. &c.

W. H. Blenharne, D. O. S.