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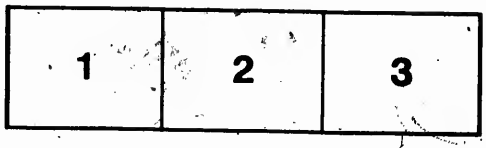

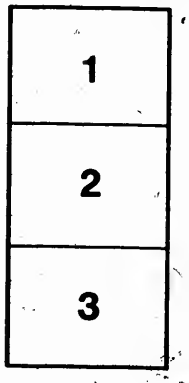

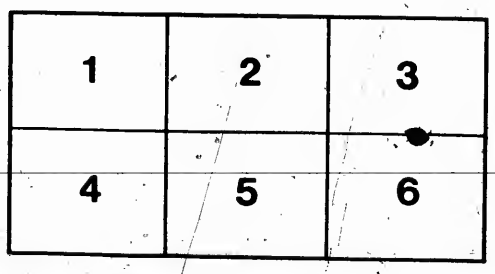

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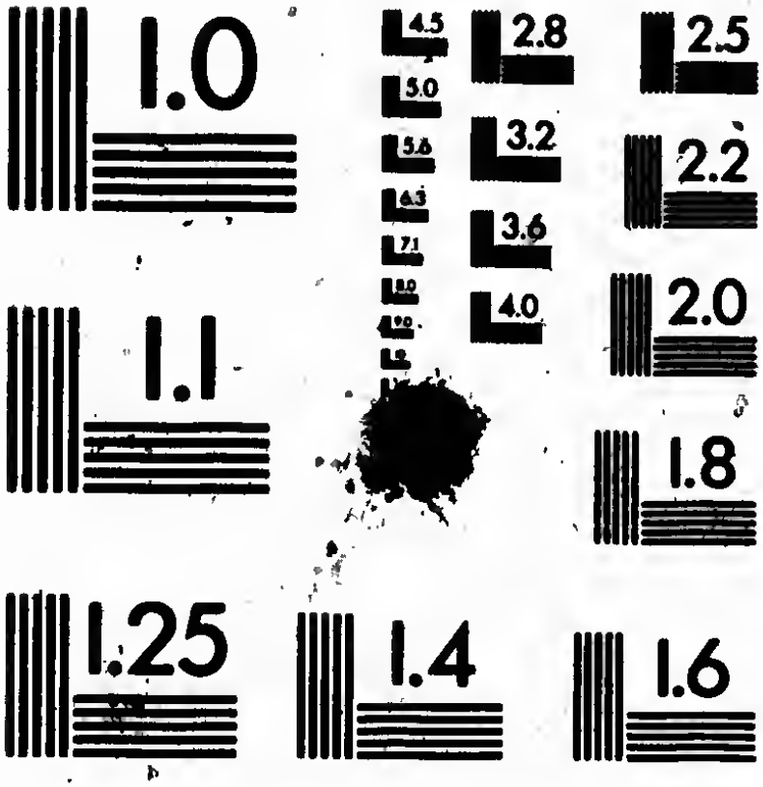

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CORRESPONDENCE

BETWEEN THE

PROVINCIAL GOVERNMENT,

MESSRS. SCHREIBER & BURPEE,

CONTRACTORS FOR BUILDING THE

PRINCE EDWARD ISLAND RAILWAY,

AND

THOMAS SWINYARD, ESQUIRE,

THE SUPERINTENDENT ACTING FOR THE

GOVERNMENT OF THE DOMINION OF CANADA,

TOGETHER WITH OTHER PAPERS RELATING TO THE

COMPLETION AND OPENING

FOR TRAFFIC OF THE RAILROAD.

P. R. BOWERS, QUEEN'S PRINTER.

1875.

CORRESPONDENCE

Between the Provincial Government, Messrs. Schreiber and Burpee, Contractors for building the Prince Edward Island Railway; and Thomas Swinyard, Esquire, Commissioner Acting for the Government of the Dominion of Canada, together with other Papers relating to the completion and opening for traffic of the Railroad.

On the 25th May, 1874, the Hon. Mr. Owen, President of the Executive Council, learning that Mr. Schreiber had arrived on the Island, addressed to him a letter (of which no copy is at hand) to which the following reply was received:—

Prince Edward Island Railway,
Contractors' Office,
Charlottetown, P. E. I., 26th May, 1874.

The Honorable
Lemuel Owen,
President of Council,
Charlottetown.

Dear Sir,—

We have the honor to ackno ledge the receipt of your communication of the 25th instant, asking if we will agree to hand over the portion of the road between Charlottetown and Summerside, when completed, and desiring to know if this part of the Road will be completed in time to enable you to have the Line in working order by the First of July next. In reply, we desire to say that we believe the Section of the Road in question

will be in a condition for traffic in ample time to enable you to make the necessary preparations for opening the Road for traffic on the 1st July next, but, while not wishing to throw any unnecessary obstructions in the way, we may frankly state we are not prepared to transfer this Section of the Road over to you unconditionally, as it is an absolute and positive necessity for us to reserve the right of running our Construction Trains over the Line, to pass, on your trains, our employees and freight, free of charge, and otherwise guard our interests, &c., which, if allowed to suffer, might seriously delay the completion of the whole Line. We have little doubt, however, that these matters might be arranged to our mutual satisfaction, and we shall be pleased to confer with you to that end. It might not, perhaps, be considered out of place for us here to remark, that we are prepared to hand over a very limited amount of Rolling Stock only, as the larger portion of it will be employed during the Summer season in ballasting, &c. We think, however, we could spare 2 Engines, 8 Platform Cars, 48 Box Cars, 7 First-class Passenger Cars, 6 Second-class ditto, and 5 Postal Cars, this, however, must be considered the maximum quantity we could part with, at present. We desire it to be understood we do not consider it in the interest of the whole undertaking to transfer any portion of the road over to you until the whole is completed, but rather than appear to oppose the wishes of the Dominion and Local Government, we are willing to do anything consistent with reason to meet their views.

We have, &c.,
SCHREIBER & BURPEE.

THE RANKIN HOUSE, Charlottetown,
May 26th, 1874.

SIR,—I have the honor to inform you that, in pursuance of instructions from the Minister of Public Works of the Dominion of Canada, I have arrived here for the purpose of placing myself in communication with you, in order to ascertain the intentions of your Government with respect to the opening of the Prince Edward Island Railway, a portion of which, it has been reported to the

Dominion Government, is completed, and ready to be taken possession of.

I have also received instructions to make myself generally acquainted, for the information of the Dominion Government, with the present condition of the entire Railway and its appurtenances.

I beg therefore humbly to request that you will be pleased to appoint an hour at which I may have the honor of waiting upon you.

I am, &c.

THO. SWINYARD.

The Hon. LEMUEL OWEN,
Pres. Ex. Council, &c.

Charlottetown, May 26th, 1874.

DEAR SIR,—If you can make it convenient to call at the Colonial Building this afternoon, I will be happy to meet you, and will remain here until five o'clock.

I have, &c.,

L. C. OWEN.

THO. SWINYARD, Esquire,
Rankin House.

Charlottetown, June 1, 1874.

SIR,—I regretted very much that your unavoidable absence prevented you from accompanying Mr. Schreiber, Mr. Boyd and myself over the Railway, between this Town and Summerside, last week.

Although the inspection made was necessarily a preliminary and hurried one, it was evident that a good deal of odd work remained to be done.

It was equally clear, however, that by special exertion and attention being given to this section of the line, the Contractors would soon be in a position to offer it to your Government for acceptance.

In view, therefore, of the advanced state of the work, and the universal desire which seems to prevail that the line between Charlottetown and Summerside should be used as early as possible for the public service, I beg very respectfully to suggest that your Chief Engineer, Mr. J. E. Boyd, should be directed to proceed with all

speed to make a special and thoroughly detailed inspection of the Railway between the places named, inclusive, with instructions to report the present condition of the Stations, Wharfs, Sheds, Platforms, Turn-tables, Tank-houses, Sidings, Switches, Signals, Fences, (these latter require most particular attention) Culverts, Bridges, Cattle-guards, and the Road-bed, Ballasting, and Permanent way generally, whether in fact they are complete in all respects and according to specification, and if not, the particular work that remains to be completed, and how soon it can be accomplished, in order to enable your Government to signify to the Dominion Government, the earliest day on which you will be prepared to offer for their acceptance this portion of the Railway, subject to the conditions (which should be specified,) the Contractors may make in regard to the continued use of the line by them, necessary to enable them to carry on their operations in the construction of the remaining portion of the Railway and Works. The Engineer should likewise be directed to make inquiries into the condition of the Rolling Stock, and to state how many Engines, and how many of each class of Car can, at the same time, be handed over by the Contractors to your Government in good working order, for the acceptance of the Government of the Dominion. The numbers of the Engines and of the Cars so to be given up, should be specified.

I have, &c.,

THO. SWINYARD.

The Hon. LEMUEL C. OWEN,
Pres. Ex. Council.

The Contractor's Letter of the 26th, having been referred to Mr. Boyd, the following report thereon was made by him :—

Prince Edward Island Railway,
Government Engineers' Office,
2nd June, 1874.

The Honorable,
The PROVINCIAL SECRETARY.

SIR,—

I have the honor to acknowledge the receipt of a letter from the Clerk of the Executive Council enclosing Mr.

Schreiber's letter respecting the terms, on which the Contractors are willing to hand over to the Government the division of the Railway between Charlottetown and Summerside.

The rights which the Contractors purpose to reserve are only such as are necessary to enable them to carry on their works on the remaining parts of the line. But it should be distinctly understood that their trains, when on the part of the line open for traffic, are to be completely under the control of the Superintendent. The rolling stock which they propose to transfer to Government, is stated as follows: 2 Engines, 7 First-class Passenger Cars, 6 Second-Class Passenger Cars, 5 Postal Cars, 48 Box Freight and 8 Platform Freight Cars. The number of Passenger Cars will be ample for the requirements of the traffic, and so will the number of Box Cars, until the produce begins to come in in the fall; but there should be three Engines, so as to have a spare one in case of accident, and, as there is a large quantity of timber, delivered on the line, awaiting transportation, at least 20 Platform Cars will be required for some time. An arrangement might, perhaps, be made with the Contractors to hand over 2 Engines, and say 12 Cars for this special purpose. These could be kept constantly employed until the accumulation of timber was removed, after which they could be returned.

It is not, of course, desirable to hamper the operations of the Contractors in any way, but I do not think it would be good policy to open the line without having Stock enough to accommodate the traffic.

I have, &c.,

JOHN EDWARD BOYD,
Chief Engineer.

Executive Council,
Prince Edward Island,
June 3rd, 1874.

Messrs. SCHREIBER & BURPEE.

GENTLEMEN,—

I have the honor to acknowledge the receipt of your communication of 26th ult., and, in reply, have no objection to your request that you have the right, until the

expiration of the time stated in your Contract for the completion of the Trunk Line, to pass your employees over the line free of charge, and also to run your Construction Trains and any freight incident to the finishing or construction of the Road; but, at the same time, the Government will require that those Construction trains, freight, &c., should, when on the part of the line given up, be under the complete control of the Superintendent. I consider it necessary that, in addition to the Rolling Stock you propose to hand over, there should be added, at least, one Engine and twelve Platform Cars, making together three Engines and twenty Platform Cars. These, with the other Rolling Stock mentioned in your letter, I consider will be barely sufficient for the traffic until the Autumn.

I have, &c.,

L. C. OWEN.

Pres. Ex. Council.

RAILWAY CONTRACTORS' OFFICE,
Charlottetown, June 8th, 1875.

Honble. LEMUEL C. OWEN.
President of the Executive Council.

SIR,—

I have the honor to acknowledge the receipt of your communication of the 3rd instant. In acceding to condition conveyed in Mr. Schreiber's communication of 26th ult., you stipulate that our Construction trains, in their passage over any portion of the Railway which may be given up to the Government, must be under the complete control of the Superintendent.

While not denying that such regulation is indispensible for the *regular* running of trains, and for the safety of the travelling public, and that no other arrangement could be made which would ensure the safety of Passenger trains, without necessitating most tedious and vexatious delays to passengers, yet, we beg to submit the case from the Contractors' point of view, which stands thus,—

Our Construction trains being placed under the complete control of the Superintendent, he would, of course, take very good care that we were well out of the way of

his passenger trains, by being ordered into Sidings at least twenty minutes before the passenger train was due, there to wait until it passed. The passenger train, being on time, our delay would be but twenty minutes, or, should it be much behind time, the Superintendent could, had he the use of a proper telegraph line, order our construction train to go forward, and pass at another siding. Having no telegraph line, however, there would be only two ways of arranging, either our gang of perhaps fifty workmen, with engine and cars, must be kept standing, it may be for hours, until word is brought by messenger, or else passengers must be delayed for a similar time, their train being ordered into a siding to afford us right of way. This latter alternative, causing passengers to miss important appointments, would be unadvisable, and would bring the Railway into great odium, from which it would take some time to recover. The former alternative would be great injustice to the Contractors.

You also state that it will be necessary that the Contractors should add to the Rolling Stock, proposed by Mr. Schreiber's communication to be delivered up to the Government, one Locomotive and twelve Platform Cars, making, in all, three Engines and twenty Platform Cars.

To this demand, I beg to say that, for the Contractors to comply, is simply impossible. A great deal of work yet remains to be done to complete the Contract. It will require three months for twelve Locomotives operating full time, and several of them working night and day, to carry out our contemplated Summer programme. Some idea of our strait in the matter of Platform Cars may be gained when it is known that, merely for the purposes of our own operations in constructing the Road, we are, *at our own expense*, building forty extra Platform Car decks, which are over and above the Contract. This, and other serious outlays, have been forced upon the Contractors, in consequence of the Government failing, for a period of fourteen months, to put them in possession of the ground required for buildings in Charlottetown, so delaying the importation and construction of Rolling Stock. When the circumstances are considered, it will be apparent that the Contractors, in their

communicatiou of 26th ult., evinced a desire to meet the wishes of the Government in opening the Central Section of the Road, at a great sacrifice of their own interests.

It will be seen, by the above, that the opening of the Road, between Charlottetown and Summerside, even with the very inadequate supply of Rolling Stock offered, should any unforseen contingency occur, would seriously endanger the possibility of getting the Eastern and Western portions of the Railway opened at the expected time. Should any further Rolling Stock be now surrendered by the Contractors for the better accommodation of central division, it is certain to be at the expense of those portions of the Island between Summerside and Tignish and between Charlottetown and Georgetown and Souris, which would thereby be deprived of the use of the Railway during the busy season, when so much produce is to be conveyed long distances, and roads are deep with mud, and this merely to afford the central portions a few months, earlier use of the Railway, at a time, when the roads being at their best, and the steamers running, and but little to transport, railway accommodation is least needed.

While most anxious to meet the wishes of the Government, yet we most respectfully beg to suggest, that the true interests of the people of the Island, taken as a whole, seem likely to be better served, if the opening of any portion of the Railway for traffic be delayed, until the whole line is completed, an end which will thus be earlier accomplished by greater facilities in Rolling Stock being available in construction.

As the adjustment of these matters rests solely between the Lieutenant Governor and Council and the Contractors, who are the two parties to the contract, and as some questions regarding the effect of certain delays which the Contractors have, in time past, sustained, will probably, at some time, require to be discussed and disposed of, we would most respectfully deprecate any action on the part of the Government, which would tend to complicate matters, or which would seem to invite interference, or dictation, or even the appearance of such from any third party.

The Contractors, at all times, court the fullest inspection and investigation into their works by the Government and Government departments, or by any parties whom the Government may, from time to time, think fit to appoint, but they hold that they would be treated with doubtful courtesy, were the Government, in dealing with any third party, to be so premature as to cause the manner, whether satisfactory or unsatisfactory, in which the Contractors were fulfilling their works, to be the subject of official report to any other body, or of newspaper remark, through invitation or countenance of the Government.

I have, &c.,

CHAS. C. GREGORY,
Chief Engineer for Contractors.

Mr. Swinyard's communication of 1st June was referred to Mr. Boyd, and the following letter received from him :—

PRINCE EDWARD ISLAND RAILWAY,
Engineers' Office, Charlottetown,
8th June, 1874.

Hon. L. C. OWEN,
President Executive Council.

SIR,

Referring to Mr. Swinyard's letter addressed to you, and enclosed to me for perusal, I beg to state that, early in May, I went over the Division between Charlottetown and Summerside with Mr. Gregory, and pointed out to him the works required to complete the Line. He informe me that since then men have been employed according to my directions.

There is a length of about 350 feet of the Summerside Wharf still to be built. The Fencing and Gates are not by any means in a satisfactory state, and there are many other minor matters to be attended to before the work is brought up to specification. Judging from the rate of progress now being made, I cannot hold out any hopes that the work will be in a proper condition to take off the Contractors' hands before the 1st August next. I

will report fully, when the works are, in my opinion, completed according to Contract.

I have, &c.,
JOHN EDWARD BOYD,
Chief Engineer.

CHARLOTTETOWN, June 8, 1874.

MY DEAR SIR,—

Referring to my interview with you, Mr. Brecken and Mr. Haviland this morning, regarding the substance of the Telegram which, it was decided, I might with propriety forward to Ottawa for the information of the Minister of Public Works for the Dominion, I now beg to enclose a copy of the actual Telegram sent.

I await the opinion of the Attorney General in regard to the power of the Government to lay down a Line of Telegraph along the Railway for its own use.

I remain, &c.,
THO. SWINYARD.

The Hon. LEMUEL OWEN,
Pres. Ex. Council.

(COPY)

Hon. ALEX. MCKENZIE, M. P.,
Minister of Public Works, Ottawa.

After careful examination and inquiry, Local Government have concluded that the Contractors are not yet in a position to hand over to them any portion of the Railway—that much work remains to be accomplished—that Contractors require continued use of Line at unfixed hours, and cannot give up sufficient Rolling Stock for proper train service—that complete Telegraphic communication is necessary along Railway, and, that having the general welfare of the public in view, it is neither expedient nor safe to open the Railway for traffic before September. Contractors time is not up till seventh of September. I return to Ottawa on Thursday.

THO. SWINYARD.

EXECUTIVE COUNCIL OFFICE,
Prince Edward Island,
June 12th, 1874.

SIR,—The Administrator of the Government in Coun-

cil has had under consideration the correspondence between the President of the Council and the Contractors, regarding the opening of the division of the Railway between Charlottetown and Summerside.

In view of the incomplete state of the whole Line, and the limited amount of Rolling Stock which the Contractors would be enabled to deliver, as also the probability of the opening of the central section seriously endangering the finishing of the Eastern and Western sections at the time stated in the Contract, the Government have come to the conclusion that it would not conduce to the public interest, at the present, to accept from the Contractors the portion of the Railway between Charlottetown and Summerside on the terms proposed by them.

I have, &c.,

WILLIAM C. DESBRISAY,
Asst. Clerk Ex. Council.

CHAS. C. GREGORY, Esq.,
Agent for Contractors P. E. I. Railway.

EXECUTIVE COUNCIL OFFICE,
Prince Edward Island,
June 12th, 1874.

SIR.—On receipt of your letter of the 26th ult., I was engaged in corresponding with the Railway Contractors in reference to the handing over by them, of that portion of the line between Charlottetown and Summerside, with a sufficient amount of Rolling Stock. Since then I have had further correspondence, which has been laid before the Administrator of the Government in Council.

The Government have taken the same into careful consideration, and, in view of the incomplete state of the whole line, and the limited amount of Rolling Stock which the Contractors would be enabled to deliver, as also the probability of the opening of the Central Section seriously endangering the finishing of the Eastern and Western Sections at the time stated in the contract, have come to the conclusion that it would not conduce to the public interest, at the present, to accept from the Contractors the portion of the Railway between Char-

lottetown and Summerside on the terms proposed by them.

I have, &c.,

L. C. OWEN.
Pres. Ex. Council.

THO. SWINYARD, Esq., &c., &c.

PRINCE EDWARD ISLAND RAILWAY,
Contractors' Office,
Charlottetown, P. E. Island,
22 June, 1874.

Honble. L. C. OWEN,
President of the Executive Council.

SIR,—

On account of the possible disappointment of some parties who expected to transport their timber, delivered at Railway Stations between here and Summerside, to point of shipment by rail, after 1st June, I understood from you that it was probable that the Government would desire the Contractors to accommodate such parties as far as they could. If such is the wish of the Government, we would request to have it in writing, otherwise any attempt on our part to oblige parties who would otherwise suffer loss, might bear a misconstruction and it might be said that by their action the Railway was robbed of legitimate traffic, which should bring revenue when road was opened to the public.

We have numerous applications, but the less we do of it the better for our own interests, though unwilling that such parties should suffer unnecessary damage by delays.

Yours respectfully,

CHAS. C. GREGORY.

EXECUTIVE COUNCIL,
Prince Edward Island,
June 23d, 1874.

CHAS. C. GREGORY, Esq.,

SIR,—

I am in receipt of your communication of yesterday.

The Government, although very anxious that the timber and other produce along the Railway line, awaiting transportation to a shipping port, should be forwarded as soon as possible, yet, under the peculiar circumstances under which the Road is held at present, do not think that they should in any way interfere in the matter.

At the same time, if the Contractors arrange to forward the produce, as requested by the owners, the Government will make no objection to their doing so.

I have, &c.,

L. C. OWEN,
President Ex. Council.

CHARLOTTETOWN, Prince Edward Island,
Aug. 6th, 1874.

SIR,—I called at your office yesterday, but had not the pleasure of finding you in. The Government of the Dominion, being anxious that no undue delay should take place in the opening of the P. E. Island Railway, have directed me to revisit the Island for the purpose of organising the Staff, and making arrangements to receive over the Railway, on their behalf, from the Local Government. I shall, therefore, be much obliged if you will take the subject into consideration, and notify me at the earliest possible moment, when your Government will be prepared to tender the Railway, or any portion of it, for the acceptance of the Dominion Government, when I will immediately proceed to make the final inspection of the line on its behalf.

In the meantime, perhaps, you will kindly request your Engineer to place himself in communication with me, in order, as far as possible, to facilitate matters.

I have, &c.,

[illegible]O. SWINYARD,
Railway Commissioner, P.E.I.

The Hon. LEMUEL C. OWEN,
Pres. Ex. Council, &c.

EXECUTIVE COUNCIL,
Prince Edward Island, Aug. 7, 1874.

Sir;

I have the honor to acknowledge the receipt of your communication of yesterday's date, and, in reply, to state that the Government of this Province are very anxious that the Railroad shall be opened for trafic at as early a day as possible; but as the Contractors for the building of the Road do not intend handing over any part of it until their contract is completed, the Government cannot interfere with them in any way, other than seeing that the Road is built, in all its parts, in accordance with the specification and arragements made for its construction.

I have, &c.,
L. C. OWEN,
President Executive Council.

Tho. Swinyard, Esq., &c., &c.

CHARLOTTETOWN, P. E. I., Aug. 8, 1874.

Sir;

I beg to acknowledge the receipt of your letter of the 7th inst., in answer to mine of the 6th, in reference to arrangements for the opening of the Prince Edward Island Railway.

You are good enough to inform me that "the Contractors for the building the Road do not intend handing over any part of it, until their contract is completed," and you add, that "the Government cannot interfere with them in any way, other than seeing that the Road is built, in all its parts, in accordance with the specification and arrangements made for its construction."

Inasmuch as the contracts entered into between your Government and the Contractors provide that the Railway shall be completed not later than the 7th proximo, and as the Dominion Government have, for some months past, been led to expect that the Railway, or at least some portion of it, would be completed and ready to be opened for the use of the public on or before that date, I beg very respectfully to inquire whether any arrangement has been come to between your Government and the

Contractors, whereby the contract time has been extended, and, if so, to what date such extension has been granted?

I beg permission likewise to inquire whether, as the contract for the main line is altogether distinct from that for the branch lines, I am right in inferring from your remarks that if the main line be completed before the branch lines, it is not the intention of the Contractors to hand over the main line to the Government at the date of its completion, and that they intend to keep the rolling stock of the main line (which was separately contracted for,) apart from the rolling stock belonging to the branch lines in their possession until the branch lines are also completed?

I trust you will excuse the liberty I take in making these inquiries, but having come here under the instructions of the Dominion Government, for the special purpose of making all the necessary arrangements for the opening of the Prince Edward Island Railway, and being now actively engaged in the preliminaries connected therewith, the indefinite nature of the reply I have received, places me in an awkward position, as it prevents me from giving any fixity to the arrangements which, in order to provide for the proper working of the line, it is expedient beforehand to make.

I have, &c.

THO. SWINYARD.

Hon. Lemuel C. Owen,
President of the Council.

EXECUTIVE COUNCIL,

Prince Edward Island, August 10, 1874.

J. H. Born, Esq.;

Sir,—I have been directed by the President of the Council to enclose you a letter which has been received by him from Thomas Swinyard, Esq., and to request that you will ascertain from the Contractors whether it is their intention to hand over the Railway to the Go-

B

vernment on the 7th September, the date named in their contract for the completion of the line.

I have, &c.,

WILLIAM C. DESBRISAY,
Assistant Clerk Executive Council.

Prince Edward Island Railway
Government Engineer's Office,
11th August, 1874.

Hon L. C. Owen, President
of Executive Council, P. E. Island;

Sir,—I have the honor to enclose Mr. Gregory's reply to the question I was instructed to ask respecting the completion of the Railway.

To prevent disappointment on your part, I feel bound, however, to state, that in undertaking to hand over "the entire line of Railway, Main Line and Branches, complete, according to contract," on the 7th September next, I think he is attempting an impossibility.

The Contractors are pushing the work with the greatest energy, and are sparing no expence to forward it; but dependent, as they are, on labor drawn from an agricultural population, they will, I fear, be embarrassed by the loss of large numbers of their men [illegible] will go home to attend to the harvest. I do not [illegible] is practicable for them to complete the work [illegible] than two months from the present time, even under favorable circumstances; and, in the event of bad weather, it may take even longer than that.

I have, &c.,

JOHN EDWARD BOYD.
Chief Engineer.

Charlottetown, 10th August, 1874.

J. E. Boyd, Esq.
Government Chief Engineer,

Sir,—I have the honor to acknowledge the receipt of your letter of this date, informing us that you have been instructed by the Government to ascertain whether it is

the intention of the Contractors to hand over the Railway to the Government on the 7th September next, the date named in the contract for the completion of the line. In reply, I beg to assure you that the Contractors are pushing their works with the utmost energy, in order to secure the completion of the Railway at the earliest possible date. It is the desire of the Contractors to be in a position to hand over the entire line of Railway, main line and branches complete, according to contract, and within the time required of them by their contract, and they anticipate no difficulty in so doing.

I have, &c.,
CHAS. C. GREGORY,
Chief Engineer for Contractors.

EXECUTIVE COUNCIL,
Prince Edward Island,
August 17, 1874.

Sir,—In reply to your communication of the 8th inst., I have the honor to inform you, that, on inquiry of the Contractors for building the Prince Edward Island Railway, their Agent here, Mr. Charles C. Gregory, writes, under date the 10th inst., that they "are pushing their works with the utmost energy, in order to secure the completion of the Railway at the earliest possible date, and that it is their desire to be in a position to hand over the entire line of Railway, main line and branches, complete, according to contract, and within the time required of them by their contract, and they anticipate no difficulty in doing so."

Mr. J. E. Boyd, the Engineer in charge for the Government of this Province, writes me in reference thereto, under the same date.—"To prevent disappointment on your part, I feel bound, however, to state, that in undertaking to hand over the entire line of Railway, main line and branches, complete, according to contract on the 7th of September next, I think he is attempting an impossibility. The Contractors are pushing the work with the greatest energy, and are sparing no expence to forward it; but, dependent, as they are, on labor drawn from an agricultural population, they will, I fear, be embarrassed by the loss of large numbers of their men, who will go home to attend to their harvest. I do not see how it is

practicable for them to complete the work in less time than two months from the present time, even under favorable circumstances, and, in the event of bad weather, it may take even longer than that."

Above, you have all the information I am possessed of at present, on the matter in question, and, until the term of the contract expires, do not see that we can ask any more from the Contractors.

I do not know that any part of the Rolling Stock is intended particularly for the main line or the branches; the several importations of Engines being used in common on both lines, and I am not informed what part of the rolling stock is intended for one or the other contract; and further, the contract for the branch lines has become so intermixed with that of the main line, that it is now difficult to separate them.

The Engineer will see that all the Rolling Stock, and other material used in construction, are in complete order when handed over, and, if deficient in any part, they must be repaired or replaced.

I have, &c.,

L. C. OWEN,
President Executive Council.

Thomas Swinyard, Esq., &c. &c.

CHARLOTTETOWN,
10th August, 1874.

Honble. LEMUEL C. OWEN,
President of the Executive Council.

SIR,—

On returning to Charlottetown, after an absence of some days, I found on our books the time of men charged for work done "Stripping Cars, ordered by Mr. Swinyard." I made enquiry into what it meant, and received from our timekeeper the accompanying note in explanation. From it I understand that, on behalf of Mr. Swinyard, Mr. Waugh ordered our men to undo a portion of our car work and substitute for the work done by us, as required by our contract, something like Sleeping and Hotel Car arrangements. Now, I respectfully beg to submit that any meddling with our workmen or ourselves in the prosecution of our Contract works, except

by properly authorized officers, is a thing which we neither understand nor appreciate. Will you please furnish us, with as little delay as possible, a full explanation of what this change in the internal arrangements of the Passenger Cars means; also, to what extent in future we are to expect interference of any kind from any third party with our works, *in any department or in any way within the Railway lands* in our possession, during the continuance of our Contract.

Items may appear small and unimportant in themselves, yet may be of greatest moment in establishing precedents. The necessity of jealously guarding any interference or invasion of their rights, and of maintaining the most perfect formality in all their dealings with the Government, is forced upon the Contractors, and will be apparent to all, when it is remembered that already the Contractors are denied payment for outer breastwork at Charlottetown, which work the Contractors executed twelve months ago, at the request of members of either local or general Governments. *The want of strict formality* in the request or order for such work has operated to deprive the Contractors of payment therefor.

All of which is most respectfully submitted.

I have, &c.

CHAS. C. GREGORY,
Chief Engineer for Contractors.

PRINCE EDWARD ISLAND RAILWAY,
Contractors Office,
Charlottetown, P. E. Island,
August 10th, 1874.

C. C. GREGORY, Esq.,

DEAR SIR,—

Mr. Waugh ordered Mr. Hunter to have the seats taken out of one First-class Passenger Car and one Second-Class Passenger Car. The First-class to be used for a Sleeping Car, and the Second-class to be used for cooking purposes.

I am,
Yours respectfully,
CHAS. DALZIEL.

EXECUTIVE COUNCIL,
Prince Edward Island,
August 11th, 1874.

J. E. BOYD, Esq.,

SIR,—

I have been directed by the President of the Council to forward you a letter which he has received from Mr. Gregory, and to request that you will be good enough to state whether the "*Stripping Cars, ordered by Mr. Swinyard,*" had your sanction and approval, and was done under your directions.

Your obedient servant,
WILLIAM C. DESBRISAY.

PRINCE EDWARD ISLAND RAILWAY,
Engineers' Office, Charlottetown,
August 11th, 1874.

Hon. L. C. OWEN,
President Executive Council.

SIR,—

In reply to your letter of this date, I have the honor to inform you, the stripping of the Cars complained of by the Contractors, and said to have been ordered by Mr. Swinyard, was done not only without my "sanction and approval," but without my knowledge.

I have, &c.,
JOHN EDWARD BOYD,
Chief Engineer.

CHARLOTTETOWN,
11th August, 1874.

Hon. L. C. OWEN,
President of Executive Council.

SIR,—

Yesterday I had the honor of addressing you by letter relative to the conversion of some of our First-class Passenger Cars, which we had in course of construction, into Sleeping or Hotel Cars, and some of our Second-class Cars into Kitchen or Cooking Cars. The interference with our men or works in such an extraordinary manner takes us so much by surprise, that we are at a loss

to conceive the remotest idea of what it means, what mysterious change in our relations has taken place, or by what action on our part we have merited such harsh treatment at the hands of your Government, that we should lose the right of controlling our own works. It cannot surely be in consequence of any lack of energy on our part in prosecuting our works—for I can assure you that every available man is employed. Besides our day trains, twelve in number, working constantly, we have three night trains working, and many of our officials are really denied a proper proportion of rest. It can hardly be in consequence of any exhibition, on the part of the Contractors, of an unwillingness to meet the reasonable wishes of the Government—I fail to call to mind any obstinacy in such matters, but, on the contrary, do recollect instances of the acquiesence of the Contractors being given even when greatly against their wishes or interest. I might instance the substitution of the wire fence, also the covered stations. All the examinations and reports on our works which have been had, over and above the constant inspection of your Chief Engineer and his Staff of Assistant Engineers and Inspectors, during the progress of the works, have invariably been favorable and complimentary to the way in which the Contractors are executing their works. Some of these reports have been printed for the public, and some have been read to us or perused by us in private, but, one and all, were in the highest degree, complimentary to the Contractors. Then, seeing all this, we cannot believe that it is in consequence of any ill done or defective work that we have thus merited such treatment.

I trust you will allow me to plead ignorance of any intentional delinquency or offence on our part, and that you will so far sympathize with us in our discomfort and anxiety, at the harsh treatment which your Government are dealing out to us in this matter, that you will excuse the impatience which prompts this second appeal for enlightenment, but the case is so important that I cannot leave Charlottetown, to attend to our works elsewhere, until I have the assurance from your Government that our works and workmen *are still under our*

control, and free from any molestation from any outside parties, and that we are free to prosecute our works as per contract, or else, if matters are otherwise, please let us know the worst without suspense. I did wish to leave town for Cascumpec in the morning, but await your reply, as it will not do for me to leave our shops in the disorganised state which the impression *that we have, no longer, sole control of them*, following this interference, has caused among our men.

It is hardly becoming us in our present humiliating position to give advice, yet I should respectfully beg to be excused, when I suggest, that should the Government deem it necessary to have Sleeping Cars provided within a few days of the opening of the Road, Mr. Butcher has very extensive steam apparatus for wood work, and as he is, at present, building some First-class Passenger Cars for us, he will not be wanting in such experience as will enable him to supply the wants of the Government in the matter of the Hotel and Sleeping Car arrangements at short notice, after the Road and Rolling Stock is handed over to you by the Contractors.

Should I have failed to be lucid in this communication, or have, in any way, overstepped the bounds of propriety, I trust you will kindly attribute it to the agitation under which I am placed by this sudden turn affairs have taken.

I have the &c.,

CHAS. C. GREGORY,
Chief Engineer for Contractors.

EXECUTIVE COUNCIL,
Prince Edward Island,
August 11th, 1874.

CHAS. C. GREGORY, Esq.,

SIR,—

I have the honor to acknowledge the receipt of your communications of yesterday and to-day, and in reply, to inform you that the alteration of the arrangement of the Passenger Cars, has been done without the sanction, approval, or knowledge of the Government of this Province

and in further reply to state that no person, except Mr. J. B. Boyd the Government Engineer, is authorised to interfere in any manner with your arrangements for the construction of the Railway.

I have the &c.

L. C. OWEN.

On or about 31st August, the following despatch was received by the Lieut. Governor.

1445
on
1167

DEPARTMENT OF THE SECRETARY OF STATE,
Ottawa, 26th August, 1874.

SIR,—

I am directed to acquaint you, for the information of your Government that His Excellency the Governor General in Council has been pleased to appoint Mr. Thomas Swinyard, to act for the Dominion Government, as Superintendent, to take charge of the Prince Edward Island Railway in order to open the same for traffic as soon as completed.

I have the honor to be
sir
your obedient Servant
EDOUARD J. LANGEVIN,
Under Secretary of State.

To His Honor,
the Lieut. Governor
of Prince Edward Island,
Charlottetown,
P. E. I.

CHARLOTTETOWN, Prince Edward Island,
September 1, 1874.

DEAR MR. OWEN,—Acting upon the official letter I received from you, under date the 17th August I advised the Dominion Government that I did not anticipate the Prince Edward Island Railway would be tendered by

your Government, for the acceptance of the Dominion, before the middle of October, and possibly later. As I have made all the preliminary arrangements which, under the circumstances, it is possible for me to make, I propose to pay an interim visit to Ottawa, leaving here on Monday fortnight, the 14th inst., unless you have received any advices from your Engineer or Contractors which may induce you to hold out an expectation to me that the line can be tendered to the Dominion Government before the time mentioned in your official favor.—I shall be extremely obliged if you will let me know.

Yours very truly,

THO. SWINYARD.

Hon. LEMUEL C. OWEN, &c., &c.

EXECUTIVE COUNCIL,

Prince Edward Island,

September 5, 1874.

THOS. SWINYARD, Esq.

SIR,—

I have been directed by the President of the Council to acknowledge the receipt of your communication of the 1st inst., which, on account of his absence from the Island, was not received by him until this morning, and, in reply thereto, to state, that, since his communication of the 17th ult., he has received no advices from the Government Engineer or Contractors in reference to the time at which the line of Railway may be expected to be tendered to the Dominion Government.

I have &c.,

WILLIAM C. DESBRISAY.
Ass't Clerk, Ex. Council.

CHARLOTTETOWN, Prince Edward Island,
Oct. 26, 1874.

SIR,—Referring to the interview I, upon my return from Ottawa, had the honor of having with you on Saturday, the 24th inst., at which I was informed that your Government were not yet in a position to notify the Government of the Dominion that the Prince Edward Island Railway was in such a state of completion as to be received from the Contractors, I beg, in support of what I then urged, to submit to you the reasons why facilities should be accorded to me for an immediate informal inspection of the line and its equipment, preparatory to the final inspection after the line has been taken by your Government from the Contractors.

1st—Because this is the third visit I have paid, under instructions, for the special purpose of assuming, if finished, the Railway or a portion thereof, for the Dominion Government; and now that the Autumn is so far advanced, it would be unfortunate if every advantage were not at once taken of the present fine weather.

2dly—Because, should rain storms occur, the inspection necessarily, would be impeded.

3dly—Because, should frost set in, the detection of soft spots in the road bed would be difficult.

4thly—Because, should snow fall, it would be impossible to properly examine the ditching, ballasting, ties and tracklaying.

5thly—Because an immediate informal inspection would not at all interfere between the Local Government and the Contractors.

6thly—Because it would greatly facilitate the taking over of the Railway by the Dominion Government, as an important portion of the preliminaries would thus be got through with, before the line is finally accepted by the Local Government from the Contractors, thereby hastening the time of opening the Railway for traffic purposes.

7thly—Because it would save time if the locomotives and cars were examined, particularly those which have been in service.

I thought it might be possible for me, assisted by Mr. Ridout, C. E., and Mr. Stronach, Mechanical Superintendent, to accomplish certains portions of this work without

troubling you for an engine and car, but, upon reflection considering the lateness of the season, I deem it advisable to pass over the entire line, for which purpose an engine and car, and your authority would be indispensable.

I have &c.,

THOS. SWINYARD.

The Hon LEMUEL C. OWEN, Pres. Ex Council, &c.

EXECUTIVE COUNCIL,
Prince Edward Island,
October 31st, 1874.

SIR:—Your communication of the 26th inst., was not received by me until late on the 28th, after I had arranged to go to Nova Scotia on Public business, and I therefore could not reply until this morning.

Referring to your interview of Saturday, I do not remember that anything of consequence came up except that you stated your intention of going over the line in company with Mr. Ridout, C. E., for the purpose of inspection.

I regret that the Contractors have not been able to complete the road as soon as was at first anticipated, but I am informed that, in a very few days, it will be ready for the final examination,

The Government are willing and desirous to give you every facility for examining the work while under construction, and, to this end, will give you every assistance in their power. Mr. Boyd informs me that he intends going over part of the road, for inspection, about Friday next, and will be glad if you will accompany him.

I cheerfully give the consent of the Government to your obtaining an engine and car, but have no authority, this matter resting with the Contractors.

I have, &c.,

L. C. OWEN,
President Executive Council.

THOMAS SWINYARD, &c., &c.

CHARLOTTETOWN,
Prince Edward Island,
October 28th, 1874.

SIR,—

In order to further the object named in my letter to you of the 26th instant, I beg respectfully to request you to be good enough to cause the plans, specifications, &c., detailed in the enclosed memorandum to be supplied to me. I presume the Chief Engineer will have no difficulty in furnishing the information required. It may, however, involve too much time to have copies of the Plans made for my immediate use, in which case, perhaps, the originals can be spared. If so, I will undertake to return them as soon as possible.

I have, &c.,
THO. SWINYARD.

The Hon. LEMUEL C. OWEN,
President Executive Council, P. E. I.

Memo of Plans, Specifications, and information required.

1. Plan—Showing alignment and right of way. Scale 400 ft. to an inch—Main Line and Branches.
2. Profile—Scale 400 ft. horizontal, and 30 ft. vertical, of Main Line and Branches.
3. List of Bridges—with general description of same, and situation as to mileage on Line.
4. List of Culverts— do. do.
5. List of Public Roads, crossings and situation on Line.
6. Numbers of Private Road crossings on each Section.
7. Original Plans of all Bridges with specifications, and of subsequent alterations, if any, of same.
8. Original Plans of Culverts— do.
9. Original Plans of Public Road crossings, shewing Cattle-guards.

10. Plans and Specifications of Board Fences and Gates.

11. Plan and Specification of Wire Fence and Gates.

12. Original Plans of Station Buildings, with Specification.

13. Original Plans— do., as subsequently altered.

14. Plans—of all Station Grounds, showing position of Buildings, Sidings, and dimensions of Grounds.

15. Plans—of Switches and Signals.

16. Plans and Specifications of Wharfs and Cribwork —original and as altered.

17. Depth of water alongside, and at end of each wharf.

18. Situation—of Gravel Pits from which Ballast has been taken for Line.

EXECUTIVE COUNCIL,
Prince Edward Island,
October 31st, 1874.

THOMAS SWINYARD, Esq.,

SIR,—

I have the honor to acknowledge the receipt of your communication of 28th instant.

I have forwarded the Memorandum enclosed therein to the Government Engineer. When I have been furnished with his report, I shall communicate with you.

I have, &c.,
L. C. OWEN,
Pres. Ex. Council.

CHARLOTTETOWN,
Prince Edward Island,
Monday, Nov. 2, 1874.

Sir,—

I have to acknowledge the receipt this morning of your letter of Saturday's date, the 31st ultimo.

With regard to your remark that you do not remember that anything of consequence came up at our inter-

view, referred to in my letter of the 26th ult., except that I stated my intention of going over the line in company with Mr. Ridout, C. E., for the purpose of inspection, I beg to express a hope that you do not mean it to be inferred that my statement in relation thereto is in any way inaccurate.

I regret you do not see your way to enable me and Mr. Ridout to make the informal examination which I thought was so desirable, and which would have saved so much time, pending the formalities of the inspection now being made by your Engineer, and at which it was thought better by him that I should not be present in my official capacity. The seven reasons I gave you, were, I trust, sufficient justification, under the circumstances, for my suggestion.

It is true, you permit me to apply to the contractors, but my application was directly to you, who only have the right to demand the accommodation, and under whose authority only, the proposed examination could be made.

You are good enough to inform me that Mr. Boyd purposes to go over "*a part of the Road about Friday*," the 6th inst., and you kindly say you will be glad if I will accompany him. Will you please allow me to enquire whether I am to regard this as an intimation from you that your Government will, *at that date*, be ready for me to commence the official inspection on behalf of the General Government, or is it intended simply as an invitation to accompany Mr. Boyd unofficially?

I beg also to remind you that it is most essential that I should be furnished with the particulars asked for in my letter of the 28th ultimo.

I have, &c.
THO. SWINYARD.

The Hon. Lemuel C. Owen,
President Executive Council, P. E. I.

EXECUTIVE COUNCIL,
Prince Edward Island, Nov. 4, 1874.

Sir,—

I have the honor to acknowledge the receipt of your communication of Monday, the 2d inst., and in reply to

the following statement contained therein, "with regard to your remark that you do not remember that anything of consequence came up at our interview, referred to in my letter of the 26th ult., except that I stated my intention of going over the line in company with Mr. Ridout, C. E., for the purpose of inspection, I beg to express a hope that you do not mean it to be inferred that my statement in relation thereto is in any way inaccurate." In this, I did mean that the meeting in question being quite accidental, I did not consider could claim the importance of being called an official interview, but on further consideration, I think that either myself or some person present, said that we had heard nothing further officially from the Contractors as to the delivery of the Road.

I have neither said nor written anything to prevent you and Mr. Ridout making the informal inspection which you refer to; indeed I am desirous that you should be made fully acquainted with the state of the Road, Rolling Stock, &c., before they are received from the Contractors; and the offer to accompany Mr. Boyd was to assist you thus far in your request to me.

You are in error in thinking that the Provincial Government have the right to demand from the Contractors the use of an Engine and Car. They have no right to use any part of the Road or plant until the contract is completed, and the Road handed over; and the Government, being very anxious to be put in possession as soon as possible, will not give the Contractors any cause for detention.

I have, &c.,
L. C. OWEN,
President Executive Council.

Tho. Swinyard, Esq., &c., &c.

CHARLOTTETOWN, Prince Edward Island,
3rd November, 1874.

SIR,—

On the occasion of my first visit here, I noticed that the outside boards of the Box Cars for the Railway were placed *horizontally*, and on calling Mr. Boyd's attention

to the fact, he admitted it was not in accordance with the drawings or specifications he had given, which required that the outside boards should be placed *vertically*.

I was passing across the Railway line beyond the station this morning where several Box Cars were standing, the bodies of which were new and had recently been primed,—and as I observed that the same departure from the drawings or specification had been continued, I think it right, at once, to call your attention to the matter.

You, perhaps, are not aware that experience has shown that the horizontal pattern is less substantial, and is also objectionable because the water gets more readily into the seams and rots the boards,

I have the &c.

THOMAS SWINYARD.

To the Hon. Lemuel C. Owen,
President, Executive Council.
P. E. I.

PRINCE EDWARD ISLAND RAILWAY,
Government Engineer's Office,
3rd November, 1874.

HON. L. C. OWEN,
President of the Executive Council.

SIR,—

I have the honor to acknowledge the receipt of your note enclosing Mr. Swinyard's letter of this date.

While I do not admit that gentleman's right to interfere, in any way, with the details of construction, I beg leave to state, for the information of the Government, that, at the time referred to in Mr. Swinyard's letter, I enquired into the matter, and satisfied myself that his objections were not sufficiently well founded to justify me in requiring the contractors to change the plan they had adopted for the 45 cars which were then built. The cars are certainly stronger with horizontal boarding, and the objection that the water finds its way more readily into the joints has little, if any, weight, when the cars are kept properly painted—the cost is obviously the same in either case. As I fail therefore to see any sufficient cause for doing so, I must decline to make the change recommended—I regret that Mr. Swinyard's desire

to have the details as perfect as possible should have led him to forget the courtesy due to me as Chief Engineer, and to address to you, directly, advice on matters connected with the construction of the Railway.

I have the &c.

JOHN EDWARD BOYD,
Chief Engineer.

EXECUTIVE COUNCIL, Prince Edward Island,
November 4th, 1874

SIR,—

I have the honor to acknowledge the receipt of your communication of yesterday, which I enclosed to the Government Engineer for explanation, and annex an extract from his reply. "I beg leave to state for the information of the Government that at the time referred to in Mr. Swinyard's letter, I inquired into the matter, and satisfied myself that his objections were not sufficiently well founded to justify me in requiring the contractors to change the plan they had adopted for the 45 cars which were then built. The cars are certainly stronger with horizontal boarding, and the objection, that the water finds its way more readily into the joints, has little, if any, weight, when the cars are kept properly painted. The cost is obviously the same in either case. As I fail therefore to see any sufficient cause for doing so, I must decline to make the change recommended."

I agree with Mr. Boyd that the cars as now being built are much stronger than if covered as you propose. If your proposition had been made before any of this class of car had been constructed, I would certainly have recommended that your idea should be carried out—but, as so many have already been made according to the present arrangement, I do not think it prudent to make any change in those now being covered.

I have the &c.

L. C. OWEN,
President Executive Council.

Thomas Swinyard, Esq.

CHARLOTTETOWN,
Prince Edward Island,
5th November, 1874.

SIR,—

I have the honor to acknowledge your letter of the 4th inst., in reply to mine of the 3d, in relation to the construction of the Box Cars.

Having, early in June last, called attention to the departure by the Contractors from the design which Mr. Boyd informed me he had given them, and having now specially called your notice to the circumstance of the departure, my duty, for the present, is discharged. I shall have no difficulty in showing the very good and practical reasons which have induced Railway Companies, so generally, to abandon the horizontal for the vertical pattern such as the Drawings for the Island Cars called for.

I have, &c.,
THO. SWINYARD.

The Hon. LEMUEL C. OWEN,
President Executive Council,
P. E. I.

CHARLOTTETOWN,
Prince Edward Island,
5 Nov., 1874.

SIR,—I have the honor to acknowledge the receipt of your letter of yesterday's date, in reference to the inspection of the Railway. It would ill become me to press further for the facilities I suggested, and I have written to Mr. Boyd informing him that I shall be happy to avail myself of the opportunity you give to accompany him on his partial inspection tour to-morrow, though it be only in an informal manner. I beg to enclose you a copy of the letter I have addressed to Mr. Boyd.

I have, &c.,
THO. SWINYARD.

The Hon. LEMUEL C. OWEN,
Pres. Ex. Council, &c.

CHARLOTTETOWN,
Prince Edward Island,
6 Nov., 1874.

SIR,—I find I omitted to enclose the copy of my letter to Mr. Boyd, referred to in my communication of yesterday's date. I now beg to do so.

Since I wrote, Mr. Boyd has intimated to me that his proposed inspection tour which was fixed for to-day, has been *postponed*.

I have, &c.,
THO. SWINYARD.

The Hon. LEMUEL C. OWEN,
Pres. Ex. Council, &c.,

(COPY.)

CHARLOTTETOWN,
Prince Edward Island,
5 Nov., 1874.

MY DEAR SIR,—

I have received a letter from the Hon. Mr. Owen, dated 31st Oct., in which he stated that you intend going over a part of the Railway for inspection about Friday next (to-morrow), and that he would be glad if I would accompany you.

I had previously applied to him, as head of the Government, for an Engine and Car to enable me and Mr. Ridout to make an informal inspection of the line, in order that no time might be lost by the Dominion Government in putting the Road into operation when completed and passed.

I would not have deemed it necessary to have made this formal request to the Provincial Government, were it not that you had previously expressed to me your opinion, (and you may have been quite right) that it was undesirable that I should accompany you, during your official inspection with the Contractor.

Mr. Owen has now informed me that it was not in their power to give me the facilities for inspecting the line in the special manner I suggested, but has repeated that he would be glad if I would accompany you in the way mentioned. And, as I am very desirous of doing everything in my power to facilitate the opening of the Road, as far as practicable, I would like to know from

you whether it is quite agreeable to you, that I and Mr. Ridout should go with you on Friday on your intended partial tour.

I shall be obliged by your answer, and will you please say at what time to-morrow you will leave here, and what portion of the line it is your intention to inspect.

I feel much the want of the plans, &c., which I have applied for.

Yours very truly,
THO. SWINYARD.

JOHN EDWARD BOYD, Esq., Ch'town.

PRINCE EDWARD ISLAND RAILWAY,
Engineers' Office, Charlottetown,
7th November, 1874.

The Hon. The PROVINCIAL SECRETARY.

SIR,—As Mr. Swinyard has thought proper, for reasons best known to himself, to enclose to the Government a copy of his letter to me of 5th inst., I beg leave to submit a copy of my reply.

I have, &c.,
JOHN EDWARD BOYD,
Chief Engineer.

(COPY.)

PRINCE EDWARD ISLAND RAILWAY,
Engineers' Office, Charlottetown,
6th November, 1874.

MY DEAR SIR,—In reply to your letter of yesterday, I beg to inform you that I have not received any notification from the Contractors that the Railway is ready for my final examination, though I expect it every day.

I shall be very glad indeed to have you and Mr. Ridout accompany me when I make my inspection, and will, with that view, keep you informed as to my movements.

I can assure you that I am quite as anxious as you can be, that everything should be done, which can in any way hasten the completion and opening of the line.

Yours very truly,
JOHN EDWARD BOYD.

THO. SWINYAD, Esq., &c., &c.

CHARLOTTETOWN, Prince Edward Island,
9 November, 1874.

SIR,—Representations having been made to the authorities at Ottawa, that an impression prevails amongst the people of the Island that the opening of the Railway has been delayed, and is still retarded, by want of inclination on the part of the Dominion Government to meet the reasonable wishes and expectations of the public in the matter, and explanations having been demanded, I have the honor to inform you that I have been directed to acquaint you that, in order that the public may have a correct knowledge of the facts and circumstances of the case, I have received instructions to place at the disposal of the Press, the correspondence which has passed between the Provincial Government and myself upon the subject, and I am at the same time to assure you that this course is deemed necessary, simply to set forth the action of the Dominion Government, and the desire manifested, to take the earliest opportunity of assuming the Railway when completed, and making arrangements to put it into operation as soon as practicable.

I have, &c.,
THO. SWINYARD.

The Hon. LEMUEL C. OWEN,
President Executive Council, P. E. I.

CHARLOTTETOWN, Prince Edward Island,
12th Nov., 1874.
Thursday Morning.

SIR,—

On the 28th ult.—now fifteen days ago—I had the honor of forwarding to you a memorandum of plans, specifications, and information required by me to facilitate the examination of the Railway I have been deputed to make on behalf of the Dominion Government; I likewise had the honor of sending you a further reminder on the 2d inst.,—now eleven days ago,—and I also wrote directly to Mr. Boyd, C. E., on the 6th, and again on the 9th inst., pointing out to him how greatly inconvenienced I was through non-compliance with my request.

I regret, however, to be compelled to state, that I still find myself in the same position I was when I first made

the application—no plans, no specification, and no information whatever, having been supplied to me.

Yesterday, the Contractors having heard of my wish to make an informal examination of the line in order to save time in opening the Road for traffic, after the transfer is made, were good enough to offer to place at my service an Engine and Car, which accommodation, I learnt from you, the Provincial Government had no right to give.

It is now my duty to inform you that this offer from the Contractors I at once accepted, and I have arranged to leave for Tignish to-morrow (Friday) morning, for the purpose of commencing an examination the next day of that end of the line which I have been informed is in a more advanced state of completion than the eastern section. I have named Friday in the hope that I shall yet be furnished with the plans, &c., which I had requested, and I still trust before leaving, at 10 a. m., I shall be put in possession of them.

I beg you, therefore, to excuse the liberty I take in thus, once more, very respectfully reminding you of what, before I go, it is so essential that I should be furnished with.

I have, &c.,

THO. SWINYARD.

The Hon. LEMUEL C. OWEN,
President, Executive Council, P. E. I.

CHARLOTTETOWN, Nov. 12, 1874.

SIR,—

I have the honor to enclose Mr. Boyd's reply to mine enclosing requisition for plans, &c., requested by you on the 28th inst.

The Plans of Right of Way, or title, are, by Statute, held in the Registry Office, but I have instructed the Clerk of the Railway Commissioners to give you the copies in that office. I understand that you have already obtained those of the Eastern section, of which, as I have the copies of the plans of alignment in the office, Mr. Boyd, in his report, states that he cannot, at present, but I have arranged that you, or any person you appoint

may have access to them at any time, and when the Road is handed over, those plans will be given you with it.

Mr. Boyd will have a list of the Bridges and Main road Crossings made with as little delay as possible, but will not be able to furnish a list of the Culverts made for some time.

I have, &c.,
L. C. OWEN,
President Executive Council.

Tho. Swinyard, Esq., &c., &c.

PRINCE EDWARD ISLAND RAILWAY,
Government Engineers' Office,
9th November, 1874.

The Honorable,
The COLONIAL SECRETARY.

SIR,—

I have the honor to submit the following reply to Mr. Swinyard's request to be furnished with plans, &c.

The Engineering of the Trunk Line was by the terms of the contract placed in the hands of the Contractors. Their Chief Engineer therefore submitted the plans of structures, &c., as they were required and I returned them marked "approved," or with orders for alterations as the case might be. The originals are consequently in the possession of the Contractors.

The Drawings for the Branches being all prepared in this office before the letting of the Contract, are in my possession.

It must be recollected also that the drawings of structures, whether furnished by the Contractors or by me, were only general plans which were modified to suit particular localities.

I was not allowed to extend my staff beyond the narrowest limits, and having no regular Draughtsman, I was obliged, in addition to my other numerous duties, to do most of the Draughting myself. It was not possible, therefore, to provide any drawings, except such as were absolutely indispensable.

In many instances slight changes in detail were found necessary during the progress of the works, and were ordered on the ground without being noted on the plans.

For these reasons the plans do not, nor is it requisite they should, show the actual construction of each separate structure. It is only necessary that the work, as performed, should, in all cases, have my sanction and approval, after which it becomes "according to Contract."

I beg to submit the following explanatory remarks on the Items in Mr. Swinyard's list:—

1, 2 — The Plans and Profiles are in constant use, and cannot be spared at present. The working Plan of Alignment does not show the Right of Way.

3, 4, 5 — No such lists have been prepared, not being required for my use, but I will have lists 3 and 5 prepared as soon as possible.

6 — There is a crossing on every farm through which the Line passes—in some cases, two.

7, 8, 9, 10, 11 — The general remarks above apply to these five items.

12, 13 — The only plans of Station Buildings for the Trunk Line, approved by the Lieutenant Governor in Council, are those in accordance with which the Stations have been built. I lent my only copies of these to Mr. Swinyard in June last, and he has not yet returned them. I have the Plans of the Branch Line Stations.

14 — I have the plans of the principal Stations with the position of the Buildings, &c., shown. The way Station grounds were laid off by the Government Land Surveyors, and I located the Buildings myself on the spot, without using plans. The grounds themselves should be shown on the plans in the Record Office, but I have no copies. I gave Mr. Swinyard a copy of the Charlottetown Plan in June last.

15 The Switches are of the ordinary kind so common and well known, that no drawings were required. There are no Signals on the Line.

16 The Wharf Plans and detailed Specifications were submitted by the Contractors, approved by me, and returned to them. The Wharfs are of ordinary close faced crib-work.

17 The depths at the ends of the Wharfs are as follow:—

Charlottetown,	18 ft., L. W.	
Georgetown,	18 " "	
Summerside,	15 " "	
Cascumpec,	9 " "	
St. Peter's,	9 " "	
Souris.	6 " "	

The depths alongside not being required have not been measured yet, but I can have them taken in a short time.

The principal pits, from which the Contractors procured ballast, are at Alberton, Lot 11, Kensington, North Wiltshire, Malpeque Road, Suffolk Road, Mooney's, Scrimgeour's, Morell, Dingwell's, Ashton. There are several other small pits which were nearly, if not quite, exhausted.

The original drawings cannot be spared at present, and it would take a long time to make copies, but when the Line is completed, the working drawings will be handed over with the Railway. This seems to be the only proper course to be pursued in the matter.

I have, &c.,

JOHN EDWARD BOYD,
Chief Engineer.

CHARLOTTETOWN, Prince Edward Island,
24th Nov., 1874.

Sir,—

In making enquiries about the Plans showing the quantity of land taken for Railway purposes, and, in respect to which I shall, of course, have to report for the information of the Dominion Government—it has been stated to me that none have yet been filed at the Regis-

try Office, and, consequently, that the land enclosed has not been legally dedicated to the public.

As it is expected that the Provincial Government will soon be in a position to close with the Contractors, and make, thereafter, a transfer of the Railway to the Dominion, I take the liberty of mentioning to you the fact which has been brought to my notice.

At present, owing to the non-filing of the plans, I understand that the Contractors and others, at work upon the line, are in the position of trespassers and that the omission unrectified, would be a total barrier to the possession of the Railway by the Dominion Government.

I have, &c.,

THO. SWINYARD,

The Hon. LEMUEL C. OWEN,
President Executive Council.
Prince Edward Island.

After several interviews regarding the propriety of making arrangements for the temporary opening of the Railway for the accommodation of passengers and for the transportation of the autumn traffic to the principal shipping ports, the following advertisement was prepared by the Government, submitted to Mr. Swinyard for his approval, and returned by him with the marginal notes attached :

Prince Edward Island Railway.

Arrangements having been made to enable persons exporting grain and other merchandize to take advantage of the Railway before the close of the navigation. Notice is hereby given that, on and after Thursday the 26th inst., and until further notice, merchandize for shipment from the Island, and grain, and other produce, in full car loads, will be conveyed from the different Stations along the Railway, to the undermentioned ports, namely—Cascumpec, Summerside, Charlottetown, Georgetown, Head of St. Peter's Bay and Souris.

All consignments must be at owners' risk, and all loading and unloading must be done by consignor or consignee.

Applications for rates and Cars and other particulars must be made to the undersigned, who will apportion the Cars at his command as equitably as circumstances will permit. In order, also, to meet further conveniences —which have been requested—passenger cars will be attached to the freight trains, and, under the foregoing arrangements,—but it must be distinctly understood that, until the Railway be completed, and opened, this facility will be granted only at the passengers own request and risk.

Charlottetown, 23 November, 1874.

Returned to Mr. Owen, with Mr. Swinyard's thanks and compliments. 24th Nov., 1874.

The special character of the arrangement having regard to the line not having yet been accepted from the Contractors, is not, I think, sufficiently and promingently stated in this—see letter. T. S.

Upon full consideration I do not think it safe or prudent to carry passengers even at their own risk—see letter.

CHARLOTTETOWN,
Prince Edward Island,
24th Nov., 1874.

Sir;—

Having regard to the several interviews we have had in reference to the transit of grain and merchandize for shipment over the Railway, before the close of navigation, in order to meet the very urgent requests which have been made throughout the Island for that accommodation, I have been advised, without prejudice to the rights of the Dominion Government, in the matter of the final inspection and acceptance by them of the Road, to consent, so far as my consent on their behalf is necessary, to the Contractors undertaking the conveyance from the different Stations, along the Railway, of merchandize, for shipment from the Island, and of grain in full car loads to the principal shipping ports. The arrangement is of course to be of only a temporary nature —pending the acceptance by the Provincial Government, of the Railway from the Contractors.

As fully understood at the interview between us, the Contractors should undertake not to show any favoritism in the allotment of Cars, but should apportion them as equitably as possible amongst the various applicants.

In the notice which may be issued to the public advertising this arrangement, I think it very essential to prevent the position or interests of either the Provincial or Dominion Governments being prejudiced, that the special character of the arrangement should be distinctly set forth, so that the public may be fully aware that the Line is not yet formally opened for regular traffic, but simply opened under urgent circumstances, to obviate disappointment to shippers of grain, &c., who have depended on the anticipated opening of the Railway this fall,—to reach, at the last moment, before the closing of navigation, the several ports which may remain open.

I have already mentioned my objection to this arrangement extending to passengers, though I first thought it possibly might be allowed on notice being given that it would be *at their own risk*; but the more I reflect upon the serious peril we would be *permitting* the travelling public to subject themselves to, and upon the responsibility

which my assent would throw upon me, the more I am convinced of the imprudence of the proposed arrangement. The inspection which I and Mr. Ridout, C. E., have already made, does not warrant me in allowing it to be in any way supposed that I consider the line in a fit state to be yet opened for Passenger Traffic, even though non-responsibility for risk might be specified.

With regard to the details, I will, as it was understood, be very happy to supply the Contractors with rates, forms, &c., and to assist in making the arrangements necessary to check and keep accounts of the Freight carried under their care. They will, of course, provide that everything is done at owners' risk, and that no responsibility whatever will be undertaken by them for any loss, damage, or delay that may arise to Consignor or Consignee.

I beg to enclose a memorandum which I think it desirable should be signed on behalf of the two Governments and the Contractors.

I have, &c.,

THO. SWINYARD.

The Hon. LEMUEL C. OWEN,
Pres. Ex. Council, P. E. I.

MEMORANDUM.

Whereas it is found that some few days must elapse before the Railway can be completed and transferred to the Government of the Dominion, and, whereas, it is very desirable, in the meantime, to meet the urgent requests which have been made by various parties wishing to use the Railway for the purpose of exporting grain and merchandize at the several ports of Cascumpec, Summerside, Charlottetown, Georgetown, Head of St. Peter's Bay and Souris, before the close of the navigation, it is hereby agreed, by and between the parties hereto, that the Contractors may use the Rolling Stock (now in their possession for the purposes of construction only,) for the conveyance of grain and merchandize for shipment, as above stated, at rates to be furnished by the Commissioner or Agent acting on behalf of the Government of the Dominion, and on terms to be ar-

ranged between him and the said Contractors in regard to the checking of the traffic conveyed, and to the apportionment of the receipts therefor; it being understood and agreed, that this arrangement for the temporary working of the line for traffic purposes, by the Contractors, is made under special and urgent circumstances, and to prevent confusion or clashing in operating the road, while still in possession of the Contractors, and shall, in no way, prejudice the relative rights, interests, and positions of the Provincial Government and the Contractors, nor the relative rights, interests, and positions, of the Provincial and Dominion Governments.

The undersigned Contractors do hereby bind themselves not to shew any favoritism in the allotment of the cars, at their command, and do agree, to the best of their ability, to apportion the same as equitably as the circumstances will permit.

This arrangement to terminate not later than the closing of navigation this Fall.

Witness to signatures of
L. C. Owen,
William C. Desbrisay.

L. C. OWEN,
Pres. Ex. Council.
On behalf of the Government of Prince Edward Island.

Witness to signature of
Tho. Swinyard.
Thomas Ridout.

THO. SWINYARD,
On behalf of the Government of the Dominion of Canada.

Witness to signature of
Messrs. Schreiber & Burpee.
A. Stronach.

SCHREIBER & BURPEE,
Contractors.

Charlottetown, 24th November, 1874.

Executive Council,
Prince Edward Island,
November 26th, 1874.

Sir,—

I have the honor to acknowledge the receipt of your communication of the 24th instant. Copies of the Memorandum have been made, signed by me in triplicate, and are enclosed herewith.

I regret that Passenger Cars are not to be attached to the Freight Trains, great numbers are anxious to travel by this route, and for some time past, the Contractors have had great difficulty in preventing them from using their Construction Trains for this purpose.

I think that when you again go over the Road you will find that the Contractors have made it satisfactory and safe for passenger traffic.

I have, &c.,

L. C. OWEN.

Pres. Ex. Council.

THO. SWINYARD, Esquire,

CHARLOTTETOWN,

Prince Edward Island,

27th November, 1874.

SIR,—

I have the honor to inform you that the memorandum in triplicate enclosed in your letter of yesterday's date, has been duly executed by me, and I retain one copy on behalf of the Dominion Government. I cordially join, so far as any inconvenience to the public may be concerned, in the regret, that you express, that the temporary arrangement made with the Contractors, limits the accommodation to Freight; but when it is considered that some work remains to be completed before the Railway can be pronounced to be in safe running condition; that the Engines, also, and other portions of the Rolling Stock require to be put in order; that the Trains now run, will have to travel at unfixed and unseasonable hours; that although dwelling rooms were originally contracted for and designed, no such provision has been made at any one of the Stations along the whole course of the Railway; that this accommodation has yet to be given before station masters can be appointed, and the line properly and efficiently operated; that the Telegraph, in course of erection, is not yet finished, and that, generally, the arrangements effected are altogether of an

exceptional situation. Under such, I submit to consider, not that irrespective of the sound fact that the Railway has not yet been completely examined, nor passed by your own Engineer, nor officially inspected by me, nor is yet under the control of the Dominion Government, it would have been entirely beyond my duty to have consented to, or to have recommended the conveyance of Passenger traffic under such ill-conditioned circumstances.

I have been informed that the casualties which have already occurred have proved the prudence and wisdom of the limitations; and one has only for a moment to reflect upon the liability of those who may be in charge of trains, not yet regulated by time table, nor controlled by telegraph, to err in judgment, to recognize the necessity of the precaution shown, and to comprehend the responsibility so justifiably avoided.

I have, &c.,

THO. SWINYARD.

The Hon. Lemuel C. Owen,

President Executive Council,

Prince Edward Island.

CHARLOTTETOWN,

Prince Edward Island,

2d December, 1874.

SIR,—

At the invitation of Mr. Boyd, Engineer, for the Provincial Government, of the Prince Edward Island Railway, I and Mr. Ridout, C. E., passed with him over the Line on Monday the 30th ultimo, between Charlottetown and Tignish, and on Tuesday,—yesterday—the 1st inst., between Charlottetown and Souris.

We left on Monday, at 7:40, a. m., and I expressed a wish to Mr. Boyd to spend two days on the trip, the distance between Charlottetown and Tignish being 117 miles, but he stated he could not consent to do so, as he had decided to go away from the Island for good by the next steamer, leaving Charlottetown on Thursday morning, to-morrow, about 5, a. m.

Daylight closed by the time we reached Huntley River Bridge on the Tignish Branch, about 3 miles from Alber

ton, and about that time, the labors for the day ceased, leaving the line and stations between Hunter River Bridge and Tignish unexamined. We went on in the dark to Tignish to learn some empty passenger cars were brought back to Charlottetown during the night, reaching there at three o'clock yesterday morning. We again left Charlottetown with Mr. Boyd about 11 o'clock the same morning for Souris, and when, just before starting, Mr. Laird and I met you at the station, it was with very great reluctance that I felt compelled to express to you, my dissatisfaction with the very hurried manner in which this examination with Mr. Boyd was being made, and which led me to fear that he was not thereby doing justice to himself, or to your Government.

We arrived at Souris at 5, p. m., and expected that Mr. Boyd would, the next morning, finish the tour between Mount Stewart and Georgetown, but he stated he could not, as he had made an appointment to meet you this morning, hence we were brought back to Charlottetown last night, and did not go to Georgetown at all.

I have, with much pain, to record my protest against these hasty proceedings, and I cannot but regard Mr. Boyd's departure from the Island, at this juncture, as most unfortunate.

Up to the present, we have been furnished with scarcely any of the plans and statements we have asked for. Mr. Boyd, surely, ought to have had all these things in his possession; and if he had not, it would have been easy for him to have got them from the Contractors.

As it is, Mr. Ridout and I have been compelled to get the details as we best could—by personal examination and measurement—in anticipation of the immediate completion of the Line by the Contractors, and of the arrangements to be made by your Government for its final transfer to the Dominion. And now that we are prepared to compare our notes and observations on the work done with the working plans and specifications, with the view of enabling the Dominion Government to accept the Railway, if ready for them, Mr. Boyd has intimated to us his determination, suddenly, to leave the Island, although it is palpable that his presence is indispensable for the satisfactory completion of the work. This course

is incomprehensible to me, and it is my duty to communicate to you both my surprise and regret.

I have, &c.

THOS. SWINYARD.

The Hon. Lemuel C. Owen,
Pres. Ex Council, P. E. I.

Executive Council,
Prince Edward Island,
December 8th, 1874.

Sir,—

In reply to your letter of yesterday, I regret to inform you that I [illegible] very ill, and unable to attend to his duties. He had been at work in the [illegible] although complaining and in the afternoon at the office and remained with Mr. Cox, his assistant engineer, until nearly [illegible] o'clock. He wished to be quiet and at the same time from the nature of his illness did not like to be alone. He told me that [illegible] had been coming on for some days, but that yesterday he became much worse, and that he could not [illegible] either to the Government or to himself [illegible] present state of health to the work remaining to be done; he wished much to be allowed to go to his home in St. John for a few days to recruit, after which he will return and attend to receiving the Road from the Contractors; he said that he would reply to your letter from St. John. I had intended insisting that Mr. Boyd should remain to arrange matters with you, but when I found him so very ill, I could not do otherwise than allow him to go away for a few days.

If you or Mr. Ridout will appoint an hour to-day to meet you at the Railway, I will see that all the Plans, &c., shall be given you. I understand that there is a probability of one of them yet being required in the office, if so it can be retained for the present.

I have, &c.,

L. C. OWEN,
President Ex. Council.

THO. SWINYARD, Esq.

man's return to the Island, for the purpose of discussing, very fully, the condition of the Railway as we found it, prior to final arrangements being come to [illegible]

CHARLOTTETOWN,
Prince Edward Island,
December 4th, 1874.

SIR,—

I went to your office at one, p. m., yesterday, for the purpose of thanking you for your letter in reply to mine of the previous afternoon, but I was not so fortunate as to meet with you. Mr. Ridout, however, had called for the plans, &c., which you kindly promised we should now have. Though so obviously necessary to enable me to fulfil my duty to the Dominion Government, it was with the utmost regret that I had to trouble you so often for them. I can assure you that it has been and still is my anxious wish and study to accomplish the work entrusted to me, in the most convenient manner to your Government. With regard to Mr. Boyd's departure from the Island, I am truly sorry that, though it had it was your own intention to have requested him not to carry his decision into effect until matters were arranged, you were, by his sudden attack yesterday, prevented from doing so. When Mr. Ridout and I made our trip with him over the Line on Monday and Tuesday he appeared to be as well as usual. The impression, however, of his attempting to accomplish so much in so short a time, and at such unseasonable hours, is now manifest, but I trust sincerely that the attack will not prove serious, and that we shall soon have the pleasure of again seeing him here.

I have, &c.,

THO. SWINYARD.

Hon. L. C. OWEN,
President Executive Council,
Prince Edward Island.

CHARLOTTETOWN, 18th December, 1874.

Hon. L. C. OWEN,
President of the Executive Council.

SIR,—

I have, until now, been prevented by more important matters from replying to some remarks in the letter addressed to you by Mr. Swinyard on 2nd December

which might possibly convey an impression that my final inspection was made in too hurried a manner to be efficient.

At the beginning of July last, I directed Mr. Cox to walk over the whole line, and report to me on its condition (see enclosed copy of instructions). He was occupied constantly until the middle of October in this duty, reporting in full detail to me, from time to time. Copies of his reports were sent to the Contractors, Engineer, with orders to make good any deficiencies therein noted—with these reports in my hands, besides frequent visits to special points, I went over the whole Line several times, the consequence was that, by the time my final inspection was made, the points, which it was necessary to examine, were reduced to a very small number. The trip was not a hurried one; we stopped at and examined every Bridge and Station House on the line, and I frequently asked Mr. Swinyard whether there were any points at which he wished to stop, and whenever he expressed such a wish it was attended to. He, having previously made such a detailed examination as he deemed proper, had, I presumed, also noted any points which, in his opinion, required attention, and not go over the Georgetown section because, on my last visit, I had found that all my instructions had been carried out.

I have the &c.,

JOHN EDWARD BOYD,
Chief Engineer.

Instructions for Mr. Cox, Principal Assistant Engineer.

CLEARING.—You will please note in what localities any dead brush or other inflammable matter is left inside the fences.

GRADING.—See that all embankments and cuttings are made to the specified width, and that they are properly sloped, and drained. Be specially careful to note any points at which water is ponded or lying in the ditches, or where it is discharged in such a

my list points for discussion.

7th. Fencing.—I have caused a close and particular examination of the fencing to be made, and I find that

manner as to cause injury to adjacent lands, see also that no boulders are left in the slopes which might fall on the track hereafter.

Masonry.—Examine all structures to see that they are standing well, and note anywhere the joints require pointing, examine especially the headwalls and outfalls of Culverts and Pipes and note any that require Rip Rap, or other protection against scour.

Bridging.—Examine the superstructures to see that they are properly framed, and all the joints good, and bolts screwed up.

Road Crossings.—See that the Cattle Guards are deep enough (3 ft. below top of Rail) and otherwise efficient, that the Road ditches are properly carried past the Railway, and that the approaches are wide enough (20 ft) not too steep, and generally, in good order, and equal to the rest of the Road.

Permanent Way.—See that the Rails are properly laid and spiked and that all fish bolts are in, also that the curves are put in true, any sleepers that are too small, or in any way defective, are to be marked by a line of red paint across the face, outside the right hand Rail, facing Summerside. Keep an account of the number so condemned. In sleepers otherwise good a margin of 2 inches in length and half an inch in face may be allowed provided such sleepers do not exceed in number ten per cent of the whole or one under each rail, see that the proper depth of Ballast is on, and note the points at which it is scant.

Stations.—Examine the Buildings to see that they are well finished, with platforms evenly and properly spiked. That the sidings are conveniently placed for loading.

These are the principal points which occur to me now, but others may suggest themselves to you as you proceed with the inspection. As soon as you have completed this, you will please report to me in what particulars

it advisable to call your attention to in a friendly way. I do not wish you to infer that they embraced everything which I deemed it requisite to bring before you.

the work is defective, that I may call the attention of the Contractors to such points, with a view of having the Line made as nearly perfect as possible.

JOHN EDWARD BOYD,
Chief Engineer.

Government Engineer's Office,
June 20th, 1874.

PRINCE EDWARD ISLAND RAILWAY,
Contractors' Office, Charlottetown, P. E. I.
8th December, 1874.

The Honorable LEMUEL OWEN,
President of the Council, Charlottetown;

Dear Sir,—

You will, no doubt, be as pleased to learn, as we are glad to report, that the Prince Edward Island Railway is completed, and all working trains withdrawn from the road, leaving a clear track, so that, in future, no confusion or clashing in operating the road can possibly arise. We therefore feel that the time has arrived when our special arrangements for the temporary working of the line, for traffic purposes, should cease, and the work be undertaken by the proper authorities. We therefore propose inserting in this day's paper a notice that we shall discontinue the service after to-morrow, thus giving you two days in which to make the necessary arrangements for continuing the traffic, and should it be desired, we shall have great pleasure in placing the present staff of employees at the disposal of the proper authorities. In the meantime we shall call upon you for a settlement, and trust that there may be no unnecessary delay in bringing our business to a close, as we are most anxious to leave Charlottetown before the navigation closes.

We are, yours, &c.

SCHREIBER & BURPEE.

the Government the desirability of having covered sheds at the Railway Stations in Charlottetown and Summerside, Alberton and Georgetown, under which travellers and their friends [illegible]

CHARLOTTETOWN, 18th Dec., 1874.

My Dear Sir,—

On the other side, I beg to give you a copy of my letter to you of yesterday, which was personally delivered by my messenger about noon to the attendant in the office of the Colonial Secretary.

I will go there specially to enquire into the matter. I am very sorry for the trouble you have been put to.

Yours very truly,

THO. SWINYARD.

The Hon. LEWIS C. OWEN,
President Executive Council, P.E.I.

(COPY.)

CHARLOTTETOWN,
Prince Edward Island, 10th Dec., 1874.

My Dear Sir,—

Anticipating Mr. Boyd's return, it may facilitate the discussion which we hope soon to have the honor of having with you, if I enumerate the principal items in the contract, from which, after the examination we have been able to make, it appears to us that very important departures and omissions have been made. They are as follows:—

1. In the Clearing.
2. " Grading.
3. " Ballasting.
4. " Ties.
5. " Sidings.
6. " Length of Railway.
7. " Fencing and Gates.
8. " Station and other Buildings.
9. " Filling, at Charlottetown.

I remain, &c.

THO. SWINYARD.

Hon L. C. OWEN, President
Executive Council, P.E. Island.

in town, and could be seen at this office at any time during office hours, on Saturday last, I asked you if I could see you that afternoon, and on Monday evening last I asked you if you would call the next morning, both

PRINCE EDWARD ISLAND RAILWAY,
Engineer's Office,
Charlottetown, 1st December 1874.

Hon. L. D. Owen,
Colonial Secretary,
Executive Council,
P.E.I.

Sir,—I have the honor to acknowledge the receipt of Mr. Swinyard's letter of 10th inst., enclosed to me by you, enumerating certain items in the contract from which, in his opinion, "important departures and omissions" have been made.

I beg respectfully to remind you, that as Chief Engineer, and in the exercise of the authority vested in me by the contract, I have already certified, that in my opinion, the Railway is (with certain exceptions enumerated in my certificate) completed in accordance with the conditions of contract, the orders in Council received, and such instructions as I have given during the progress of the work.

I have, &c.,

JOHN EDWARD BOYD,
Chief Engineer.

Memorandum for the information of the Lieutenant Governor in Council.

1. *Clearing.*—The clearing is not done to my satisfaction. At various places, amounting in all to about 30 miles, a quantity of rubbish is still remaining unburnt. I estimate the cost of this at $10.00 per mile, and have stopped [illegible] in my certificate to cover it.

[illegible] cannot conceive in what respects the [illegible] to specification. It is a point about which [illegible] very particular. Before the track was laid [illegible] were put on to trim and finish. Any [illegible] were narrow or bad run of [illegible] drainage has been most carefully [illegible] Grading altogether was done [illegible] it could be [illegible].

encies of completion, was not afforded Mr. Ridout and myself. I was then in hopes, and still think that

3. *Ballasting*—From my own observations, and the reports of my assistants, I am satisfied the ballasting is completed according to contract. That the drainage is perfect, and the ballast of sufficiently good quality, is proved by the fact that, in passing over the line on Monday 30th November, immediately after the heavy rain of the preceding day and night, there was not the smallest quantity of water to be seen lying anywhere in the ballast or on the formation.

4. *Ties*—Some of the ties are smaller than the specified size, but an additional number has been put in at the points where this was found to be the case, so as to give the rails a bearing equal to that they would have had with the larger ties. Between Harper's and Tignish, and between Wellington and Port Hill, some more should still be put in. I estimate the number required at 1000. The sleepers are furnished, and the amount I have deducted is ample to cover the cost of laying them, and furnishing the spikes. I stopped the Contractors putting them in as it is not desirable to disturb the track at this time of the year. The 2,500 ties to the mile, in the specification of the trunk line, included the number required for sidings. As it appeared to be misunderstood, I altered it in the specification for Branch-Lines. The drawings, which are the same in both cases, show 2,200 sleepers to the mile.

5. *Sidings*—The ten per cent specified was intended as an extreme limit, and was so explained by me to Contractors before the letting. Ample siding accommodation has been provided, and the cost per yard is above the average owing to the number of frogs and switches necessitated by the unusual number of short sidings.

6. *Length of Railway*—The line was located strictly in accordance with the routes defined by orders in Council, the final location approved by the Lieutenant Governor in Council, sustained by the Commission of Engineers appointed to examine it, and I supposed the question definitely settled. The whole was most carefully re-chained last summer, and there can be no question as to the exact length. The remeasured length differed from the location measurement only half a mile in the 200.

THE HONORABLE
LEMUEL C. OWEN,
President Ex. Council.

7. *Fencing and Gates*—The fencing is in good order. Any small posts have been supplemented by larger ones, driven in the centres of the panels. The gates are in accordance with my plans and instructions.

8. *Station and other Buildings* are in accordance with the plans adopted and approved by orders in Council, 13th March and 9th April 1872.

9. *Filling in at Charlottetown*—The wharf was originally located south of the Ferry Wharf, and would have been, at most, eight hundred feet long, and sixty feet wide. It is now eight hundred and sixty feet long, and the approaches are widened in order to make it agree with my design for the enlarged Station Yard. This, with the filling done inside, completes all that, in my opinion, the Contractors are required to do. The Breastwork and filling, extending from the Railway Wharf to the Ferry Wharf, was ordered, I understand, by Hon. Mr. Tilley, acting for the Minister of Public Works, and is an extra charge.

JOHN EDWARD BOYD,
Chief Engineer.

EXECUTIVE COUNCIL,
Prince Edward Island,
December 14th, 1874.

SIR,—

In reply to yours of 10th inst., wherein you write, that on examination it appears that very important departures and omissions have been made in the construction of the Railway, I have the honor to inform you that

1st. Mr. Boyd states that the clearing is not done to his satisfaction; in various places, amounting in all to about thirty miles, a quantity of rubbish is still remaining unburnt; he estimates the cost of this at $10.00 per mile, and he has stopped $300 in his certificate to cover this sum.

2nd. The Chief Engineer cannot conceive in what particular the grading is not up to specification. Before the track was laid, gauge were put on to trim and finish. Any embankments that were narrow, or had run off,

Lower Provinces. The roads to the stations from the highways are not included in the contract and the land in some cases is not supposed

have been widened, the drainage has been more carefully attended to, and the general alignment is as good as can be made.

3rd. From the observations of the Chief Engineer and the reports of his Assistants, he is satisfied that the ballasting is completed according to contract.

4th. Some of the ties are shorter than the specification bids, but additional number has been put in at the points where one was found to be the case, so as to give the rails a bearing equal to what they would have had in the larger ties. Between Harper's and Tignish should still be put in. Mr. Boyd estimates the number required as 400; the sleepers have been furnished, and he considers the amount which he has deducted ample to cover the cost of laying them and furnishing the spikes; he informs me that he stopped the Contractors from putting them in, it not being desirable to disturb the track at this season of the year. In the 2,500 ties to the mile in the specification of the trunk line is included the number required for sidings; as it appeared to be misunderstood, Mr. Boyd had this item altered in the specification of the branch lines, the drawings, which are the same in both cases, show 2,200 sleepers to the mile.

5th. The ten per cent. specified in the sidings was intended as an extreme limit, and was so explained by the Engineer to intending Contractors before letting; ample siding accommodation has been provided, and there is now more platform stations than were originally intended.

6th. *Length of Railway.* The line was located strictly in accordance with the routes defined by orders in Council, the final location approved by the Lieutenant Governor in Council, and the location of the Trunk Line sustained by the Commission of Engineers appointed to examine it.

7th. Mr. Boyd reports the fencing in good order; any small posts have been supplemented by larger ones; drains in the cuts of the passes, the gates are in accordance with the plans and instructions. By the Contract for the Trunk Line it was intended that a fence

fence been built of boards instead of rails, the storm of this week would have obstructed the roadway much more than it has.

of boards should be put up along the Road, and by an Order in Council, dated 18th December, 1873, the Contractors were ordered to substitute rails, posts in place of boards.

The stations and other buildings are in accordance with the plans adopted and approved by Orders in Council of date 19th March and [illegible] 1872.

The filling in Charlottetown [illegible] an intention to build the Wharf south of the [illegible] where it would have been, at most, eight hundred feet long and sixty feet wide; it is now eight hundred and sixty feet long, and the approaches are widened in order to make it agree with a design made by Mr. Boyd, for an enlarged station yard. This, with the filling done, completes, in the opinion of the Engineer, all that the Contractors can be required to do. They make a claim for the breastwork and filling extending from the Railway Wharf to the Ferry Wharf; these the Government of this Island refused to pay for, not having been ordered by the Engineer or any person authorized by that Government. I am informed that the Hon. Mr. Tilley, acting for the Minister of Public Works for Canada, when here in 1872, requested the Contractors to make these additions to these works.

I have, &c.,

L. C. OWEN,
President Ex. Council.

THOS. SWINYARD, Esq., &c., &c.

EXECUTIVE COUNCIL,
Prince Edward Island,
December 14th, 1874.

SIR,—

The Contractors for building the Prince Edward Island Railway having notified me that the Road is now completed, that all working trains are withdrawn from the Line, and that they are prepared to hand over the work; and the Engineer in charge having certified that the Road is (with some exceptions which I shall enumerate) completed according to the conditions of the contract, the orders in Council received, and his instruc-

[illegible]

I have the [illegible] to [illegible] in [illegible] to [illegible] of [illegible] [illegible] are not [illegible] [illegible] agreed to de- [illegible] are small, and [illegible] cost of getting [illegible] in.

[illegible] allowance of [illegible] for clearing which has not been done to the satisfaction of the Engineer in charge, and which cannot be done at this season in a proper manner. These sums, if agreed on, can be paid to you for the purpose aforesaid.

I have &c.,

L. C. OWEN,

Pres. Ex. Council.

THOS. SWINYARD, Esq.

CHARLOTTETOWN,

Prince Edward Island

14th Dec., 1874.

MY DEAR SIR,—

[illegible] your information, at the close of last [illegible] Government would be [illegible] to the Dominion. I have [illegible] at [illegible] the two Governments in regard to the terms of transfer) train accommodation

it [illegible]

Of course until these [illegible] for the proper and efficient working of the Railway are all complete, the arrangements that may be made [illegible] be [illegible] character. All freight [illegible] risk, and, as regards passengers, it is [illegible] there would be very dangerous to carry them, except at fixed and ascertainable hours, [illegible] may be run, [illegible] because, there being [illegible] guide the main hands, [illegible] bringing [illegible] places; and passengers might [illegible] cattle-guards or walk upon or into the same or other dangerous places. In the absence, too, of complete telegraph accommodation, it would only be prudent to allow one train upon the same division at a time, except in special cases of emergency, such as one train needing the help of another. In the enclosed [illegible] prepared subject, as before stated, to the terms [illegible] rangement between the two Governments, being [illegible] as to remove any obstacle to its being put into operation by the Dominion Government, you will see that I have taken all these precautions into consideration, and, while the Table does not pretend to give the accommodation which the Government will be able to afford when the Railway is fully perfected, it will, I trust, give all that can reasonably be expected, under the circumstances, during the present winter.

There will, as it is now drawn, be three trains each way, per week, between Charlottetown and [illegible]; two trains, each way, per week, between Charlottetown, Alberton, and Tignish; two trains, each way, per week, between Charlottetown, St. Peters, and [illegible]; and two trains, each way, per week, between Charlottetown, Souris and Georgetown. The arrangements will of

course be subject to change as circumstances and experience may [illegible] shall be [illegible] upon which [illegible] will look over the proposed time card, and return it with any suggestions that may occur to you. You will bear in mind that the trains have to be so arranged that the engines and train hands have to be brought to the proper destinations on each trip, so as to take up and perfect the next day's work.

Yours very truly,

THO. SWINYARD.

The Honble. Lemuel C. Owen,
President Executive Council,
P.E.I.

I had just written the above letter when your messenger delivered to me your letter of to-day's date, which I will duly answer to-morrow. I asked your messenger to wait while the Time Bill enclosed herein was being copied, but he said you would have left office for the day. I therefore send this to your house.

P.S.

Executive Council,
Prince Edward Island,
December 15, 1874.

Tho. Swinyard, Esq.,

My Dear Sir,—

I am much obliged for yours of yesterday enclosing a copy of a proposed Time-table for the Railway for the Winter, and return it as requested.

I have no right to interfere in the matter, the management of the Road being altogether with the Dominion authorities, but will suggest that, as in the arrangement, you have given a tri-weekly accommodation to Summerside, Georgetown, being the terminus of the Trunk line east, the people of that place should be in no worse position than those of the former town. Again, I trust that the arrangement will be continued to send freight trains occasionally to Georgetown, while that harbor remains open. I am informed that several ships are now lying at the Railway Wharf there, waiting for cargoes, and I fear, that if the public are tied to the semi-weekly ar-

rangements, these ships will not be loaded this autumn, and great detention and loss will be caused thereby.

I remain, &c.,

L. C. OWEN.

President of Executive Council.

CHARLOTTETOWN,
Prince Edward Island.
16th Dec., 1874.

MY DEAR SIR,—

I thank you for returning the skeleton Time-table. Of course, after the Railway is transferred to the Dominion Government, the management of it will be in their hands. But, as Premier of the Province, and one of its leading merchants, I was anxious to consult you in reference to the accommodation which (all things being satisfactorily arranged between the two Governments) it might, at an early day, be practicable to afford during the Winter months. I am glad to know, from a conversation I had with you, that it was your opinion that the proposed arrangements would, under the circumstances, be entirely satisfactory, and I am now pleased to receive your suggestion with regard to Georgetown. From enquiries carefully made, I was led to the conclusion that the line would be mostly used between Charlottetown and Summerside, hence the extra train arranged for on that section of the line. The present number of trains specified in the time-table, is all that, under existing circumstances, can be conveniently given. If experience, however, should show that an extra train is more needed between Charlottetown and Georgetown than between Charlottetown and Summerside, it will be easy to make the change.

You speak of several ships now lying at the wharf at Georgetown waiting for cargoes. I believe the *Contractors* have done all in their power to work through what snow has been presented to them, but the severe snow storm we have had only proves how great are the difficulties [illegible], even on a partial opening of the Railway, at this season of the year. The Contractors have [illegible] at some places along the line the snow

lies in drifts of from 6 to 12 feet in depth, and that their efforts to overcome the obstacles have, for the last few days, been almost unavailing.

Yours very truly,

THO. SWINYARD.

The Hon. LEMUEL C. OWEN,
Charlottetown.

CHARLOTTETOWN,
Prince Edward Island, 16th Dec., 1874.

Sir,—

I have the honor to acknowledge the receipt of your favor, of the 14th inst. When I wrote to you on the 10th inst., enumerating the principal items in the contracts, from which, after the examination we had, by the assistance of the contractors, been able to effect, it appeared to Mr. Ridout and myself that very important departures and omissions had been made, it was, as expressed in my letter, in anticipation of having the honor of an interview with you and Mr. Boyd, on that gentleman's return to the Island, for the purpose of discussing, very fully, the condition of the Railway as we found it, prior to final arrangements being come to for its transfer. As you have not deemed it necessary to have such discussion, but have thought it better to communicate to me, in writing, certain explanations made by Mr. Boyd on the points enumerated by me, I think it expedient (although I have since been notified by you that your Engineer has certified that the Railway has been completed to his satisfaction), to state, in greater detail, the nature of the objections which appeared to require investigation, in order that no misconception may exist as to the conclusions which our examination led us to come to.

1st. CLEARING.—The deduction of $300 made by Mr. Boyd, may, or may not, be an adequate estimate of the actual cost of burning the rubbish left by the Contractors, at various places along the line. This deduction, however, is professedly made as the actual cost of destroying the rubbish. It does not take into consideration the risk which invariably attaches to the burning

of debris, and the damages which those burning it, may have to pay, in case of injury to adjoining property. The specification also provides that all rotten logs, brush, and other inflammable material should be burned or disposed of for a distance of one rod on each side of the line. This has been only partially carried out, and its completion will involve an expense and risk which the Dominion Government, of course, cannot be expected to bear or assume.

2d. GRADING.—With regard to grading, the point to which I had particular reference when I first brought the subject to your notice, as one which I had hoped to have had an opportunity of discussing, *was the grading of the station grounds.* In section 18 of the Branch and 19 of the Main Line contract, the specification provides that this grading shall be of such width as the Engineer may require. As a matter of fact, there has been no grading of the station grounds whatever. The station buildings and platforms are simply inaccessible for teams and carriages, no approaches having been made to them within the limits appropriated for railway purposes, from the ordinary highways. In the matter of grading and curvature, we have not had an opportunity of testing whether specification has been substantially complied with or not.

3d. BALLASTING.—Our personal examination of this branch of the work has led us to the conclusion that it is *not* in accordance with the opinion Mr. Boyd has formed. Between Hunter River, Charlottetown, Georgetown and Souris, the specification appears to us to have been substantially complied with; but on the western section, between Hunter River and Tignish, the careful tests we have made at each mile of the road, shew a very material deficiency. We hoped to have had an opportunity, in company with Mr. Boyd, of re-testing the ballasting.

4th, SLEEPERS.—With reference to Mr. Boyd's explanation of the deficiencies in the number of ties, of course we cannot express any opinion as to any misunderstanding between the contractors and the engineer, but taking the specification as it stands, we find that in the main line, between Cascumpec and Georgetown, there is a deficiency of about 300 ties per mile. On

both the Eastern and Western branches the specification for those branches appears to have been complied with, excepting in the particular cases of narrow or small ties, for which Mr. Boyd has reported to you he has ordered the Contractors to make provision.

5th. SIDINGS.—The contracts distinctly provide that the total clear length of sidings to be laid, shall be equal to about *one-twentieth* of the length of the Railway; whereas, we find, on actual measurement, that there is less than *one-twentieth* constructed, [illegible] *one-half* of the accommodation originally [illegible] for. We do not think that this is "ample siding accommodation," or that the per centage of sidings required in the contracts was either excessive or unusual. This is one of the important points which I ventured to express the hope that I would have had an opportunity of discussing with you on Mr. Boyd's return.

6th. LENGTH OF ROAD.—The actual Line constructed being so largely in excess of that contracted for, seemed to us to require explanation, and hence was included in my list points for discussion.

7th. FENCING.—I have caused a close and particular examination of the fencing to be made, and I find that, in important particulars, neither it, nor the gates, come up to the requirements of the specification. The question as to whether the fence should have been built of boards or constructed of wire, I considered was one not within my province to determine.

8th. STATION AND OTHER BUILDINGS.—The manner in which the Stations and other buildings are built varies so very much from the original contracts that we deemed it our simple duty to ask explanations. Mr. Boyd's statement that the contract was altered by orders in Council, and that these buildings comply with the requirements of these orders may be correct. I have never seen or been furnished with these orders, and, until examined, of course, no opinion could be passed as to the way in which they have been carried out. With the policy which induced them to be passed we have nothing whatever to do, but it must be obvious, however, to any one having a practical knowledge of the working of Railroads, that *some* accomodation must be provided

for the station master, and that at the chief Depots, proper freight shed must be constructed at such points as will make them practically available for traffic, which at present is unfortunately not the case.

9th. FILLING AT CHARLOTTETOWN—My object in mentioning filling at Charlottetown as one of the subjects, on which I thought it essential to seek explanations, was not to take exception to the actual work done, but to ascertain what really the contract required to have done. The plan furnished us did not enable us to form so much as an approximate opinion on this point, and even now we are unable, from the information in our possession, to come to any conclusion as to whether this branch of the work complies with what the Contractors were required to do. We may, however, say that at present, the provision made does not give sufficient accommodation for absolute requirements.

While these were the principal points that I thought it advisable to call your attention to in a friendly way. I do not wish you to infer that they embraced everything which I deemed it requisite to bring before you. I anticipated that a full discussion would have enabled me to have suggested many other matters which I considered it necessary to have explanations upon. Amongst these I would mention, *Rolling Stock, Tanks &c.* in regard to which, prior to Mr. Boyd's departure, we had never been furnished with the designs.

I have now the honor to acknowledge the receipt, the *same afternoon* of your second letter, in which you state, that the contractors for the Building of the Prince Edward Island Railway having notified you that the Road is now completed, and that your Engineer in charge having certified that the Road is, with some exceptions (which you enumerate) completed according to the conditions of the contract, the orders in Council received, and his own instructions, you will be prepared to deliver the Railway and plant on Thursday next (to-morrow) the 17th inst. to me as the representative of the Dominion Government specially appointed for that purpose.

I have lost no time in communicating to the Authorities at Ottawa the substance of your notification, and am

hourly in expectation of receiving instructions. So soon as I do so I will write to you again without delay.

In the meantime,

I have, &c.,

THOS. SWINYARD.

The Honble. LEMUEL C. OWEN.
President Executive Council.
Prince Edward Island.

EXECUTIVE COUNCIL,
Prince Edward Island,
December 17, 1874.

SIR,—

I have been directed by the President of the Council to furnish you with the following copies of "Orders in Council" of dates respectively 13th March, and 9th April, 1872.

13th March, 1872.—"Many persons having urged upon the Government the desirability of having covered sheds at the Railway Stations in Charlottetown and Summerside, Alberton and Georgetown, under which travellers and their friends would be protected from the weather on arrival and departure of the trains, and the Government being most desirous to afford all the advantages that can be conferred by the provisions of the Railway Act;—are referred to the Government Engineer for his report, with such suggestions as he may think proper to make, all the plans submitted by the Contractor with the view of supplying the covered sheds."

9th April, 1872.—"Read a communication from the Government Engineer stating that he has examined the plans of Station buildings submitted by the Contractor with a view of supplying passenger sheds at the Stations in Charlottetown, &c., instead of those provided for by the Contract. Mr. Boyd has marked on the plans such suggestions as he has to make; in the case of Charlottetown, he begs to submit a plan of a passenger station instead of that proposed by the Contractor; he does not think it necessary that any material change should be made in the original plan of the Engine House in Charlottetown.

"His Honor, with the advice of the Board, approved of the plans with the notes and alterations marked by the Engineer."

I have, &c.,
WILLIAM C. DESBRISAY,
Asst. Clerk Ex. Council.

THOMAS SWINYARD, Esq., &c., &c.

EXECUTIVE COUNCIL,
Prince Edward Island,
December 17th, 1874.

SIR,—

I have the honor to acknowledge the receipt of your letter of yesterday, in which, in several paragraphs, you refer to a discussion which you are desirous to have with myself and Mr. Boyd on several matters noted in your letter of the 10th inst. I have, for the last six weeks, at very great inconvenience to myself, remained in town, and could be seen at this office at any time during office hours, on Saturday last, I asked you if I could see you that afternoon, and on Monday evening last I asked you if you would call the next morning, both of these meetings you declined or could not attend, I am still to be found at this office, if required. In your remarks about the stations and other buildings you appear to doubt the correctness of the statement that they are agreeable to the "Orders in Council," because you have not seen the original documents. Your communication will be handed to Mr. Boyd for reply, meanwhile, as the Contractors have notified me that they have completed their contract for the construction of the Trunk Line and its branches, and the Engineer of the Road has certified to the Provincial Government that the said contracts have been [illegible]ed as stated in my communication to you of the 14th inst., my only course is to notify you again that the Road is ready for you, as Superintendent, to take charge of, in order to open the same for traffic, pursuant to the despatch of the Secretary of State for Canada, dated 26th August last.

I have, &c.,
L. C. OWEN,
Pres. Executive Council.

THOMAS SWINYARD, Esq.

PRINCE EDWARD ISLAND,
Charlottetown, Dec. 17th, 1874.

SIR,—

With reference to your letter of the 14th inst., in which you state that you will be prepared to deliver the Island Railway and plant to me, as the Agent of the Dominion Government, on Thursday, the 17th inst., my letter of yesterday's date will have informed you of the reason why I could not then give a definite answer to your proposition. You, of course, are now fully aware from my former communications to you, and especially from my letter of the 16th inst., that neither I myself nor Mr. Ridout, the Engineer, appointed by the Dominion Government to assist me in the examination of the Railway, consider it to be completed in accordance with the contract; but that, on the contrary, we hold that there are very many important things left improperly finished and undone. It is a matter of extreme regret that the interview which I sought with you and Mr. Boyd to discuss the deviations from the contract, and the deficiencies of completion, was not afforded Mr. Ridout and myself. I was then in hopes, and still think that, if such an opportunity had been afforded us, we could have convinced both you and Mr. Boyd of the existence of these deviations and deficiencies to a much greater extent than you admit of in your second letter of the 14th inst.

Knowing, however, as I do the importance of giving the Island every advantage which may result from the immediate running of the road, and in deference to the great desire of the public that it should go into operation, a desire which is fully shared by the Dominion Government. I would say, that I will be prepared on Monday next to take possession of the Railway and plant, and put the same in operation with the least possible delay, under any one of the following conditions that you may think it best to accept.

1st. That the Island Government bind themselves to complete the Railway according to contract, making good the deficiencies and omissions, to which I have already called your attention, and such other defects and deficiencies in the completion of the Railway and plant, according to contract, as a fuller examination

may show to have existed at the time of its delivery to the Dominion Government, or

2nd. That the Local Government authorize the Dominion Government to make good the deficiencies and omissions above referred to, at the expense of the Local Government; or if neither of these proposals is accepted, then

3rd. That all disputed matters be left open for future adjustment between the two Governments, and that my entering into possession of the road and plant shall not be construed in any way to prejudice the Dominion Government.

In taking this course I assume that you have duly filed all plans and descriptions and taken all necessary steps to secure the legal dedication to the public of the lands and right of way requisite for Railway purposes under the statutes and contracts.

I have, &c.

THOMAS SWINYARD.

THE HONORABLE
LEMUEL C. OWEN,
President Ex. Council,
Prince Edward Island.

EXECUTIVE COUNCIL,
Prince Edward Island,
December 19th, 1874.

THOMAS SWINYARD, Esq.,

SIR,—

I have the honor to inform you that your communication of the 16th instant, was handed to Mr. Boyd, the Engineer in charge of the construction of the Railroad, for his answer, and which I now beg to enclose.

I have, &c.,
L. C. OWEN.
President Executive Council.

Memorandum in reply to Mr. Swinyard's letter of 16th December, 1874.

1st. *Clearing*—The deduction of $300 is, in my opinion, quite sufficient to pay for the completion of the clearing

inside and outside the fences, in accordance with the specification. All the rubbish, inside the fences, is piled and ready to burn—the quantity outside is comparatively small. If the burning is done at a proper season and watched, as it should be, by the men employed to do it, the risk is so small that it is not worth raising a question about. It is impossible for me to set a valuation on a contingency which should not be permitted to arise.

2d. *Grading*—The sections in the specification referred to by Mr. Swinyard read thus:—"At points where stations or sidings are to be located the grading must be of such width as the Engineer may require." His statement that there has been no grading whatever of the stations is not by any means a matter of fact. As much grading has been done as was, in my opinion, necessary for the present requirements of the Road, and the terms of the specification therefore substantially complied with. To have graded the whole area of the station grounds would have been useless, and an unfair straining of the contract. I have never seen it done on any road in the Lower Provinces. The roads to the stations from the highways are not included in the contract and the land in some cases is not appropriated.

3d. *Ballasting*—Further discussion on this subject can serve no useful purpose. I still believe that the contract quantity has been put on the line.

4th. *Sleepers*—I have already explained this matter both in my reports to the Government, and in conversation with Mr. Swinyard and Mr. Ridout. The number 2,500 sleepers to the mile in the specification of the Trunk Line was intended to include the quantity required for the sidings, with an allowance for waste. In the specification for the branches, I altered the wording which had not seemed clear to the parties tendering, to the exact number per mile. I may, at least, be presumed to know what I meant when I specified 2,500 sleepers to the mile, and my subsequent explanation is sustained by the drawings of the track, and the quantities in the schedule.

5th. *Sidings*—This matter rests entirely on my rendering of the clause in the specification, as given before the letting. I wished to retain power to put in all sidings which could possibly be required, and, therefore, specif

ed a maximum of 10 per cent. With a view of avoiding complaints, I have made the Contractors put in more sidings than I consider really necessary for present requirements, and though I have not now any figures at hand, I will venture the assertion that no other Railway in the Lower Provinces was as well provided with siding accommodation when first opened for traffic.

6th. *Length of Road*—This matter has been already investigated and explained.

7th. *Fencing*—The fencing has been put in good order. Any small posts have been supplemented by larger ones driven in the centres of the panels. The wires have been properly stretched and the staples driven tight. The lacing has been carried from bottom to top instead of only half way up as originally intended. I believe the fence as it now stands will, with fair play, prove good and efficient. The gates are the ordinary batten gates, and are made of good materials. Had the fence been built of boards instead of wire, the snow storm of this week would have obstructed the roadway much more than it has.

8th. *Station and other buildings*—On the branch lines these are in accordance with both plans and specifications. On the trunk line the drawings differ from the description in the specification; but are those adopted and approved by "Orders in Council," 13th March and 9th April, 1872. I may state, for the information of the Government, that the practice in the neighboring Provinces seems to differ in the matter of providing living rooms for the agents. On the St. John and Shediac line, and the older portions of the Nova Scotia Railways, living rooms were, in most cases, provided, but on the former line not always occupied by the station agent. On the Pictou Branch, N. S., and the European and North American Railway, N. B., there are no dwelling apartments in the stations. It is quite probable that, as the traffic increases, more freight sheds will be required, but all that were provided for in the contract have been built.

9th. *Filling in at Charlottetown*—As I have already stated and explained in a former memorandum, the Contractors have done all that, in my opinion, the

contract requires them to do. The question as to whether the station yard affords sufficient accommodation is one on which opinions may fairly differ, but not one which I feel called upon to discuss.

It appears to be somewhat difficult to arrive at an understanding as to where Mr. Swinyard's objections to the Railway, as constructed, will end. I fail therefore to see what advantage could arise from the discussion to which he seems to attach so much importance. I went over Mr. Ridout's inspection notes with him, and any questions raised were fully discussed then, and at subsequent interviews, though apparently without much effect. Further discussion would, therefore, it appears to me, be useless. Although the plans were necessarily retained in my office until the completion of the contract, Mr. Ridout had free access to them, and if I may be permitted to express an opinion, the question is not one of the approval of designs, but of the carrying out of the contract, subject to such changes, in detail, as were ordered or approved by the Government, or Chief Engineer, for the time being.

JOHN EDWARD BOYD,
Chief Engineer.

Government Engineer's Office,
Charlottetown, Dec. 18th, 1874.

PRINCE EDWARD ISLAND,
Charlottetown,
18th Dec. 1874.

SIR,—

I am in receipt of your letter of yesterday's date, wherein you refer to the interview I desired to have with you and Mr. Boyd before he certified the road to be completed, and state that for the past six weeks you have remained in town at great inconvenience, and could be seen at your office at any time during office hours. I can cheerfully bear testimony to that fact myself, and am happy to say that I have always found you accessible when business required you to meet me. Why you should refer to such a matter I do not know, as I certainly never intimated anything to the contrary, and

you have quite misapprehended my letters, if you thought they conveyed such an impression. I have expressed in more than one letter my extreme regret that Mr. Ridout and myself had not the opportunity afforded us, that we earnestly desired, of meeting with you and Mr. Boyd, after that gentleman's return from St. John, to discuss, with you and him, the deviations and departures from the original contract which appeared in the construction of the Railroad. You will remember that prior to Mr. Boyd's departure from th eIsland I was unable to procure the plans and other information I had sought, and consequently, could not found my opinions whether the work complied with the contract or not. No interview at that time, even if any such had been offered, would have attained the object we desired. After Mr. Boyd had left, and the plans were put in our possession, we examined them, and then, and not till then, could we have made up our minds as to the extent of the deviations in the work from the original contracts. This was the time when we so much desired the interview, and in my letter to you of the 10th instant, in order to facilitate the objects of that interview I furnished you with a statement of the points in which I desired explanations and discussion with your Engineer. Mr. Boyd returned on Thursday, and on the following Monday, you notified me that he had certified to the completion of the contract. It was only between these two days the interview would have been of service. For any practical purpose it ceased to be of any use after Mr. Boyd's certificates were signed. You will remember that in company with you I waited on Mr. Boyd on his return, and found him too fatigued to transact any business, and when we left him, it certainly was with the clear and distinct understanding that so soon as he had sufficiently recovered, we would have the interview. When you spoke to me on Saturday afternoon about coming with Mr. Boyd, that night to my lodgings, I expressed my regret that I had a prior engagement, and to my extreme surprise the next intimation I had was, that Mr. Boyd had given his certificates. You asked me on Monday evening, to call and see you next morning. That, of course, had no reference to the interview I had

sought, because at the time you spoke to me the Government had been furnished with Mr. Boyd's certificates, and had officially notified me of the fact. I am sure a little reflection will convince you that, in seeking the interview, I was acting solely in the interests of the Public, and that it would have been for their interests if Mr. Boyd had consented to join in it before giving his final certificates. I beg to thank you for the copies of the orders in Council of the dates respectively 13th March and 9th April 1872, which I yesterday received through your instructions. A perusal of them will at once show how necessary it was that all these orders, together with the Plans referred to in them, and without which they cannot be understood, should have been placed at my disposal, before I was asked to accept the Road on behalf of the Dominion Government.

I have the &c.

THO. SWINYARD.

P. S.—I am anxiously waiting for a reply to my letter of yesterday's date.

The Hon. L. C. Owen,
President Executive Council,
Prince Edward Island.

Prince Edward Island Railway,
Engineer's Office, Charlottetown,
18th December, 1874.

Hon. L. C. Owen,
President of Executive Council.

Sir,—

In company with Mr. Stronach, I examined the Engines yesterday, and found that all the repairs he recommended in his last report, have been made, with the exception of turning the driving tyres of such of the Engines as required it.

This reduces the amount to be stopped out of the Contractors, on account of engine repairs, to $250 on the Trunk line. The Branch line Engines required no other repairs except the turning of the tyres, and the amounts charged against them will therefore still remain, as in my certificate of the 11th inst.

I have the &c.,

JOHN EDWARD BOYD.

CHARLOTTETOWN, Prince Edward Island,
19th December, 1874.

Sir,—

Upon Mr. Schreiber, on behalf of the Contractors, handing me a copy of the Notice they had given to the Public, of the termination by them of the special arrangements they had, with the consent of the Dominion Government, entered into with your Government, for the conveyance of Freight, prior to the close of navigation, I felt it was proper that I should call his attention to the very sudden nature of the notice given by them to the public, it being, in fact, dated and issued on the very day they terminated the arrangement; and I suggested that unless there were insuperable causes to prevent the Line from being specially operated as heretofore, that the notice should be extended at least one week. In reply, Mr. Schreiber informed me that the causes were insuperable, and that all his efforts to keep the Line open had proved quite unavailing. He has written to me as follows:—

"As you are aware, heavy snow storms have prevailed the past week, completely blockading the traffic. The snow now upon many parts of the line, is from *eight* to *fifteen feet deep*. On Tuesday last I despatched two engines, with a snow plough, to the westward, to raise the blockade. After laboring the whole day, most diligently, they returned, having cleared the way for six miles only. On the following morning, I held conversation with our manager, Mr. Rainnie, when we decided to send out no more trains until the storm abated. Yesterday being a fine day, and feeling that if we left the road blocked you might consider we had acted unhandsomely towards you, and shirked a responsibility, we concluded, very much against my better judgment, to dispatch a train both East and West, to make an effort to clear the road. Accordingly, *three engines* and a *snow plough*, left Charlottetown, Westward, at 8.30 a. m., and *two engines* and a *snow plough* started east about half an hour later. The westward bound train returned about 7.30, p. m., yesterday, with *one* engine *disabled*, and another damaged; she reached North Wiltshire Station, at which point she ploughed through some hundreds of feet of snow *three feet above the top of the snow plough*.

"The eastern train I have had no tidings of since she left Charlottetown. This morning two engines were dispatched westward to take the place of the disabled machines. I have come to the full determination that if they succeed in reaching town to-night (the 18th inst.) I will house them, believing it to be a far more prudent course than sending them out in the storm to be battered to pieces. In this it is quite possible and very probable you will differ with me. If so, I would say, then let the service be undertaken by those who are better able to bear the loss than we are. Our train expenses have been very heavy the past week, and the receipts *nil*. To expect us to continue to operate the road for another *week*, under the special arrangement, is, we maintain, unreasonable, as, within that week, it is possible, we might have to raise the snow blockade several times, and derive no benefit from it thereafter. We, therefore, have concluded to abide by the arrangement made by circular notice of yesterday's date. I shall do myself the pleasure of calling upon you, at your office, this afternoon."

I have taken the liberty of forwarding you the above extract from Mr. Schreiber's explanatory statement to me, of the circumstances connected with the termination, by the Contractors, of the special arrangement for the transfer of freight made with them by the Local and Dominion Governments.

I have, &c.,

THO. SWINYARD.

The Hon. IZEMUEL OWEN,
President Executive Council,
Prince Edward Island.

EXECUTIVE COUNCIL,
Prince Edward Island
December 21st 1874.

SIR,—

I have the honor to acknowledge the receipt of your communication of the 17th instant; wishing to consult a quorum of the Executive Council on the matters contained therein. I have delayed replying to you until to-day

I now beg to inform you, that I cannot, for the Government of this Province, agree to the propositions contained in the said letter.

The Engineer in charge has fully explained that the deficiencies and omissions, which you write of, do not exist, and the variations in the contract have been fully explained by him. I cannot consent that arrangements, made in these matters by the Government of the Island, prior to the articles of Confederation, shall be made the subject of future adjustment.

In the matter of the clearing to which I have already alluded, the Government, looking at the benefits to be derived by the Public from having the immediate use of the Railway, and knowing that this part of the work cannot be done at this season of the year, will arrange that a sufficient sum will be deducted from the Contractors to make this part of the work to the satisfaction of the Engineer.

Plans of the Trunk Line Branches, and Stations, with descriptions are filed in the office of the Registrar of Deeds and Keeper of Plans for this Province.

Under these circumstances, I must therefore adhere to my previous notification to you, to take charge of the Railway in order to open the same for traffic.

I have the &c.

L. C. OWEN,
President Ex. Council.

THO. SWINYARD Esq., &c., &c.

CHARLOTTETOWN, P. E. I.
22 Dec. 1874.

SIR,—

I have the honor to acknowledge the receipt of your letter of yesterday's date in which you announce your determination not to accede to any of the propositions contained in my letter of the 17th instant.

That you should have taken this course is, to me, a matter of deep regret. I have now no alternative but to accept the Railway under protest, and without prejudice to the rights of the Dominion Government leaving the points in dispute to be settled between the two Governments in such way as they may think proper.

Your Engineer in charge, having given his certificate in face of my representations, and you having confirmed his action, it is quite evident, especially as he has since left the Island, that a continuance of the controversy now, would effect no good purpose. With regard to the legality of the deviations from the Contracts, before or after Confederation or to the extent of the power of the Engineer in charge, to alter or change the Contracts, or to any act of the Provincial Government which has sanctioned or given effect to such deviations, and alterations it is of course, not within my province to offer an opinion—but subject to the protest I have given I must likewise leave these questions for the consideration and actions of the Dominion Government.

In order, however, that the Public may derive all the benefits from the Railway which under present circumstances, it will be practicable to give—I beg to advise you that subject to this protest, and to this intimation that my action as the Agent for the Dominion Government must not be construed in any way as an acknowledgement that the Contracts have been properly and lawfully fulfilled. I am now prepared to enter upon and take charge of the Road and all its plant.

I have to request you to be good enough to let me know on what day and at what hour you will appoint some responsible person to attend on your behalf while an inventory of the Plant is being taken in order that due delivery may be made.

With reference to the copy of the memorandum from Mr. Boyd purporting to be a reply to my letter of the 16th instant, and enclosed to me in your note of the 19th I beg respectfully to state that I do not see that it contains any fresh information. It is substantially only a reiteration of that gentleman's previous statements and does not in any way meet the objections which I and Mr. Bidout C. E. deemed it advisable and sought timely to make you acquainted with.

I have &c.,

THO. SWINYARD.

The Honble. Lemuel C. Owen,
President Executive Council,
Prince Edward Island.

CHARLOTTETOWN, Dec. 23rd, 1874.

SIR,—

Referring to our conversation of this morning it is understood that notice will be given you when you are to take possession of the Railway and receive the plant, for which proper arrangements will be made.

I have, &c.,
L. C. OWEN.

THOS. SWINYARD, Esq.,

EXECUTIVE COUNCIL,
Prince Edward Island,
December 23rd, 1874.

SIR,—

Referring to our consultation of this morning about the Bumper Blocks on the spur sidings which, I was led to believe, were not put in—the Contractors allege that they are not in their contract, but were furnished in deference to your expressed wishes, and are nearly all (if not all) put in: this can now be no cause of hindrance.

You can take charge of the Road this afternoon, and I have arranged, as requested in your communication, that Mr. William Rainnie will settle with you the day and hour when he will accompany the person, whom you may appoint, to be shewn the position of the plant.

I have, &c.,
L. C. OWEN,
President Ex. Council.

THOS SWINYARD, Esq., &c., &c.

CHARLOTTETOWN,
Prince Edward Island,
December 24th, 1874.

SIR,—

At 4, p. m., yesterday I received your communication of that day's date. I regret that the manner in which it is written renders it necessary for me to explain that *I* never sought the interview to which it relates:—that *I* never brought to your notice the absence of the Bumper Blocks spoken of by you; and that *I* most positively

deny that they were ever furnished by the Contractors in deference to *my* expressed wishes, as you assert—I likewise deny that *I* ever alleged that they were in the contract, on the contrary it was *you* who sought the interview, and *you* who explained its object by stating that you had discovered that the Railway had not been fully completed, as you had previously notified me, and that you had to ask me to defer, for the present, taking possession. I then read to you a copy of the letter I had that morning sent to your office, notifying you that as you had refused to accede to any one of the propositions I had made for receiving the Railway, I had no alternative but to accept it under protest, and which I expressed my readiness at once to do. Why you should state that you only received this letter after our interview I cannot conceive, as a copy of it was read by me to you, and indeed formed a part of the subject matter then talked over. You then terminated the interview by stating that you would not tender me the Railway until you had satisfied yourself that the *things you had referred to and sent to me to tell me of*, had been done, and therefore you at once wrote and handed to me the following letter,—

Charlottetown, December 23th, 1874.

SIR,—

Referring to our conversation of this morning it is understood that notice will be given you when you are to take possession of the Railway, and receive the plant, for which proper arrangements will be made.

I am, &c.,

L. C. OWEN.

THOMAS SWINYARD, Esq., &c., &c.

The substance of this letter I at once telegraphed to Ottawa.

You may well judge of my surprise, when, about one p. m., Mr. DesBrisay, the Clerk of the Executive Council, called upon me, with your compliments, to tell me that a sleigh was at the door, and that you had requested him to ask me to bring back the letter to you. I explained to Mr. DesBrisay that I could not do this, as I had already substantially transmitted your letter

officially to Ottawa, but, that I would call upon you about 8 o'clock, after I was clear of an appointment I had made. When, however, I was on my way to your house, I met a friend who had just come from it, and who informed me that you had written to me, I therefore returned to my office, and there I found your letter, now under acknowledgment, the purport of which is too obvious to be passed over without the plain, straightforward recapitulation of the facts herein given.

I now beg, most respectfully, to point out to you, the inconsiderate and hasty manner in which you at last ask me to take possession. A few days ago you informed me that the Railway had been accepted from the Contractors, and was ready to be transferred by your Government to the Dominion. Yesterday you acknowledged to me, in writing, that it was not ready, and in a few hours afterwards, you again informed me that it was ready, and that you have offered it for my immediate acceptance, at the same time stating that you had appointed Mr. William Rainnie, (the Contractor's manager), to settle the day and hour when he would accompany the person whom I may appoint *to be shewn the position of the plant.* And what do I find is the position of the plant?

First—That so far as the Car stock is concerned, it has never been examined, and that at the time you tender it, it is at different places along the Railway, in the hands of the Contractors; and, secondly, that the Contractors had still as many as five Engines and trains out upon the Railway, manned with their own drivers, and train hands, and under their own control, yet in the face of these engines and trains being out upon the line, and the men in charge of them, being entirely beyond my control, you ask me immediately to assume possession of the Railway, and the consequent responsibility of running it. It is obvious that I cannot accept, or you hand over, possession, with the Line thus occupied by the Contractors, *but the moment the engines and trains are brought back to Charlottetown, and the Contractors are entirely out of possession,* I will be prepared to enter upon it.

Presuming that this will be accomplished during the present week, I will, subject to the protest I have made,

arrange to take possession on Saturday next, the 26th inst., and open the Railway for public travel the following Monday morning the 28th instant.

I have, &c.

THO. SWINYARD.

The Hon. Lemuel C. Owen,
President Executive Council, P. E. I.

Executive Council,
Prince Edward Island,
December 24th, 1874.

Sir,—

In my communication of the [illegible] inst., I wrote you that "by the conditions of the [illegible]ct an allowance is to be made by the Contractor[illegible] [illegible]pairs to the Rolling Stock used in construction [illegible] not already repaired; this being a matter of agreement, the Engineer has deducted $1400 for this item until the matter is arranged by the Contractors." On the 18th inst., Mr. Boyd wrote me that, "In company with Mr. Stronach, I examined the Engines yesterday, and found that all the repairs he recommended in his report, had been made, with the exception of turning the driving tyres of such of the engines as required it. This reduces the amount to be stopped out of the Contractors, on account of engine repairs, to $250 on the Trunk Line; the Branch Line engines required no other repairs except the turning of the tyres, and the amount charged against them will, therefore, still remain," viz: $200, being, in all, $450 to be paid by the Contractors on this item. There is also a deduction of $100 for repairs to Platform Cars. These Cars have been used in the accommodation freight traffic, and could not therefore be brought in in time to complete repairs. Mr. Rainnie will take account of the number of each one of these Cars, and, as they are brought in, will have them repaired; or, if you prefer, I will arrange to have this sum paid to you, and, on hearing from you, will arrange also that the amount for turning the tyres shall be paid to you.

In mine of the same date, I referred to a d[illegible] for sleepers; of these, 1000 sleepers are int[illegible] place small sleepers on the Trunk Line, b[illegible] lington and Port Hill, and 860 on the West[illegible] sion, between Harper's and Tignish. The[illegible] would have been put in last autumn but [illegible] found, that by doing so, at that season, an injury [illegible] be done to the track and he preferred taking sleep[illegible] replace the small ones. These, also, will be delivered to you by Mr. Rainnie, and the amount deducted from the Contractors for this item, less the value of the sleepers delivered, will also be paid to you.

I have, &c.,

L. C. OWEN,
Pres. Ex. Council.

THOMAS SWINYARD, Esq., &c. &c.

EXECUTIVE COUNCIL,
Prince Edward Island,
DECEMBER 24th, 1874.

WILLIAM RAINNIE, Esq.;

Sir,—

Mr. Schreiber arranged yesterday with Mr. Owen, that you would accompany Mr. Swinyard (or the person selected by him for the purpose) in order to show him the position of the Railway Plant.

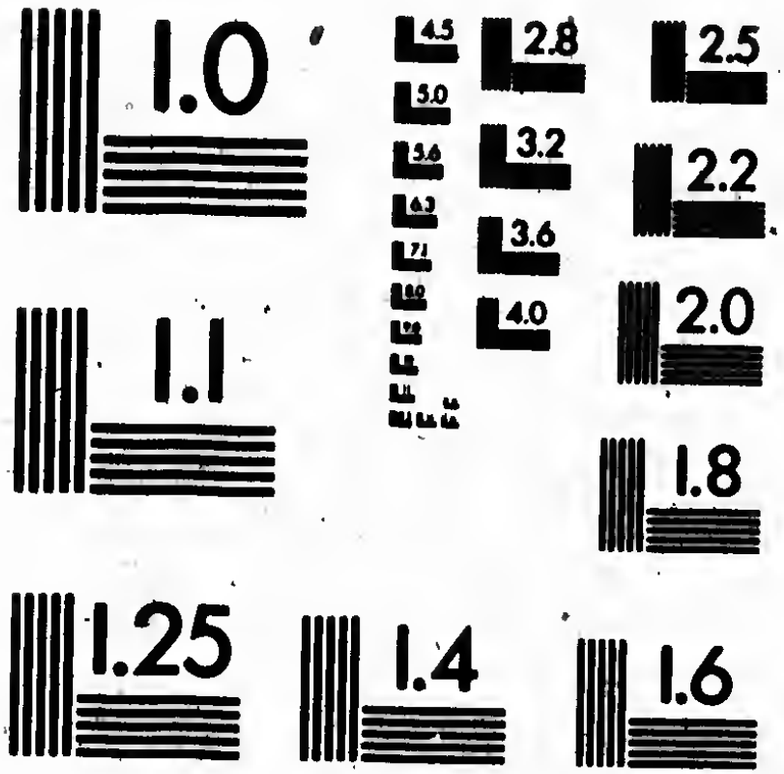
I have been directed to enclose you a copy of a letter addressed by Mr. Owen to Mr. Swinyard, regarding certain repairs to Platform Cars, and Sleepers to be delivered.

I have, &c.,

WILLIAM C. DESBRISAY,
Assistant Clerk Executive Council.

MICROCOPY RESOLUTION TEST CHART

(ANSI and ISO TEST CHART No. 2)



CHARLOTTETOWN,
24th December, 1874.

SIR,—

In reply to your letter of this date, I can only repeat that, subject to the protest I have already made, I am ready, as intimated in my letter to you to-day, in answer to yours of yesterday, to enter into possession of the Railway and the Plant upon it. As to the condition of both the Railway and the Plant, proper records will be made, and doubtless, in due time, you will hear from the Dominion Government in reference thereto. After the representations I have made to you, I cannot commit myself to any estimates your Engineer may have made, nor to any certificates he may have given.

I have, &c.,

THO. SWINYARD.

The Hon. LEMUEL C. OWEN,
President Executive Council,
P. E. I.

EXECUTIVE COUNCIL,
Prince Edward Island, December 26, 1874.

SIR,—

I have to acknowledge the receipt of your communication, of the 24th inst., and I regret that I am so unwell that I have not been able to reply to it earlier to-day.

I really cannot see what was in mine of the 23rd to call forth such an amount of denials, &c. Your letter was, evidently, written in a rage. In your over anxiety to cause trouble and difficulty, you telegraphed to Ottawa that the Road was not ready, this message, I have no doubt, had to be contradicted; whereas, on my part, the anxiety was, that all that we had promised to do should be done, as far as possible; and all the explanations which you have given, have not made it appear any better. I made the enquiries required as soon as possi-

ble, and could have given the answer at one o'clock, and this was the reason why Mr. DesBrisay was sent to you, and that I might inform you that my arrangements were completed. I do not see that there has been anything hasty or inconsiderate on my part. I am anxious to have the Road opened as soon as possible, and am, therefore, desirous that no time should be lost.

I have no copy of my letter of the 23d at hand, and cannot understand why you deny that you ever alleged that the Bumper Blocks were in the contract. I am sure that I did not say that you alleged such; but in reference to the subsequent denial, I have the authority of Collingwood Schreiber, Esquire, for stating that the Bumper Blocks on the spur sidings were not in the contract, but were put in, in deference to the expressed wish of Mr. Swinyard. So I leave the question between you. As to the Plant being at present in charge of the Contractors I consider that they are as competent to take charge of it as any other parties. You also find fault because the Plant is along the Line. I consider it quite right that it should be at the principal Stations, and it was never the intention that it should all be in the Station yard in Charlottetown. I have been informed that you require all the Engines in Charlottetown. Mr. Rainnie can arrange this as he chooses; but I hold that the Engines for the Branch Lines should be housed at Souris and Tignish. Besides, it is unreasonable to ask that all the Engines be brought here, when there are not pits enough in the Round House in Charlottetown to hold more than two-thirds of them.

You complain of the Engines being out on the Line. This is being done to keep the Road open, knowing well that if it is blocked up with snow, there will be great difficulty afterwards in opening the Road for traffic. In regard to this, you are blowing hot and cold, for why did you, on Wednesday, ask me to endeavour to have trains going out on Thursday, to keep the Road open, and at the same time pick up any freight that offered?

I have seen Mr. Rainnie, and he informed me that you had arranged to take account of the Plant to-day, and I

have requested Mr. Cox, the Assistant Engineer, to attend with Mr. Rainnie, in taking the said account.

I have, &c.

L. C. OWEN,
President Executive Council.

THO. SWINYARD, Esq., &c., &c.

CHARLOTTETOWN,
Prince Edward Island,
28 Dec., 1874.

SIR,—I have the honor to acknowledge the receipt of your letter of Saturday's date, the 26th instant,—

> You say that my letter was evidently written in a rage.

You must pardon me for remarking that such an assertion is totally unfounded.

> You likewise assert that in my over anxiety to cause trouble and difficulty, I telegraphed to Ottawa that the Road was not ready.

I am happy to be able to state that you are here again equally mistaken. I had received a telegram from Ottawa to report the present position of matters. In reply, I sent the substance of the letter you had just given me telling me not to take possession of the Railway and Plant until further notice, you having made a discovery that some things were not done which those employed by you had led you to believe had been done. I added, however, that it was probable possession would be given on Monday.

> You then state you had no doubt this message had to be contradicted.

So far from that being the case, you are aware the fact is just what I supposed it would be—possession not having been given to me until this, Monday morning.

> You next refer to my explanations as not having made your anxiety any better.

I must be pardoned for not understanding your meaning. I will say, however, that it has been my constant endeavor to *lessen* your anxieties by giving you timely intimation of what we (Mr. Ridout and myself) had good reason to believe were very serious departures from the Contracts, and which it was my only desire to have properly enquired into.

> You then say that the reason Mr. DesBrisay was sent to me was that you might inform me that your arrangements were completed.

Whatever may have been your instructions to Mr. DesBrisay, I can only repeat that he simply delivered your compliments to me, stating that your sleigh was at the door, and that he had been requested by you to ask me to return with him to take back the letter you had written to me. It was afterwards that I was informed, by another letter from you, that you had since found your arrangements were completed.

> As to the manner of your handing the Road and Plant over to me, you say you do not consider there has been anything inconsiderate or hasty.

I very respectfully beg to differ from you about this; but will remain content to allow the facts to speak for themselves.

> You also say that you cannot understand why I deny that I alleged the Bunter Blocks were in the Contract, Mr. Schreiber having given his authority for your stating that the Bumper Blocks were not in the Contract, but were furnished in deference to my expressed wishes.

I made the denial to prevent mis-conception, as *I* never raised any question about Bunter Blocks. It was you who said that this was one of the things which had not been done according to your instructions, and which induced you to send for me, and ask me not yet to take possession of the Railway.

You remark that the Contractors are as competent to take proper care of the Plant as any other parties.

I never questioned this, nor do I object to your holding such an opinion.

You then allege that I find fault because the Plant was along the Line, and you consider it should be at the principal Stations, and that it was never the intention that it should all be in the Station Yard at Charlottetown.

I found no fault. I simply mentioned the fact of the car stock being scattered at different places along the Line, and of its never having been examined, to shew the way in which both Railway and Plant were being handed over to me.

You also remark that it is unreasonable I should ask that all the Engines be brought to Charlottetown, when there are not enough pits in the Round House at Charlottetown to hold more than two-thirds of them.

As a matter of fact, there *are fourteen pits in the Round House*, and there are only *fourteen Engines*—but four of the Pits are not now in use. To *house* dead Engines until they can be examined, does not necessitate a Pit for each Engine. There is now ample room in Charlottetown to put these under cover, until such examination is effected, and where in fact it can only properly be done.

You also hold that the Engines for the Branches should be housed at Souris and Tignish.

That may be so by-and-bye when the Line can be put into full operation. To house and leave Engines there when there is no one to look after them, and where they could not possibly be repaired, would not, according to my judgment, be a very prudent thing to do, and as a matter of fact, you have not housed them there.

You say that I complain of Engines being out on the Line knowing well that the reason is to keep the Line from being blocked up with snow.

Here also you have entirely misread my communication. I simply pointed out to you that while Engines and Trains were out upon the Line, manned by the Contractors' Enginemen and Train hands, and under the Contractors' control, it was unreasonable that *I* should be expected to take possession of them while so manned and under such control. I am sure no one in my position would, for a moment, consent to do so, or to assume such a responsibility.

> You say in regard to those Engines being out on the Line, I blow hot and cold, and you enquire why I asked you to endeavor to keep the Road open, and at the same time pick up any freight that offered.

Here again, I think you do me injustice. When you sent specially for me to tell me and wrote afterwards to me that you were not prepared for me to take possession, I then reminded you of the pressing demands made for grain to be shipped to Georgetown, and suggested that, in the meantime, it might be desirable for you to arrange to move such freight until you were prepared to give me proper and full possession.

> You conclude by saying you have seen Mr. Rainnie and that he had arranged with me to take account of the Plant on Saturday, the 26th inst., and that you had likewise requested Mr. Cox, the "Assistant Engineer," to attend with him in taking account of the same.

Mr. Rainnie certainly told me on Saturday, he thought he would be able to hand over to me the *Engines* that day, but he was unable to do so. However, when I received your letter at my lodgings at *half past five* on Saturday evening, I went immediately down to the Station to meet Mr. Rainnie and Mr. Cox. I could find neither. Mr. Rainnie, I was informed, was still out upon the Line, trying with two Engines to get a Train along which had been snowed up since Christmas morning.

Sincerely hoping that these remarks will remove from your mind the very erroneous impressions expressed in your letter.

I have, &c.,

THO. SWINYARD.

The Hon. LEMUEL C. OWEN,
President Executive Council,
Prince Edward Island.

Certified, WILLIAM C. DESBRISAY,
Asst. Clerk Ex. Council.

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