

Memorial

To His Worship the Mayor and the Members of the City Council, Toronto.

The Old Fort Protective Association, affiliated with the various historical and patriotic societies, regret to learn that a fresh attempt is being made to influence the City Council to consent to the running of a double track street railway through the Old Fort.

This Association represents over thirty societies and associations of this city and various other parts of Canada, who, during the past three years, have appealed for the preservation of these historic grounds and the restoration of the Fort to its original condition.

In the name of the societies this Association would respectfully put before this Council some of the reasons why the building of a street railway through these grounds should be rejected once for all as a proposal dishonoring the good name of the city.

When the city first applied for the transfer of the Garrison Commons, in 1899, the sole plea for its possession was that the city desired to "preserve the Fort, and to maintain it in its present condition on account of its association with the early military history of this city." This plea was the only one put forward in the later stages of the negotiations, and the city accepted without qualification the conditions laid down by the Government as appears from the report forwarded by the Assessment Commissioner to the Mayor and Board of Control, dated October 30th, 1903, from which the following paragraph is quoted:—

"You will observe that the Government stipulate that the property shall hereafter be used only for park and exhibition purposes; and further, that the city will be bound to preserve for all time the Old Fort and such of the old buildings upon the premises as the Government may designate. In addition to this, the city will be required to spend upon the buildings immediately sufficient money to put them in a first-class state of preservation."

This condition was further made clear in the preamble of the Order-in-Council passed at Ottawa, consenting to the transfer. When for the third or fourth time an attempt was made in the City Council to violate this agreement, the Hon. J. P. Whitney, Prime Minister of Ontario, called the attention of the Government at Ottawa to the threatened desecration of the Fort, and the Minister of Militia thereupon reminded the City Council in a letter, dated November 27th, 1906, that such a street car line would be a violation of the conditions of the transfer, and expressed the hope that the city would give its assurance "that the spirit as well as the letter of the understanding would be carefully observed."

Again in January of the present year, upon a further attempt being made to revive this project, the Hon. Minister

of Militia felt called upon to remind your Council of the covenant made when seeking possession of Garrison Commons. The Minister, in quoting from the correspondence to show how clearly the city pledged itself to restore and maintain the Fort, said: "These enclosures are being forwarded to you with a view of acquainting you with the position of this Department as regards the preservation of the Old Fort property, a position from which the Minister has no intention of receding."

It will thus be seen that the city sought possession of this property for the sole purpose of restoring the Fort. The first question is: Will this Council maintain the city's credit for business honor if it violates a covenant so deliberately made? Especially will this question be raised when the subject of the covenant is not only a shrine of history, but a mausoleum of the heroes of Canada's first war of self-defence.

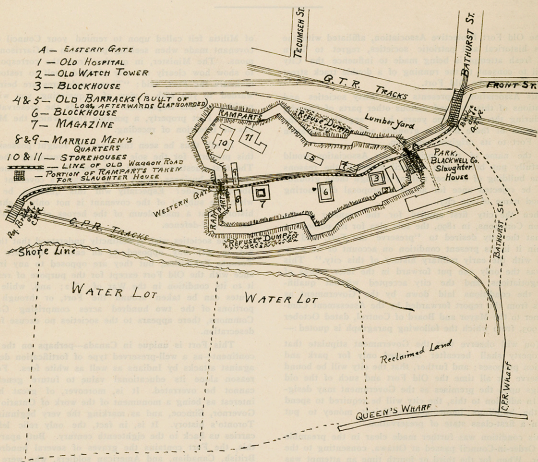
The societies wish it distinctly understood that they are not in any way opposed to an eastern entrance to the Toronto Exhibition, but they are opposed to any interference with the Old Fort except for the purpose of restoring it to its condition in the War of 1812; and, while other routes can be taken around the Fort, or through other portions of the two hundred acres comprising Garrison Commons, there appears to the societies no excuse for this desecration.

This Fort is unique in Canada—perhaps on the whole continent—as a well-preserved type of fortification designed against attacks by Indians as well as white foes. For this reason alone its educational value to future generations cannot be overrated. It is, moreover, of great historic interest as being a monument of the work of Ontario's first Governor, Simcoe, and as marking the very beginnings of Toronto's history. It is, in fact, the only relic left that carries us back to the eighteenth century. But, apart from this, the Fort contains the graves of several hundreds of British, Canadian, and American soldiers, who were killed in the attack on York in the year 1813, and no street railway could be laid down here without passing over the graves of these men, who died to save Canada to the Empire in the first great crisis of our history. Such a profanation of these graves would bring lasting dishonor upon the citizens of a city whose reputation for loyalty stands as high as that of Toronto.

That these are the sentiments of the great majority of the citizens is proved by the fact that when four by-laws came before the people in January, 1907, the Bathurst Street Bridge by-law (which involved a railway through the Fort) was voted down by the heaviest majority of all.

Moreover, these grounds cannot be regarded as the sole possession of Toronto, but are the rightful inheritance of every Canadian who venerates the memory of those who sacrificed their lives to make us a nation; and this view of its national character was taken at the representative public meeting held at the Old Fort in October, 1905, when, in protesting against this same proposal, a resolution was unanimously passed declaring that the Old Fort "Should be considered a sacred trust, not merely for the citizens of Toronto, but for the people of Ontario and the Dominion at large."

The statement has been made that a double track railway through the Old Fort will not injure it, but will bring people to see it who would not otherwise come. Your memorialists beg to observe that street cars already come to the foot of Bathurst Street, nearly opposite the eastern gate of the Fort, and a car line around outside the Fort would afford easier access without damaging the ancient works. If this Fort is to be preserved for its antiquity, then undoubtedly the Gates and the Ramparts are its most essential features. No one who has read history needs to be told that in former times the gates of a fortress were

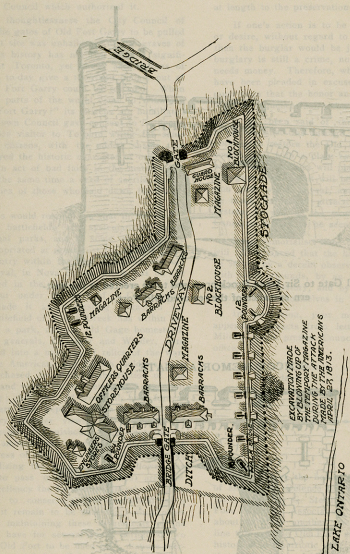


The shaded figure at foot of Bathurst Street represents the present bridge, and the position of proposed bridge is marked by heavy lines outside. The bridge as proposed would connect with a viaduct carrying the double-track railway, where it would cut through the ramparts or gates, or both, at the eastern entrance; then cause the removal of one of the oldest structures in the fort, and finally cut through the western gates and ramparts.

The Garrison Commons was acquired for park purposes as well as for the preservation of the Old Fort itself, and it has been a well-recognized principle of our civic policy that no street car line shall run through a park. Scarcely any city in the world permits street cars through its parks and gardens.

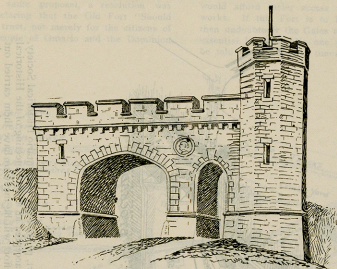
the key of the position, and, since the western gate of this fort is only eighteen feet wide—even measured from wall to wall of the two interesting buildings inside the gate—it follows that it would be impossible to lay a double track railway without cutting away both buildings and ramparts, and, of course, blocking up the gates, both east and west.

THE OLD FORT YORK AT TORONTO RESTORED



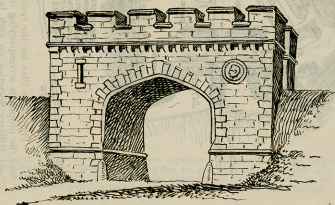
The above Plan for the restoration of the Old Fort, prepared by the Ontario Historical Society, and the proposals accompanying it, were approved and accepted at a joint meeting of the Historical and Military Societies, on 12th January, 1920, and an effort will be made to have them carried out by the Council of the City. The buildings will be repaired, the cannons replaced, and a promenade encircle the rebuilt ramparts. The Memorial Gates will bear medallions of the Heroes, and tablets recording their prowess. In the interior of the gates will be conveniences for the use of the public.

BROCK MEMORIAL GATE.



Memorial Gate to Sir Isaac Brock proposed to be erected at the eastern entrance of the restored Old Fort.

SIMCOE MEMORIAL GATE.



Proposed to be erected to the memory of Governor Simcoe at the western entrance and bridge of the restored Old Fort.

THE OLD FORT YORK AT TORONTO RESTORED

This will be made clear by the plan attached. Not only would the route of such a railway involve the removal of some of the oldest structures in the Fort (referred to as "old sheds" by those insinuating this deprecation), but the roadbed would undoubtedly have to be laid over the bodies of the soldiers within the grounds—a sacrilege which would forever disgrace the Council which authorized it.

In a moment of thoughtlessness the City Council of Winnipeg permitted the gates of Old Fort Garry to be pulled down, and, while that site was unhalloved by the graves of its defenders, and its history has not the national significance of the Fort at Toronto, yet there are citizens of Winnipeg who would to-day give a thousand dollars out of their own pockets if Fort Garry could be restored. When visitors from various parts of the world come to Winnipeg and ask, "Where is Fort Garry?" its citizens are humiliated to confess that their own Council gave consent to its demolition. Will the future visitor to Toronto wring the same confession from our citizens, with the added shame that the act which destroyed the historic character of our oldest landmark was also an act of bad faith in the matter of a public trust, and at the same time a deed of sacrilege committed upon the bodies of those who laid down their lives for their country?

Your memorialists would remind you that in the United States all the great battlefields are systematically being converted into national parks, and in some cases private lands are being expropriated at great cost for this purpose; that in our own country within the past few years the old fort at Annapolis Royal, in Nova Scotia, which was on the point of being ruined in the same way as this fort, has been restored and put under the care of a Commission, whose work has made it an interesting attraction for tourists; that the battlefield of Stoney Creek has within the past year been made a park, and the old Gage homestead, where the American generals, Chandler and Winder, were captured, is converted into a museum of relics of the war, while the spot where American and British soldiers were buried has been purchased by public subscription of the citizens of Hamilton and vested in the Veterans' Association of Wentworth County; that the old windmill and fort at Prescott have for years been kept with care by the townspeople, and is every summer viewed by thousands of tourists; that the people of Louisbourg quite recently defeated the project of an American company to run a railway through the old fortress of that town; and that the citizens of Quebec (now realizing the folly of having allowed the Plains of Abraham to pass into private hands) are now joining with His Excellency the Governor-General to regain possession in order to consecrate that battlefield as a national park. Will it remain to be said that, while other cities and towns are maintaining these monuments of the past, our authorities have for several years permitted two of the moats of the Old Fort to be used by a manure merchant as a dumping-ground for offal and manure, and a part of the eastern bastion to be devoted to the slaughtering of hogs, and now listens to a proposal to run a railway over the bodies of the heroes of 1812?

As those who are now urging this vandalism have asserted that Earl Grey approved a railway through the Fort, we beg to quote the words of His Excellency, spoken a few days ago at Toronto University:—

"One way to keep the greatness of the country before them was to preserve historical landmarks. There were

three historic spots threatened with destruction: Fort Louisbourg, the Plains of Abraham, and the Old Fort in Toronto. An American railway company were about to destroy Louisbourg. That has happily been prevented. I find that your Fort York is still in danger. You students must see to it that it is not destroyed." His Excellency then referred at length to the preservation of the Plains of Abraham.

If one's action is to be governed by mere convenience or desire, without regard to questions of right and wrong, then the burglar would be justified in robbing houses, but burglary is still a crime, no matter how much the burglar needs money. Therefore, when the needs of the Exhibition have been pleaded in excuse for this wrong, the societies must urge that the honor and self-respect of this city is of more consequence than a few hundred feet of extra track.

It has been said of the societies who here solemnly protest against this outrage that they themselves have done nothing to restore the Old Fort. The societies cannot, of course, deal with a place over which they have no control, but if the authorities will place this Fort under our care we will guarantee that it will be placed in order and a restoration made within a year, and that in course of time it will be made the most attractive feature of Toronto's park system, as well as the most instructive object lesson in Canadian history to be seen in this part of the Dominion.

Your memorialists hope that upon reflection this Council will be convinced that the highest interests of the city will be served by a decent observance of its covenant in dealing with these grounds, by an intelligent regard for its chief landmark of history, and by a proper respect for the men who sacrificed themselves in their country's cause.

In conclusion, your memorialists beg to quote the appended extracts from letters of the Hon. Minister of Militia to the present Council and to your predecessors in office.

G. STERLING RYERSON,
President.

F. A. FLEMING,
Secretary, Old Fort Protective
Association.

Ottawa, Jan. 18, 1908.

Sir,—I have the honor to inform you that the Minister of Militia and Defence has received a telegram, dated 17th inst., from Dr. G. Sterling Ryerson, President of the Old Fort Protective Association, reporting that your Council is about to make another attempt to run the street railway line through the Old Fort, and requesting, on behalf of the historical and patriotic societies, that you should be informed that such a step would be a violation of the conditions under which the sale of this property to the city of Toronto was authorized by His Excellency-in-Council.

In pursuance of that request, I forward herewith a copy of a letter to your predecessor, dated November 27th, 1906; also a copy of a letter to the Deputy Minister of the Department of the Interior, dated March 12th, 1907, and of the reply thereto from that Department.

These enclosures are being forwarded to you by the Minister's direction, with a view of acquainting you with

the position of this Department as regards the preservation of the Old Fort property, a position from which the Minister has no intention of receding.

(Signed), EUG. Fiset,
Colonel,

Deputy Minister Dept. of Militia and Defence.

To His Worship,
The Mayor of Toronto.

[Copy.]

Ottawa, Nov. 27, 1906.

Sir,—The Hon. J. P. Whitney, Prime Minister, has called the attention of the Minister of Militia and Defence to the alleged intention of your City Council to allow the Garrison Commons property, or part of it, to be used for street railway purposes, or for purposes other than that for which it is being sold to your city.

The Minister has directed me to invite your attention to this matter with a view to the property being used only for the purposes for which it is being sold—park and exhibition purposes. The attention of the Minister had previously been called to the possibility of the property being used for other purposes, but until the receipt of the letter from the Premier he did not consider there was any reason why he should take any action, as he felt satisfied that any fear that the property would be otherwise used was groundless.

For your information, I would like to make several extracts from the correspondence in order to show how clearly it was defined for what purposes the property was being disposed of in the correspondence which led up to the sale.

Mr. Thos. Caswell, then City Solicitor, made formal application for the transfer of the Old Fort property to the city on October 12th, 1899. Following is an extract from his application:—

"I am authorized by the Council of the Corporation of the city of Toronto to apply to you for a transfer of the Old

Fort property to the city on the understanding that the property will be preserved and maintained in its present condition (or as nearly thereto as circumstances will permit) on account of its association with the early military history of this city."

On August 20th, 1903, Mr. R. J. Fleming, Assessment Commissioner, wrote to the Minister, in which letter he said the property (the Garrison Commons property) was desired for a public park and exhibition purposes.

On October 10th, 1903, the Minister replied to Mr. Fleming, definitely accepting the offer of your city to pay the Government the sum of \$200,000 for the said property, and Mr. Fleming, in his letter of August 29th, referred to above, used these words:—

"I have already stated in my letter of 20th that it must be understood that the Ordnance Lands are only to be used for park and exhibition purposes, and that the old cemetery shall be properly cared for and the Old Fort preserved."

This Department has been furnished with a copy of a report made by Mr. Fleming, Assessment Commissioner, to His Worship the Mayor and members of the Board of Control, dated October 30th, 1903, which report contained the following paragraph:—

"You will observe that the Government stipulate that the property shall hereafter be used only for park and exhibition purposes; and further, that the city will be bound to preserve for all time the Old Fort and such of the old buildings upon the premises as the Government may designate. In addition to this the city will be required to spend upon the buildings immediately sufficient money to put them into a first-class state of preservation."

The foregoing extracts should clearly establish the purpose of the sale of the property, and the Minister would like to have your assurance that the spirit, as well as the letter, of the understanding will be carefully observed.

(Signed), E. F. JARVIS,
Acting Deputy Minister,
Department of Militia and Defence.