

COMPILATION OF  
CANAL TRADE ARTICLES FROM  
*DAIL MAIL*  
a Hagerstown, Md. newspaper,  
and  
*EVENING STAR*  
a Washington, D. C. newspaper  
1891

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## Canal Trade - 1891

### A. PREFACE

In this compilation, articles were transcribed from the *Daily Mail*, a Hagerstown, Md. newspaper and *Evening Star*, a Washington, D. C. newspaper of 1891. I have marked the articles from the *Daily Mail* with "DM" prior to the date and those from the *Evening Star* with "ES" prior to the date

The *Evening Star* newspaper was found on-line. Mr. R. Ebersole found the one article from the *Daily Mail* at the Hagerstown library, on micro-film. Thank you, Dick.

I had not written a Canal Trade – 1891 report because the canal was closed that year and I did not expect to find any coal commerce. But after I put in the one article from the *Daily Mail*, I went on line to see if there was any information about the canal in 1891. This is what I found.

Not every newspaper edition had an article about the canal.

Feel free to send additional observations for the benefit of others.

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MARCH 2018  
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**Canal Trade 1891**

ES, Thu. 1/1/91, p. 6. The failures during the year have been few and of a minor character. The imports at Georgetown custom house are never very large and have been smaller than usual this year on account of the closing of the Chesapeake and Ohio canal.

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*Ibid*, p. 7. OTHER RAILROADS

While the Pennsylvania road has been the main topic in District railway circles, there have been other events. Bills were also introduced in Congress in regard to the Baltimore and Ohio road. A number of steam railroads have asked for entrance to the District, and while no charter of this kind has been granted, several of the schemes have received considerable support. There has been continued talk of a railway down the line of the Chesapeake and Ohio canal into Georgetown and across Rock Creek into the city. The Georgetown Barge, Dock, Elevator and Railroad Company and the Washington and Western road have asked pretty much the same route so far as the District is concerned. Another bill which has received favorable consideration by the committee is the one chartering an extension of the Drum Point road into the city. During the year several deaths have occurred on account of the grade crossings.

CHESAPEAKE AND OHIO CANAL

The fate of the Chesapeake and Ohio canal, which was almost entirely washed in by the big freshet of 1889, has been of the greatest interest in Washington. During the year the legal fight for the possession of the property has been waged hotly. The bondholders and others demanded a receiver and the Maryland legislature took a hand in the matter. Gov. Jackson in his message to the legislature advised that the canal be leased to a railroad and a company was immediately formed for that purpose. Judge

Cox for the District granted the petition for receiver in January. The debate in the Maryland legislature was protracted, but finally ended in the passage of the bill leasing the canal to a railroad. Judge Alvey of Maryland took a hand in the matter, which in March appointed receivers for the canal. The receivers went to work and at the same time the legal fight continued before Judge Alvey. The trustees of the bondholders of 1844 filed a petition for possession of the canal. The majority of these bonds were held by the Baltimore and Ohio Company. In October Judge Alvey gave the bondholders until May to repair the canal as a waterway. A large bond was to be filed and it was not known whether the bondholders of '44 were in earnest in their efforts to repair the canal. In December, however, the bond was filed and the trustees took possession. There is now every indication that the canal will be repaired and Washington will not be deprived of its waterway in that direction.

ES, Thu. 1/8/91, p. 9.

FROM WESTERN MARYLAND

Hagerstown, Jan. 7

Already the beneficial effects of the proposed early restoration of the Chesapeake and Ohio canal are being felt along the river districts of this county. Many men who had in the past made a living from the canal, but who left the county for "pastures new" after the canal had been destroyed by the flood, have returned, and others who had intended to go have abandoned the idea, and are now employed in repairing the waterway. The work of restoration on this, the upper end of the canal, is being pushed, and the force at Dam No. 4 is being increased almost daily.

ES, Sat. 1/10/91, p. 15.

WESTERN MARYLAND

Water has been let into the Williamsport level of the Chesapeake and Ohio canal for the purpose of floating scows loaded with material to be used in the repair of that waterway. In a short space of time navigation will be opened between Williamsport and Cumberland.

ES, Thu. 1/22/91, p. 7.

### **The Chesapeake and Ohio Canal**

From the Baltimore Sun.

The trustees of the bondholders of 1844 of the Chesapeake and Ohio canal met yesterday at the office of Mr. J. K. Cowan in the Baltimore and Ohio Central building. There were present John K. Cowan, Joseph L. Bryan, H. H. Keedy, Hugh L. Bond and Bradley S. Johnson. The meeting was called to consider the finances of the canal and to arrange a system of keeping the accounts during the time the repairs are being made. Due to the ice in the canal and the cold weather which has prevailed in western Maryland, the work of repairs has not been prosecuted vigorously of late. The work has been chiefly confined to looking after the dams and locks to prevent further injury. Mr. Keedy said that pending the final adjustments of the case by the court of appeals, the trustees were not inclined to spend largely in repairs at present. The case, he said, would come up in the appellate court in about two weeks. If the decision should sustain the ruling of Judge Alvey, the work will be pushed and the canal put in running order by the early spring.

ES, Thu. 1/22/91, p. 8.

### **HAGERSTOWN HAPPENINGS**

Hagerstown, Jan. 21.

H. C. Winship, the general manager of the Chesapeake and Ohio canal, came up from Washington to Hagerstown yesterday in company with Maj. Whitcomb, the chief engineer, and his assistant, G. L. Nicolson. These gentlemen had a consultation with

Secretary Johnson at the canal office. Shortly afterward Maj. Whitcomb went down to the canal where the repairs are in progress and today is engaged in paying off the laborers. The cold weather and snow have interfered with the prosecution of the work, but it is understood that no time will be lost. Measurements will be made and a considerable part of the work given out by contract. The trustees will also work a considerable number of hands in addition, so that the work will be expedited with all possible speed.

ES, Sat. 1/24/91, p. 16.

### **Chesapeake and Ohio Canal Cases**

In the Equity Court yesterday an order was made by the Chesapeake and Ohio canal cases amending the order of December 31 referring the causes to the auditor, so as to read: "What compensation, if any, to the attorneys for complainant in said cause, the compensation to be allowed to the latter to be limited to services performed by such counsel in preparation or advisory to or in connection with the causes in this court."

ES, Sat. 1/31/91, p. 8.

### **Bituminous Coal Production in Maryland**

A bulletin issued by the census bureau recently shows that the total production of bituminous coal in the state of Maryland for the census year 1889 was 2,939,715 short tons, valued at \$2,517,475 at the mines, or an average of 85-6/10 cents per ton. The product for the census year 1880 was 2,228,917 tons valued at \$2,585,537 at the mines, or \$1.16 per ton. The total number of persons employed in all departments was 3,734 and the amount of wages paid was \$173,689. During the calendar year 1880 the output amounted to 3,479,470 tons. The falling off in the output during the year 1889, as compared with that of 1880, was largely due to the want of

transportation facilities, the result of the practical abandonment of the Chesapeake and Ohio canal.

ES, Fri. 2/13/91, p. 8.

### **THE OLD CANAL BOATS**

Whatever may be the outcome of the legal proceedings concerning the Chesapeake and Ohio canal there is a sad story connected with this dilapidated highway that is intertwined with the lives of many people here and there along its banks, says a writer who has just finished a trip among them.

Many of these boats have their cabins intact and are inhabited by miserable and starving families consisting of two to eight members. These are the families of old boatmen. It is indeed a pitiful sight to look upon these once prosperous people now living in abject poverty, without any fault that can be attributed to them, and yet many of them if paid what is due them from the canal company need not be in such dire circumstances. "But," said one of these old canalers, "I have long since given up all hope that we will be paid. This has been a hard winter upon us all along the canal. Our boats are our homes, bad enough when the canal was running. Look at that boat, my home, turned up on its side. It was a good craft in the good old days, but she is wasting away. Come in and see where we live." One glance was sufficient to take in the condition and contents of this meager habitation. Everything was on the slant. The little cooking stove seemed to be about to fall or the table and the table seemed about to fall out the window; the dishes eyed one another – threatening a regular battle. In this little space of about 8 by 10 feet, with three bunks, lives a man, his wife and four small children. This is but one instance of the many to be found. How they manage to live is a question difficult to answer. The men are willing to work, so are the women,

when they can obtain work. Some of the men are many miles away from their families and little cabin homes trying to earn a living. This they are able to do only part of the time.

ES, Sat. 2/14/91, p. 6.

### **CANAL OR RAILROAD?**

The House committee on the District of Columbia may not have come to any conclusion as to whether the Washington and Cumberland Railroad Company ought to come into the District over the remains of the Chesapeake and Ohio canal, but at the meeting of the committee this morning it became evident that the canal is not as dead as some people suppose it is. The patient mule may yet trample down the grass which has sprung up since the June freshet of 1889 and the bluff bows of deliberate canal boats disturb the sluggish waters of that commercial stream which owes its existence to a corporation which was originally presided over by George Washington. The hearing this morning was on the combination bill which passed the Senate a few days ago and was printed in *The Star*, allowing both the Norfolk and Western and the Washington and Cumberland roads to enter the District; the former by way of a bridge across the Potomac from the end of their present line, thence by way of Water street to Rock Creek and across the creek to a depot west of 26<sup>th</sup> street, and the latter road down the line of the old canal to a similar depot.

### **A CROWDED COMMITTEE ROOM**

The passage of the bill in the Senate had evidently stirred up a commotion and the committee room was crowded this morning. Eleven members of the committee were present and every interest in any way connected with the two proposals was represented by able counsel.

The Washington and Cumberland Railroad Company had Judge Jeremiah M.

Wilson as its advocate, while F. P. B. Sands looked after the interests of the other company named in the bill under consideration – the Norfolk and Western. In behalf of the bondholders of 1844, practically the Chesapeake and Ohio Canal Company and also practically the Baltimore and Ohio Railroad, there was a great array of legal talent. J. K. Cowan, general counsel of the Baltimore and Ohio Railroad Company; George E. Hamilton, local counsel of the Baltimore and Ohio; Mr. Safford, Col. W. W. Dudley, Mr. Bryan and Receiver Winship were among the number. Besides these gentlemen the room was crowded with citizens of the District interested in one way or another in the bill. Several members of the House were among the interested audience.

#### **JUDGE WILSON'S ARGUMENT**

Judge Wilson's argument was to the effect that opposition to the bill centered in the Baltimore and Ohio Railroad Company. That corporation, he said, furnished the \$600,000 with which to take up the bonds of 1878 and its deep interest was shown by the fact that the chief contractor of the B. and O. and Miss Mary Garrett, one of the road's heaviest stockholders, went on the bonds of the receivers. The state of Maryland had always intended the canal to be a competitor of the Baltimore and Ohio, and now the railroad, after bankrupting the business of the canal by manipulation of freight rates, was doing its utmost to crush what promised to be a real competition.

Mr. Cowan claimed that legislation in the state of Maryland had been so adjusted that no one could bid for the canal if it was sold at public auction but the Washington and Cumberland Company.

This was denied by Judge Wilson, who then proceeded to prove the simplicity of the legislation asked from Congress by stating that all the Washington and Cumberland Company now asked was

permission to construct its line within the District when it had built the road in Maryland and up to the District line.

Representative Heard wanted to know whether it would be agreeable to the Washington and Cumberland people if the bill was so amended as to make the act of Congress inoperative until the line was constructed from Cumberland to the District boundary.

Judge Wilson said he had anticipated just such a proposition and had prepared an amendment, which he laid before the committee.

#### **THE BONDHOLDERS**

Mr. Bryan, a trustee, a bondholder and the executor of an estate largely interested in the bonds of 1844, next talked of iniquities to which bondholders would be subject should the bill become law. He said the history of the canal under the control of the state was a chronicle filled to overflowing with disaster and mismanagement. Up to 1857 the operating expenses of the canal never exceeded \$90,000 annually, but the canal fell into the hands of politicians when the state assumed control. That wrecked it as a business venture. Extraordinary expenses, which, singularly enough, were always to be met just about election times, sent the annual expenditures up to anything from \$225,000 to \$250,000.

One or two members of the committee wanted to know how the scheme was worked, but Mr. Bryan said he was not acquainted with the methods, but he did know that such expenditures played an important part in Maryland's political history. He had been offered 25 cents on the dollar for his bonds, but he had refused to accept the proffer, even when it was intimated that he, being a large holder, might perhaps get a little more if he would be quiet. The monopoly – the Washington and Cumberland Company – said take 25

cents or get nothing. Then Mr. Bryan said very plainly that the bondholders were going to repair and operate the canal. The cost of repairing would be much less than the estimates which had so freely been made public.

**THE B. AND O. AND THE BONDS**

Mr. Cowan then took the floor and started out by saying that the Baltimore and Ohio Company did not own a single canal bond. Robert Garrett & Sons and other interested in the Baltimore and Ohio did own bonds to the face value of \$500,000, but the company had no actual interest in the waterway. He proceeded to recite the history of the canal, freely condemning the state of Maryland for its recent legislative action.

Continuing, Mr. Cowen argued the question of rates. He referred to the claim that the B. and O. wished to establish or had established a monopoly of rates. Rates he said were not established by competitive roads, but by the markets. Competition with the Baltimore and Ohio road in the coal fields which were referred to already existed and Congress had no right and would perform a great injustice if violent hands were laid on the rights of the bondholders of 1844 in the interests of a paper railroad; under the pretense of providing a competing road with the Baltimore and Ohio, Mr. Cowan explained that the bill in conjunction with the actions of the Maryland legislature would allow the Washington and Cumberland road to condemn the canal whoever held it. It was absurd to say that there existed any freedom in the matter. This road and no other could take possession of the canal, and whoever the trustees might sell the canal to would be equally at the mercy of this corporation. The bondholders of '44, he said, had a lien on the revenues of the canal but none on the property itself. They had or would have no claim on even the revenues of any road which might be

given possession of the property. All that clause which gave the proposed road power to stand over and grasp the canal should be eliminated.

**MR. WILSON'S REPLY**

Mr. Wilson held that the Washington and Cumberland road was granted no more by this bill than other roads are granted. The power of condemnation is given along its route, which is the usual thing. The bondholders of '44 had nothing to do with the case. Mr. Wilson then paid his respects to the Baltimore and Ohio. This road, he said, did not hesitate to ask large condemnation favors for their proposed loop. The Baltimore and Ohio, he said, objected to the new road because it would furnish a competitive line to Cumberland. This was the whole secret of the affair.

**OTHER POINTS BROUGHT OUT**

Mr. Lee asked if it was not practicable to build the Washington and Cumberland road on the south side of the Potomac.

Mr. Wilson said not without an immense outlay of money.

Mr. Cowan differed on this point and thought the line could easily be built between the Baltimore and Ohio branches and the river.

**THE NORFOLK AND WESTERN**

Mr. Sand then explained for the Norfolk and Western road that none of this canal difficulty entered into the consideration of their proposal. Every safeguard had been thrown around the canal as well as other institutions, he said, and, whatever happened to the Washington and Cumberland line he thought the Norfolk and Western should be admitted.

**MR. COWAN'S AMENDMENT**

Mr. Cowan left with the committee an amendment which protected the canal from being condemned so long as it was operated under decree of any court.

Mr. Wilson thought the W. and C. road could not accept the amendment. The committee at this point went into executive session and further explored the bill.

ES, Sat.2/21/91, p. 2.

### **THE C. AND O. CANAL CASES**

In the court of appeals at Annapolis yesterday an opinion was handed down by Judge Robinson in the case of the Chesapeake and Ohio Canal Company.

There were three of these cases, the Canal Company against Brown and others, the state of Maryland against Brown and others and Carter, executor against Brown and others. All of which were decided by Judge Alvey last year and appeals taken. The court of appeals unanimously sustained Judge Alvey's decision.

The effect of the decision, as stated concisely by Judge Robinson, is that "the bondholders of 1844 are entitled to the possession of the canal, with the right to repair the canal and to operate it according to the terms of Judge Alvey's decision."

Having read the decision to his colleagues in their regular consultation, Judge Robinson will hold the paper a day or two in order to put it in better shape for publication.

ES, Tue. 2/24/91, p. 3.

### **THE C. AND O. CANAL**

As stated in *The Star*, the Maryland court of appeals last Saturday rendered an opinion affirming the decree passed by Chief Judge Alvey at Hagerstown and giving the possession and management of the Chesapeake and Ohio canal to the bondholders of 1844 under certain conditions and restrictions. Yesterday Associate Judge Robinson filed the written opinion of the court in the case. This opinion reviewed the history of the litigation and Chief Judge Alvey's decree. "The real question after all," the opinion said, "is

whether the court was right in suspending the sale and in decreeing that the trustees of the bondholders of 1844 were, in compliance by them with the terms and conditions of the decree, entitled to possession of the canal, with authority to repair and operate it with the view of ascertain whether under their management it could be made to produce any revenue applicable to the payment of its bonded indebtedness. And this depends, first, upon the rights of the trustees under the act of 1844 and the mortgage of 1848 executed in pursuance thereof; and, secondly, upon their rights as purchasers of the repair bonds of 1878. It was to carry out the provisions of the act of 1844 that the mortgage of 1849 was executed, by which the company mortgaged its entire revenues to secure the payment of the interest and to provide a sinking fund to pay the principal upon the maturity of the bonds, with power and authority on the part of the grantees to enter and take possession of the canal and receive its revenue upon the default of the company to fulfill its engagements in the premises."

"Notwithstanding the covenant for possession on the part of the mortgagor, the right of the trustees to enter and take possession of the canal upon the default of the company to perform its engagements in the premises could not be questioned. Not only is this right conferred by the terms of the mortgage, but, independent altogether of an express grant, it is a right to which they would be entitled by operation of law."

The opinion also considered the rights of the petitioners as purchasers of the repair bonds of 1878 and said:

"So in any aspect in which the right of these trustees may be considered, whether under the act of 1844 or the mortgage of 1848, executed thereunder, or a purchasers of the repair bonds of 1878, we are of the opinion that by the default of this company to pay its indebtedness according to the



terms of these mortgages they are entitled to take possession of the canal upon the terms prescribed by the decree.”

The court could not see on what ground, legal or equitable, the state could insist that the canal should be sold clear of the liens of these bondholders, which the state agreed should be preferred liens upon its revenues.

After discussing other points raised in the case the opinion closes by saying: “A good deal was said about the veil which conceals the real motives that have prompted this litigation. Whatever they may be, we must deal with the case as it is presented on the record, and so dealing with it we are of the opinion that the decree below must be affirmed.”

ES, Wed. 2/25/91, p. 1.

#### **CANAL OR RAILROAD?**

Since the Maryland court of appeals has affirmed the decision of Chief Judge Alvey granting to the holders of the bonds of 1844 the right to repair and operate the Chesapeake and Ohio canal as a waterway, the question has arisen as to what will become of the project represented by the Washington and Cumberland Railroad Company, which has been chartered by the state of Maryland and authorized by the state legislature to lease the canal and operate a railroad on the canal bed.

It is stated that the trustees of the bondholders will begin the work of repairing the canal as soon as possible. It is said also that the attorneys for the Washington and Cumberland railroad will begin proceedings to secure possession of the canal bed by condemnation proceedings, as they claim the company is authorized to by the acts of the Maryland legislature giving the company its powers. In such case the legal fight over the canal is by no means at an end.

ES, Fri. 3/13/91, p. 8.

#### **NEWS FROM HAGERSTOWN**

The beneficial effects of the restoration of the Chesapeake and Ohio canal are being manifested in numerous ways in the towns of the river districts. This is noticeably so in increased population. After the destruction of the canal many of these towns were almost de-populated – at least so far as able-bodied men were concerned, those who depended upon the waterway for support scattering in all directions in search of employment. The enumerators of the last census placed the population of the little town of Downsville, this county, at 125. Today it shows up at 143. Sharpsburg, Williamsport, Mercerville and Hancock report the same gratifying result, all attributable to the flattering prospect of soon hearing the familiar “toot” of the boatman’s horn.

ES, Mon. 3/16/91, p. 8. **GEORGETOWN**

The repairs on the Chesapeake and Ohio canal will be commenced on the 23<sup>rd</sup> of this month. This work will be given out by contract and a large force of men will be employed. The canal people are also making an examination of their title to the property owned within the District of Columbia.

ES, Tue. 3/17/91, p. 10. **Death of Mrs. Mary Gambrill** – Mrs. Mary Gambrill, widow of the late Richard Gambrill of Howard county, Maryland, died yesterday at the home of her one-in-law, Judge I. Thomas Jones, at Elkridge, Me., aged eighty-six years. Mrs. Gambrill leaves seven children, viz: George T. Gambrill, the grain merchant; Stephen Gambrill, ex-president of the Chesapeake and Ohio canal; J. H. Gambrill of Frederick; P. D. Gambrill of Parkersburg, W. Va.; Charles G. Gambrill of Hagerstown; Mrs. Isaac P. Jones of Elkridge; and Joseph Gambrill of Baltimore county.

ES, Fri. 3/20/91, p. 3. **GEORGETOWN**

General Manager Henry C. Winship of the Chesapeake and Ohio canal has been authorized to make contracts with the various bidders, the work of repairing the canal to be done by sections. The contracts will require that the work be completed by May 1 on that part of the canal between Williamsport and Cumberland. On the rest of the canal the work is to be completed by May 1 if possible or as soon thereafter as can be, and not later than three months from the date of the contract in any case. The work will be in charge of Chief Engineer H. D. Whitcomb. It is expected that 150 boats will commence running as soon as the canal begins operations. The estimated cost will be \$250,000. The superintendent is having all the small bridges over the canal put in order.

ES, Fri. 3/20/91, p. 10.

**NEWS FROM ROCKVILLE**

Yesterday a large number of horses, carts and drivers passed through here for Washington county to work on the repairs to the Chesapeake and Ohio canal.

ES, Tue. 3/24/91, p. 6. **GEORGETOWN**

The successful bidders on the repairs on the Chesapeake and Ohio canal were Mason, Hog & Co. of Kentucky, Jones & Thom of Baltimore, Md., and Kingsley & Dennis of Brunswick, Md. Mason & Hog got sections 11 and 12. This includes the distance from Georgetown to the Great Falls, which takes in the log-wall level and vicinity, at which point the heaviest damage was done. Jones & Thom get section 9 in the vicinity of Harper's Ferry, and also that portion of the canal between Williamsport and Cumberland. Kingsley & Co. get sections 5, 6, 7 and 8. These include dams 4 and 5 and to Williamsport and vicinity.

According to the terms of the contracts that part of the canal between Cumberland and Williamsport must be ready for business operation by May 1, that part between Georgetown and Williamsport within three months from the signing of the contract and from Cumberland to Georgetown by July 1, 1891.

The total amount of the expenditures between now and July 1 for repairs and tools will be about \$250,000.

The Marion Steam Shovel Company of Ohio is under contract to furnish two large steam shovels by May 10 to be used in dredging; also ten company's scows to be used on this portion of the canal.

The principal boat owners, who own and control over 200 boats on the canal, are Messrs. Meredith, Winship & Co., W. E. Hassett & Co., the Consolidated Coal Company and others.

These firms have already negotiated for the building of fifty new boats in addition to these.

ES, Sat. 3/25/91, p. 6

**ROCKVILLE NEWS**

Notwithstanding all the alleged preparations for repairing the Chesapeake and Ohio canal no contracts, so far as known, have been given out for repairs on the lime within the limits of this county, where the heaviest work is to be done.

It is reported here that the projectors of the proposed railroad between Seneca quarries and Gaithersburg held a meeting recently and determined to build the road, the same to be completed by next fall. By the construction of this road the quarry company could ship stone to Washington, Baltimore and other cities and avoid the expense and delay of loading and unloading at Georgetown if shipped by canal, should the latter ever be put in navigable condition to that place.

ES, Sat. 3/28/91, p. 11.

**NEWS FROM ROCKVILLE**

It is now reported that the contract for repairing the Chesapeake and Ohio canal between Edward's Ferry and Georgetown, a distance of thirty miles, has been awarded to Mason, Hoge & Co.

ES, Mon. 3/30/91, p. 3.

**Cave-in at Four Mile Run**

A landslide and cave-in occurred on the Alexandria and Fredericksburg railroad Saturday night at Four Mile Run that blocked travel on the line for nearly three hours.

The old archway that spans the tracks, formerly used for the Chesapeake and Ohio canal, had been loosened by the recent rains and a passing train jarred the earth and it came down in one immense mass, piling up on the southern track to a height of nearly five feet. The train was untouched by any of the debris. Word was immediately sent to this city and two "wreckers" were sent out to clear away the obstruction. The highway is blocked by the cave-in and for the present travel by roadway is closed.

ES, Wed. 4/1/91, p. 7.

**NEWS AROUND HAGERSTOWN**

The "old ditch," as it is familiarly known here, but more properly speaking the Chesapeake and Ohio canal, finds another action against it in the court of this county. Yesterday Gen. Bradley T. Johnson, representing the trustees of the bondholders of 1844, filed a petition against John C. Brady and Isaac D. Brady, executors of Samuel D. Brady, and against Daniel Walker, sheriff of Allegany county, this state, praying an injunction against them to prohibit them from attempting to enforce the judgements obtained in Allegany county in 1844 and 1849 by Samuel Brady against the canal company. The parties holding the

Brady judgments, amounting to something like \$33,000, contend that they are a lien on the canal prior to the mortgage securing the bonds of 1844.

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*Ibid*, p. 8. A gentleman from Cumberland reports 168 boats repaired and in readiness to carry coal as soon as navigation on the Chesapeake and Ohio canal is open.

Work at dam No. 4 on the Chesapeake and Ohio canal is progressing rapidly under Mr. William Murray, who has charge of twenty-two Italian workmen.

ES, Sat. 4/4/91, p. 14.

**ROCKVILLE NEWS**

A force of about thirty men in the employ of Wm. H. Riley is now engaged in repairing the Chesapeake and Ohio canal between Seneca and Great Falls. Messrs. Collins and Elgin also have a large force engaged in the same work near Monocacy.

ES, Mon. 4/13/91, p. 8. **Hearing Arguments in a Canal Case** – At

Hagerstown Saturday Judge Alvey heard the argument in the injunction case of the trustees of the Chesapeake and Ohio canal against two administrators of Samuel Brady of Allegany county. These administrators hold judgments amounting to about \$30,000 against the canal company, which they contend are a prior lien to the bonds of 1844. A short time ago an execution was issued on these judgments and certain canal property seized by the sheriff. The canal trustees at once interfered and petitioned the court to grant an injunction against any further proceedings by these judgment creditors. They were laid under a rule to show cause why the injunction should not be granted as prayed.

ES, Wed. 4/15/91, p. 3.

**The Canal Hearing Went Over**

Gen. Bradley T. Johnson and Maj. George Colton of Baltimore were here yesterday to appear before Auditor Payne in the case of Brown against Chesapeake and Ohio Canal, which has been referred to him for an accounting on the receiver's work, but the hearing went over to Monday next.

ES, Sat. 4/18/91, p. 10.

#### **NEWS FROM HAGERSTOWN**

The work of repairing the Chesapeake and Ohio canal is being pushed forward rapidly, and the "old ditch" presents an animated appearance. Over 1,000 men are at work along the line and it is expected to have the canal restored as far as Williamsport by May 15, and with good weather the entire route will be completed by July 1. The repairing of boats has also begun and contracts given out for new ones. The outlook seems promising for active trade, and the people of the river districts are jubilant.

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*Ibid*, p. 11.

#### **GAITHERSBURG HAPPENINGS**

The interest manifested in the proposed branch railroad from the Seneca quarry, connecting with the B. and O. at this place, is again revived and indications point to an early commencement of operations following the surveyed route, with perhaps some slight deviations. Since the suspension of traffic on the Chesapeake and Ohio canal, the quarry has practically suspended work, thus depriving Washington and other places of a great amount of valuable building material. The proposed road will be highly advantageous to Montgomery county, will promote the farming as well as mineral interests of that section and will open up the richest section of country in the state. The opposition manifested by a majority of citizens to its proposed route through the incorporate limits will, no doubt, cause the company to

change its survey, as the original survey ran through some of the most valuable property in the vicinity of Gaithersburg.

ES, Mon. 4/20/91, p. 8. **Columbia Mills and Warehouse Property Sale** – On next Friday evening, April 24, the Columbia mills and warehouse property, situate on Water street, Georgetown, D.C., will be sold at public auction at 4:30 p.m. Never has a better opportunity offered itself to investors to make a large profit on an investment. Next fall railroad trains will be running on Water street, and this splendid property must of necessity be in demand for freight and warehouse as well as elevator purposes. The canal affords the cheapest and safest power imaginable, and the river permits vessels of large tonnage to lie directly at the doors of the warehouse. This property is the only large one on the canal which covers the entire space from the Chesapeake and Ohio canal and the Potomac river, with a frontage on the canal, Water street and river of about one hundred and twenty-five feet. The water rights derived from the canal company amount to about one hundred and twenty-five horsepower, for which a most reasonable rental is exacted. This privilege alone in any other city would sell for a very large sum. The present owners of the canal are very liberal and encouraging manufacturing interests. The mills are at present in operation and pay a good rental. Altogether this is probably the most attractive investment that has been presented to the public since the great boom in the northwest section.

ES, Tue. 4/21/91, p. 8.

#### **The C. and O. Canal Case**

The cases of Brown et al against the Chesapeake and Ohio Canal Company were before Auditor Payne yesterday on the question of the payment of counsel fees, Gen. Bradley T. Johnson asking \$2,500, and

the testimony of Judge Bond of Baltimore was taken. Mr. Leigh Robinson appeared for Gen. Johnson and Mr. G. E. Hamilton for the bondholders.

ES, Wed. 4/22/91, p. 2. **GEORGETOWN**

The repairs and improvements on the Chesapeake and Ohio canal are rapidly progressing and already much has been accomplished toward the opening of this waterway, which means so much to Georgetown. About 800 laborers, consisting of negroes, Irishmen and Italians, are employed and the progress they make from day-to-day is said to be remarkable and those in authority have no hesitation in saying that the canal will be in running order by July 1. The dam at the mouth of Rock creek, which was destroyed several years ago by a freshet, will soon be rebuilt, at a cost of about \$500, and the outlet lock adjacent to this, which is now completely filled up with dirt, &c., will be dredged, so as to allow the passage of boats from the canal to the river.

The large outlet lock, just west of Georgetown, which the canal company has heretofore rented from a corporation, of which Mr. H. H. Dodge is the president, at an annual rental of \$15,000, will, for the present, not be used, as the lock at the Rock creek dam will be sufficient outlet for boats until the trade on the canal will justify its use. Two dredges, one at the Meredith-Winship Company's wharf and the other at Cumberland, are now being constructed by the Marion Dredge Company, to be used in keeping the sides and bed of the canal between here and Cumberland free from accumulations. They are fifty-five feet long and fourteen feet wide, with two pontoons the full length of the dredges and three feet wide. It was necessary to build them in this manner, that they might have free passage through the locks, which at some places are quite narrow, as the pontoons, being, of

course, detachable, can be sent through after the main dredge and connected again on the other side. They will carry at their bows large scoops of the most improved style.

The Cumberland dredge will be employed on the upper part of the canal, while the one that is being constructed here will be used on this portion of the canal.

They will cost \$6,700 each and will be ready for launching in about two weeks or ten days.

Another crown of Virginia negro laborers passed through town today on their way to the upper canal, where they will be employed on the repairs.

Major Whitcomb, the engineer in charge of the improvements, said, in speaking of the various classes of laborers employed; that he considers the Virginia negroes as good laborers as could be procured, as they worked hard and steadily and were not constantly demanding higher wages or threatening to strike.

ES, Wed. 4/22/91, p. 5.

#### **CANAL COMPANY SUITS**

Bradley S. Johnson, H. H. Keedy and others, substituted trustees under the Chesapeake and Ohio Canal Company mortgage of 1848, have, by Messrs. Morris and Hamilton, filed a bill in equity against H. H. Dodge, G. W. Cissell, et.al. and the Potomac Lock and Dock Company and the Chesapeake and Ohio Canal Company to set aside, cancel and annul certain leases to enjoin the defendants from asserting claim to certain land and property and for an account.

After setting forth the charter of the Chesapeake and Ohio Canal Company with a history of the legislation and litigation respecting it and averring that they (the complainants) have complied with the decrees passed, they state that between June 1, 1866, and July 10, 1872, the company leased to defendant (Dodge) its surplus

water power to the great wrong of the company, the bondholders and lien creditors, at 25 cents per inch, when the market price was \$2.50, as evidenced by leases with other water takers. They state that under the first contract, June 1, 1866; for and in consideration of the rebuilding of the dam at Little Falls, an enlargement of the feeder, &c., they assumed to transfer to Dodge, without adequate consideration and on conditions which might materially interfere with it and even obstruct it, the water power, &c.

They state further that on February 17, 1870, the Circuit Court assumed, in consideration of the cancellation of the foregoing lease, to transfer and set over to Dodge the surplus water, not to exceed 1,500 inches, and the further apparent right to 1,500 inches at 25 cents per inch for fifty years, renewable forever at 50 cents per inch.

Further, they state that February 10, 1872, they assumed to confer on Mr. Dodge the right and authority to construct certain outlet locks, &c., to facilitate the transfer of boats from the canal to the river and to furnish him with sufficient water power and gave him power to charge 8 cents per ton on cargoes passing through.

They say that the first was absorbed in the second lease and Dodge claims it to be in full force and has made subleases with G. W. Cissell, R. B. Tenney, A. B. Cropley, W. H. Burr, F. L. Moore and the Potomac Lock and Dock Company and they pray a discovery. They assert that the leases have not been complied with by the lessee; that they were informally executed and operate as a fraud on their rights and charge that they are subjected to the mortgages and liens created previous to their execution and therefore pray as above.

Messrs. Morris and Hamilton also filed today a similar bill against Mr. Dodge and the Lock and Dock Company and the

Canal Company for the annulment of certain leases of the real estate of the company made to Mr. Dodge in 1865 and subsequently, on the ground that they were made without authority and are subject to the rights of the bondholders, whom the complainants represent, and also to enjoin them from setting up any claim under such leases.

ES, Fri. 4/24/91, p. 6.

#### **A Suit in Ejectment**

The trustees of the bondholders of 1848 of the Chesapeake and Ohio Canal Company, Bradley S. Johnson, H. H. Keedy and others, today, by Morris & Hamilton, filed a suit in ejectment in the name of the Chesapeake and Ohio Canal Company against the Barber Asphalt Company to recover 73,259 square feet of land at K and 28<sup>th</sup> streets, from which they allege the canal company was ejected October 28, 1881. They also file a similar suit against Frederick Mertens and Thomas Sullivan to recover over eight acres of land on the Ridge road from which the canal company was ejected a year ago.

ES, Sat. 4/25/91, p. 15.

#### **FARM LABOR SCARCE**

Hagerstown, April 24, 1891

The employment of so much labor on the Chesapeake and Ohio canal, the Potomac Valley railroad and Baltimore and Ohio railroad yards at Brunswick has produced a very serious scarcity of farm labor in this county. These public works pay \$1.25 per day for unskilled labor, which is more than the farmer can offer, and the consequence is that in the county it is hard to find a farm hand who can be hired.

ES, Wed. 4/29/91, p. 8. **GEORGETOWN**

By the 10<sup>th</sup> day of May the Marion Dredge Company of Ohio must either have completed the dredges they are now

constructing for the Chesapeake and Ohio Canal Company or forfeit \$50 for every day afterward that they remain unfinished, and it is useless to state that Winship's wharf, the scene of the work, presents an active appearance. Only those skilled in such work have been employed, and there is no doubt in the company's mind that everything will be in readiness by that date. As soon as they are completed, Rock creek from the mouth of the canal to the K street bridge will be thoroughly dredged by these machines, while the river dredges will be used on that portion between the bridge and the dam.

As the contractors engaged in making the repairs have been granted an extension of time of one month many improvements that were not spoken of in the original contracts will be made. The masonry walls near the locks above Williamsport, which since 1830 have been plainly bulging toward the middle of the canal, will be torn down and rebuilt at a cost of about \$2,500 or \$3,000. It was intended in the original contract to only chip these walls enough to allow free passage of the boats, but since the extension of time it has been deemed better to make the repairs thorough and lasting.

The engineer in charge of the improvements is kept constantly on the go, examining for a distance of 184 miles, from Washington to Cumberland, both the workmanship and material used, and to see that the contractors are adhering strictly to the terms of their contracts.

Some complaints have been made about the alleged offensive odors that are said to arise from the canal within the town limits, and the company has been requested to flush it. The engineer is inclined to disbelieve this, as he says that the water is kept fresh always on this level for the millers who use it in running their mills. As to flushing the canal the company could not do it at present, as the gates near 29<sup>th</sup> street

were in a dilapidated condition and any extra pressure against them might cause serious damage. This will, however, be done shortly, as four new gates have already been built and will be put in position in a few weeks.

The outlet lock west of Georgetown, which so facilitates the passage of boats from the canal to the river, will for the present not be used. Using this outlet instead of the creek outlet is a great saving of time. To pass a boat from this point down the level of the canal and through a series of locks would require two and one-half hours, even admitting that the locks were sufficiently filled with water to prevent the necessity of waiting until they should be filled, while by this lock and the assistance of a tug a loaded boat can be floated to any wharf in town in less than one-half an hour.

ES, Sat. 5/2/91, p. 9.

#### **NEWS FROM ROCKVILLE**

The extension of time until August 1 for finishing the repairs to the Chesapeake and Ohio canal, granted by the circuit court for Washington county, is something that the people of this county interested in the work have expected ever since the canal was placed in the hands of the Baltimore and Ohio Railroad Company. Those who live near the canal and know the actual condition of the ruins of that noted waterway have always contended that it would be impossible to put it in navigable order by May 1, as required by the original decree of the court, and even with the further extension of time if the work is finished by August 1 they will be very agreeably disappointed.

DM, 5/5/91. **Canal Notes** – The repairs to the mason work of canal Lock at this place are about completed.

Victor Cushwa & Sons, and Steffey & Findlay, are having their canal boat lying at this place, put in repair.

Mr. Mertens, one of the most extensive canal boat builders of Cumberland, announces his intention of building new boats for the canal traffic, and says he can build a boat a week at each of his yards. — *Williamsport Leader*.

ES, Thu. 5/7/91, p. 3.

#### **HAGERSTOWN NEWS**

All reports from the work of repairing the Chesapeake and Ohio canal concur in the statement that the repairs are being made thoroughly, and that when restoration is completed the waterway will be in as good condition as it ever has been.

ES, Sat. 5/9/91, p. 10.

#### **NEW LIFE ON THE CANAL**

The blowing of the fog horn along the Chesapeake and Ohio canal about Georgetown is one evidence of the belief among the boatmen that the canal will soon once more be in navigable condition. It has been a long time since the sound of the horns has been heard. Since the flood nearly two years ago the boatmen and their wives and children have not been in the humor to blow horns even for dinner. The truth is that some days some of them had no dinner to blow for. Many of them have been reduced to the greatest destitution.

The night of May 31 and the morning of June 1, two years ago, was the time that the continued downfall of rain caused the streams to swell to such proportions that the canal was flooded and its banks washed away for miles and miles. Many persons were rendered homeless and left out in the wet weather to suffer until the good people along the line between here and Cumberland came to their rescue.

#### **LIFE ON THE CANAL BOATS**

Many of the men owned their own boats, horses and mules and had their happy families living on the boats, where they could be together all the time. It was not an unusual thing to see the children dancing, jumping rope and engaging in other amusements on the decks, while the head of the family, a child or a hired man drove the mules along the towpath. Sometimes smaller children could be seen tied on deck to insure them against accidental precipitation into the treacherous waters about the locks and waste weirs or at other points where they would possibly be drowned before they could be rescued. Living on the boats did not deprive them of all the pleasures enjoyed by persons living on the land. Some of them had their little gardens on deck and raised flowers, some kept dogs and birds, while occasionally one would keep a monkey as a sort of a show.

#### **FUN AT NIGHT**

On almost every one of these slowly moving boats there was at least one musical instrument, even if it were only a mouth organ, and when several boats put up together for the night a combination of the instruments would form a band of music by which the lads and lassies would do the light fantastic. While taken all together the life on the canal seemed a hard one, the canal men no doubt enjoyed themselves as well, if not better, than many folks in the city. Here and there along the banks of the canal were country stores, a sort of combination candy, grocery and cigar store, as well as places for the sale of patent medicines and liquid refreshments.

The captains of most of these boats were kind-hearted men and seldom refused a tired pedestrian who wanted to ride on a boat.

#### **THE GREAT FLOOD**

The great flood caused much suffering among them. In some instances, the contents of the boats were washed away,



but the boats were left either on the bed of the canal or near the towpath. The families of many of these hard-working people who had lost nearly all their clothing and bedding were obliged to sleep in the wet boats on straw and hay which they collected until they could be better. In this way many strong and hearty persons became sick and their health was permanently impaired.

During the summer and winter months following the flood the many families all along the line had to depend entirely upon charity.

When the cold weather came diphtheria and pneumonia visited many of these cold places of shelter and death ended the sufferings of quite a number, among them being many children.

#### **RAISING FUNDS**

So far as those within the limits of the District were concerned a relief committee was organized soon after the damage was done. Among those foremost in the work were Mr. E. Kurtz Johnson, Mr. Archibald Greenless and Mr. John T. Mitchell. Thousand s of dollars in cash were contributed, as well as many loads of food, clothing and cooking utensils. All who came were provided with something, either money, food or raiment.

Many families were sent to their homes along the line of the canal and in different parts of the country, while others were given enough to start housekeeping anew and were provided with situations where they could earn enough to support their families.

It was but a short time after the appeal for aid was made that donations came in such large quantities that some place had to be found where the people could make their headquarters.

#### **DISTRIBUTING SUPPLIES**

Lieut. Hollenberger consented to give the committee the use of the police station on High street, and this offer was

accepted. Policeman Frank Burrows was detailed to take charge of the receipt and distribution of the articles contributed and to him was assigned the duty of selecting the poor and needy who had been rendered homeless and poverty stricken by the flood. This officer was acquainted with everybody and every place along the canal. For several months he devoted his whole time to the relief work. Every place from the Rock creek outlet to a point above the District line was visited by the officer, who procured the names and the number in each family who were in need. Day after day food and clothing came in by the wholesale and the police station for a long time looked like a second-hand clothing store, although many of the garments received had never been worn and were costly ones.

The persons who probably made the largest contributions were Messrs. Woodward & Lothrop, the dry goods dealers, and Charles Koller, the baker, the latter having sent many loads of bread and many barrels of biscuits.

#### **RELIEF STILL NEEDED**

Although it has now been nearly two years since the flood, applications are still made for aid, and Officer Burrows thinks they will continue until the canal is opened for business again.

Among the several hundred persons who have been aided during the many months not a single colored person appeared.

The work of distributing the funds and good was a difficult task on account of the number of imposters who appeared and claimed that they were canal sufferers.

One man who called and was thought to be a sufferer was well provided for by the officer, but he afterward proved to be an imposter.

He was a good-looking man, and from the manner in which he plead with the

officer, the latter thought he was really in need and furnished him many necessaries.

The suit of clothes given him was a black Prince Albert one, and he was given shirts and good underwear to match. Even a necktie was given him, and then his fine-looking suit was decked off with a silk hat.

Subsequently he sold his black suit, silk hat and all and got gloriously drunk. Then he was arrested and it was but a short while before he was wearing a suit of clothes furnished by the District.

The was the only person who succeeded in imposing on the officer.

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*Ibid*, p. 14.

#### **NEWS FROM HAGERSTOWN**

The cribbing at dam No. 4, the heaviest piece of work in the repairs being made to the Chesapeake and Ohio canal, is being pushed rapidly, and in a week or ten days will be finished if the weather does not interfere.

ES, Wed. 5/13/91, p. 7.

#### **NEWS FROM HAGERSTOWN**

Brunswick, just over the line from Washington county into that of Frederick – name being changed from that of Berlin by an act of the last legislature of Maryland – has suddenly sprung into prominence, and that too, when its citizens were slumbering. Between two days it has become the terminus of the first section of the great Baltimore and Ohio railroad freight system, the company then taking possession of its immense yards, freight stations, engine houses and miles of sidings. The great freight blockade of two years ago at Martinsburg, which paralyzed the industries of Washington and Baltimore especially, awakened the railroad officials to the fact that their facilities for handling freight at that point were inadequate. Looking around the Berlin, now Brunswick, was found to be the Mecca. The result was the purchase of

about 400 acres of land at that place, upon which has been laid out one of the most complete and expensive freight yards in this country. The purchase of this land was made in 1889 at \$33 per acre, a seemingly good price at the time to the holders, but which, under the new order of things, is looked upon as a mere song. Work was begun shortly afterward by the railroad company upon its possessions, and the straggling village of 200 population has increased to 600. Now it is an incorporated town and has a mayor in the person of Mr. John L. Jordan. The railroad yards extend westward from the town two and one-quarter miles. The yards are 325 feet wide, extending from the Chesapeake and Ohio canal on the south to a range of hills on the north. When completed the work will have cost \$250,000. The company has erected a handsome and convenient hotel, which was opened yesterday under the Superintendency of Mr. T. Harry Davis, a native of Georgetown, D.C., and a hotel man of large experience. Besides this the company has platted 250 acres into building lots and reserved a handsome natural park for the use of the town. Making Brunswick the first section of the Baltimore and Ohio railroad will bring about 2,000 people – railroad men and their families – in the coming six months. With others to follow, the railroad officials predict that Brunswick will soon loom up with 4,000 or 5,000 inhabitants.

ES, Tue. 5/26/91, p. 7.

#### **HAPPENINGS AT HAGERSTOWN**

Reports from all along the line of the Chesapeake and Ohio canal show that the work is being pushed forward as rapidly as possible. The lowness of water in the Potomac river – within nine inches of being as low as ever known – has greatly facilitated operations, thus allowing the 1,200 workmen to pursue their operations

with little inconvenience so far as water is concerned.

ES, Wes. 6/3/91, p. 2.

#### **HAGERSTOWN NEWS**

The work upon the aqueduct of the Chesapeake and Ohio canal at Williamsport is nearly finished and by the end of the week the canal at that place will be ready for water. With the exception of the fourteen-mile level between Williamsport and Hancock everything is ready for the opening of navigation. At that level excavation is necessary, which will be greatly facilitated after the introduction of water at Cumberland by the aid of a scow.

ES, Tue. 6/9/91, p. 5. **GEORGETOWN**

In about four more weeks, if the weather remains good, the Chesapeake and Ohio canal will be improved throughout its entire length of 184 miles, and once more will be heard along the line of the old waterway the neighing of the mules and the loud yells of the profane driver as bushel after bushel of wheat and tons upon tons of Cumberland coal are slowly brought into town to be loaded on vessels and shipped to other points. As soon as the canal company makes the necessary arrangements with the wharf and coal dock owners about the shipments to be made, the reconstruction of these necessities will commence and hundreds of negroes who lounge about these places and have been idle since the shutting down of the canal will be employed. The steam dredge, which for some weeks has been removing the heavy accumulations at the mouth of the canal and piling the sides high with the black mud, is now slowly moving toward the first gate. There is no doubt in the contractors' minds that the canal will be dredged in the specified time. After the passing of the first gate the work will be comparatively easy and more rapidly

done, as from this point to the first break the accumulations are very slight.

ES, Wed. 6/10/91, p. 7

#### **NEWS FROM ROCKVILLE**

Much complaint is expressed by people living along the line of the Chesapeake and Ohio canal at the temporary manner in which the repairs to that waterway are being made in several places along the line. It is said that at some of the large breaks the only thing put into the same is the mud and clay taken from the bottom of the canal, and in case of another flood this would soon be swept away.

ES, Sat. 6/20/91, p. 6.

#### **The C. and O. Canal Suit**

The case of George S. Brown, et. al. against the Chesapeake and Ohio Canal Company is on the calendar of the General Term for Monday, an appeal having been taken from the order of Judge Cox of December 28, 1890, appointing Messrs. Winship and Cushwa receivers, but these qualified and have performed their duties. It is thought that the case will be passed, inasmuch as there remains open some matters of detail. The question of fees of counsel is before the auditor.

ES, Tue. 6/23/91, p. 8.

#### **CONDENSED LOCALS**

The appeal in the case of Brown against the Chesapeake and Ohio Canal Company was dismissed in the Court in General Term yesterday. The contest had been settled and the appeal was pending as a matter of form only.

ES, Fri. 6/26/91, p. 7.

#### **A CURIOUS SUIT**

Hagerstown, June 25, 1891.

The much-talked-of, written about and legally prosecuted Chesapeake and Ohio canal was in court in equity again here

yesterday, when Chief Judge Richard H. Alvey heard counsel upon a petition presented by the canal trustees, appointed under the court, to enjoin the sheriff of Allegany county, this state, from levying upon the property of the canal company to satisfy what is known as the Brady judgment for some \$7,000, with interest from 1849. The case is a curious one. The original declaration was filed in the Allegany county court at Cumberland in 1843, claiming \$700. This, it seems, was an error, for five years later, defendants consenting, an amending declaration was filed claiming \$7,000. The judgment was entered up in October, 1849, as of 1844, and to bear interest from 1849. By some mishap the cause of action was mislaid or lost. Recently the execution was levied at Cumberland upon the wharf property of the canal company and other real estate in that place which the judgment creditors claim is not necessary for the operation of the canal and is not covered by the mortgage to the state of Maryland executed under the act of 1844, which it seems, however, does cover all the property owned by the company or to be thereafter acquired. In the defense against this execution, the trustees of the canal principally rely upon the fact that the circuit court of this (Washington) county has taken possession of all the property of the Canal Company, to be administrated under its direction and by its orders, and it is not competent for the law side of the circuit court of Allegany county or for any other court to interfere with it or any part of it in any such proceedings. J. W. S. Cochran of Cumberland appeared for the Brady claimants, while the trustees of the canal were represented by Gen. Bradley T. Johnson, H. H. Keedy and Hugh L. Bond, Jr. The arguments were spirited and exhaustive, at the conclusion of which Judge Alvey reserved his decision.

ES, Wed. 7/1/91, p. 8.

### **Must Pay the Water Rents**

In the case of Brown against the Chesapeake and Ohio Canal Company, Judge Hagner, in the Equity Court, has made an order directing that G. W. Cissell, Robert B. Tenney and W. H. Burr pay the water rents due July 1 into the registry of the court by the 10<sup>th</sup> of July and Austin Herr as representing the Pioneer Mills do the same or show cause by the said date.

RS, Sat. 7/4/91, p. 12.

### **STARTING THE C. AND O. CANAL**

The celebration of the Fourth of July, 1828, was signalized by the breaking of ground some distance up the Potomac for the Chesapeake and Ohio canal. The first spade full was taken by the President in the presence of the cabinet and army and navy officers of distinction, who had gone up to that point in boats from where the Aqueduct bridge is now. Mr. Gales as mayor signs the order of exercises. On the same day the first stone was laid near Ellicott's Mills of the Baltimore and Ohio railroad by Charles Carroll of Carrollton. The celebration there was a very large one, consisting of military and civic organizations, and all the trades were represented in the procession at work at their various vocations. A feature in the parade was Cobb's Cadets from the military school of Capt. Cobb and the Georgetown College Cadets. Gen. Philip Stuart, a revolutionary officer of renown, dressed in the revolutionary uniform, carrying the American flag, was supported by Commodore Bainbridge and Gen. Jessup.

ES, Tue. 7/7/91, p. 8.

### **THE C. AND O. CANAL**

James Sloan, Jr., and Lloyd Lowndes, Jr., who are the surviving trustees of the 1878 bondholders of the Chesapeake and Ohio canal, have filed a petition at Hagerstown, asking the court to approve of

certain expenditures and to dispose of the balance of the fund in their hands. The court has fixed July 25 as the time for the hearing of the matter. The question relates to the award of \$10,000 to the said trustees for the condemnation of canal property for the Aqueduct bridge. Of this sum, \$2,000 was paid as counsel fees, leaving a balance of \$8,000 in the hands of the trustees. Of the \$8,000, \$1,000 has been paid as a retainer in the canal cases, and they have agreed to pay \$3,000 more as counsel fees. The petition asks that these expenditures be approved and that out of the balance compensation be given the trustees and that then the balance, if any, be disposed of by the court.

ES, Fri. 7/10/91, p. 1.

#### **DISTRICT GOVERNMENT**

During the fiscal year ending June 30, 1891, Henry Burrows, the inspector and measurer of wood for the Rock creek district, reports that he inspected and measured 7,408 cords of wood. He says that the arrival of wood-laden vessels were about equally divided between the states of Maryland and Virginia and came by way of the Potomac river. No wood has arrived by way of the Chesapeake and Ohio canal since the freshet of June, 1889.

ES, Sat. 7/11/91, p. 6.

#### **ROCKVILLE NEWS**

Yesterday evening a shooting affray occurred on the Chesapeake and Ohio canal near Great Falls, which will likely end in the death of one of the parties. The difficulty occurred between an Italian named John Vellotti and John Cook, a Frenchman, both being employed on the repairs of the canal. After the shooting Cook, the man who was wounded, made the following statement of the affair: "My name is John Cook, a native of France. I have been in the United States four years. I am twenty-six years of age. A little after 6 o'clock p.m. I took two mules

and went to the towpath of the canal opposite Great Falls in Maryland to assist John Vellotti in getting his team out of the mud. I tried my best to pull him out but could not do it. I then made him unload his wagon, when he got mad and called me a bad name. I then unhitched the mules and went up to within about six feet of his wagon and told him if he called me that name again I would cut his life out. He then pulled out his pistol and shot me. He was standing up in his wagon. I had no weapon in my hands and nothing but a pocket knife in my pocket. We had been on good terms up to that moment. I made no pretense of drawing a weapon."

This statement was made by the advice of Cook's Physician, who thought he had but a short time to live. The ball passed through his shoulder and is thought to have penetrated his lungs. The wounded man being a Catholic, Rev. Father Rosensteel of this place was summoned to his bedside.

After the shooting Vellotti claimed that it was done in self-defense and that he was ready to surrender himself to an officer, but sometime afterward when Sheriff Fairall was notified and went to arrest him, he had crossed the river and made his escape. He is about thirty years old, stout build, broad shouldered, weight 180 pounds, black hair, mustache and eyes, has a V-shaped scar on upper lip and two front teeth out, speaks English well, had on common working clothes, black coat and derby hat, wore large gold ring. Before coming to this county, he lived on President street, Baltimore.

Father Rosensteel returned home tonight and reports that Cook is in a dying condition.

ES, Wed. 7/15/91. p. 6.

#### **ROCKVILLE NEWS**

This morning Sheriff A. F. Fairall returned here from Herndon, Va., having in charge John Voletti. the Italian charged with

shooting John Cook on the line of the Chesapeake and Ohio canal, near Great Falls, on Thursday last. He was captured near the above place by a gentleman who had seen the description of him published in *The Star* of Saturday evening last, and who recognized him at once from that description. Upon being confronted by a revolver, he at once surrendered and afterward acknowledged that he was the man wanted, but claimed that the shooting was done in self-defense, and consented to come without a requisition. When captured he had no arms upon his person and claims that the pistol with which the shooting was done did not belong to him, but to another person, and had been left in a coat pocket in the wagon from which the shot was fired. Since his arrival here he appears to be in good spirits and says he will employ the best counsel he can procure in the county, and that he will also be defended by an able New York attorney.

The latest intelligence from Cook, the wounded man, is to the effect that he is somewhat easier and able to sit up a portion of the day but is suffering from a flow of blood from his left lung, where the ball from the pistol has evidently lodged. So long as the blood comes up freely he does not suffer much pain, but when this stops he is in much agony. His physicians consider him in a very precarious condition with but slight hopes of recovery.

ES, Thu. 7/23/91, p. 8. **GEORGETOWN**

It is officially stated that on next Monday morning, July 27, water will be let into the Chesapeake and Ohio canal from Cumberland to Georgetown and on August 1 the old waterway will be opened throughout its entire length for the transportation of coal. Owing to the number of boats that need corking and repairing, and as the time of the breaking of the canal, they were left in localities where repairs could not be made, it

will require about fifteen days to get them in running trim, so that though the canal will be opened on August 1 but few boats will be ready to run thereon before the 15<sup>th</sup>. It is then expected that 150 boats will slowly ply between Cumberland and Georgetown, and this number will steadily increase. A very successful year is anticipated.

ES, Fri. 7/24/91, p. 3.

**NEWS FROM HAGERSTOWN**

Information obtained at the canal office here is to the effect that water will be turned on in the Chesapeake and Ohio canal from Williamsport to Georgetown on Sunday next.

ES, Sat. 7/25/91, p. 6.

**ALEXANDRIA'S CANAL INTERESTS**

It is understood that as soon as the Chesapeake and Ohio canal is again open for navigation, arrangements will be made for reopening the business of shipping coal here. As Col. Hains has reported that it is impossible, without constant dredging, to keep sand bars out of the Potomac river channel above the Long bridge, it is believed here that coal shippers will need a location for one or two depots at least, where there is no danger of large vessels being blocked in by a bar thrown by a flood across the channel. The use of tugs on the river now serves the purpose of the abandoned Alexandria canal and aqueduct, which were designed when steam towage was unknown, and the only way of getting here from the old Potomac Company's locks above Georgetown was by polling in the inner channel. The city has a fine wharf for coal and there are many depots on deep water to be gotten at low rates along the river front of this city.

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*Ibid*, p. 15.

**ROCKVILLE NEWS**

Persons living along the line of the Chesapeake and Ohio canal in this county are much gratified at the prospect of a resumption of navigation on that route and hope that the work of repairs has been done in such a manner as to insure its continuance, at least until the next flood.

ES, Tue. 7/28/91, p. 4. The Chesapeake and Ohio canal is one of the institutions whose proud boast it is to be always ready to take water.

ES, Wed. 7/29/91, p. 8. **GEORGETOWN**

This morning the old Chesapeake and Ohio canal, from Georgetown to Cumberland, is filled with dark, muddy water and a boat might travel the entire 184 miles without meeting an obstruction further than that offered by the rapidly incoming water. Maj. H. D. Whitcomb, the engineer who has charge of the improvements, is now up the canal superintending the letting in of the water. All along the line the many families who have, up to the time of the break, obtained their livelihood from running boats on the old waterway are now wearing smiling faces and looking forward with hopes to a prosperous future. From 31<sup>st</sup> street to Rock creek, a distance of only about four squares, the water had not yet been turned in as the gates and walls, which were greatly out of repair, have not been finished, but in a few days even this short distance will be covered.

A river dredge is now at work on that part of the creek between the R street bridge and the Potomac's mouth, and in a short time a canal boat will be able to pass over this portion with ease. A force of workmen are now driving piles and otherwise preparing for the construction of the dam at the creek's mouth. Also, at this point will be built the outlet lock to allow the passage of boats by way of the creek from the canal to the river. As stated before in *The Star*,

the large outlet lock near the Aqueduct bridge, which the canal company formerly rented from a corporation, will not be used, as the rent is high and the business for some time will not justify its use.

#### **JUDGE ALVEY'S DECISION**

The cost connected with the disposition of the \$10,000 paid by the United States to the Chesapeake and Ohio Canal Company for the ground on which the northern end of the Aqueduct bridge rests, as per Judge Alvey's decision, printed in *The Star*, yesterday, reminds a prominent citizen here forcibly of an incident that took place in his childhood days. One Sunday at his church a missionary had just finished a story and eloquent appeal for money to be used in civilizing and Christianizing a certain African tribe. Many were touched by the appeal, and ones and fives were thrown generously into the contribution basket until a stranger was reached. Slowly rising he put his hand in one pocket, drew forth 10¢, and deposited it with great solemnity in the basket, and then before the collector could move away he drew from another pocket a \$5 bill, saying as he deposited that: "I give 10¢ to assist in Christianizing the Africans, and \$5 to assist in getting that 10¢ to those who will do the Christianizing."

ES, Fri. 8/21/91, p. 8. **GEORGETOWN**

The first boat on the Chesapeake and Ohio canal since the flood of June 30, 1889, arrived last night from White's Ferry with a load of baled hay, consigned to Geo. T. Dunlap. Several coal boats are on their way but coming to a defect in one of the locks, the heavily loaded ones have not been able to pass.

ES, Thu. 8/27/91, p. 9. **GEORGETOWN**

All of the water has been drawn off the Chesapeake and Ohio canal in this level in order to give the laborers a chance to

remove a large bar of sand just below the outlet lock.

ES, Fri. 8/28/91, p. 7.

**NEWS FROM ROCKVILLE**

Mr. Pope, who is in the employ of Messrs. Morris & Hamilton or Washington, attorneys for the Chesapeake and Ohio Canal Company; is engaged here collecting a description of the canal property from the deeds and condemnation proceedings recorded in Montgomery county, to furnish a portion of the data for a survey of the entire canal property, which is to be made at an early date. One object of the resurvey is to establish the correct boundaries of the property of the canal company, with a view to ejecting "squatters" who have settled on canal property since the canal suspended operation, and all others who may be residing on or in any way occupying canal property. A transcript of the records appertaining to the canal property record in the District of Columbia is now in the hands of the attorneys of the company.

ES, Sat. 9/12/91, p. 16.

**IN MONTGOMERY COUNTY**

"Hope deferred maketh the heart sick," and about the sickest set in this section of the country are the people living along the line of the Chesapeake and Ohio canal, who have for many weary months waited patiently for the opening of that waterway. Some time ago it was confidently predicted that the entire line would be in navigable condition in a few days, but this state of things has gone on from week to week and still no boatman's horn is heard to welcome the farmer with his produce ready for market. While the work of repair was in progress the opinion was freely expressed that the work and material used was of such a character that it would not stand the pressure of the water, and the experience of the past two weeks seems to

verify the prediction. This state of affairs is a serious drawback to the business of all that large section of the county which is dependent on the canal for transportation facilities. The cry all along the line is "Give us a canal or a railroad." The several decrees of the circuit court for Washington county do not appear to be effective as a means of transportation any further than Williamsport.

ES, Wed. 9/23/91, p. 3. **GEORGETOWN**

At 8:30 o'clock last night there slowed up at Agnew & Co.'s coal docks, near the Aqueduct bridge, the first coal laden boat that for twenty-eight months has plied on the Chesapeake and Ohio canal. No herald announced its approach, no crowd gathered on the banks and by loud shouts proclaimed the good news, but she quietly moved along at a snail-like rate until the foot of 34<sup>th</sup> street was reached and there the mules were stopped and taken on board, and Capt. Kretzer gloried in the fact that the Wm. S. Jacques was the first loaded coal boat to enter town since the great break of two years ago. One hundred and two tons was the amount of black fuel brought down and the Meredith, Winship Company were the consignees. About 3 o'clock this morning more boats began to arrive and at sunrise those who make their living by the canal gazed on nine boats, six loaded with coal and three with grain and hay. All the Water street merchants were in excellent spirits this morning and once more they predict a great change for the better in the business of Georgetown. All the breaks (with the exception of a few trifling ones) between this place and Cumberland have been repaired, and now that navigation is resumed the sand bars which frequently present themselves during the unnavigable season will no longer appear, as the constant disturbing of the water by passing boats prevents their forming.



ES, Wed. 10/7/91, p. 10. **ALEXANDRIA  
CANAL COMMERCE**

Two canal boats with coal arrived here on Monday via the river from the Rock creek lock of the Chesapeake and Ohio canal. One came to J. R. Zimmerman and the other to W. A. Smoot & Co. Others are expected.

ES, Fri. 12/4/91, p. 3.

**REPRESENTATIVE M'KAIG**

Probably the best all-around general utility man in the House will be William McMahan McKaig, who defeated McComas in the sixth Maryland district. Mr. McKaig says he started out as a mariner, having "boated coal over the Chesapeake and Ohio canal from Cumberland to the navy yard in Washington city during the navigable portions of the years 1860, '61, '62, '63, '64 and '65; read law with his uncles, Gen Thomas J. McKaig and W. W. McKaig, and was admitted to the Allegany bar April, 1868; health failing him in 1873, he went to Colorado territory and lived an outdoor life, ranching, hunting and trapping in the Pike's Peak region; spring of 1874 went to Manitou and Denver and engaged in the hotel business until October; when he went to Salt Lake City, Utah, then to San Francisco, Los Angeles and Cajon Pass, near the Panamint Mines, Cal. where he followed gold mining; spring of 1875 went to Acapulco, Mexico, Pont Auranus, Costa Rica, Panama, Aspinwall and Savanilla, in the United States of Columbia; then to New York; failed to secure the democratic nomination for state's attorney for Allegany county; was appointed city attorney for Cumberland in 1876; was elected in 1877 from Allegany county to the lower branch of the Maryland legislature; was appointed in 1879 colonel on the personal staff of Gov. Hamilton; was appointed chief of ordnance on the general staff by Gov. Robert M. McLane in 1884,

and reappointed by Governors Lloyd and Jackson; was elected state senator from Allegany county in 1887; spring of 1890 was elected mayor of Cumberland."

ES, Sat. 12/19/91, p. 6. **ALEXANDRIA**

It was thought when the Chesapeake and Ohio canal was reopened it would lead in some little time to a renewal of the soft-coal trade here, as the method of tugging canal boats by steam down the river could easily be used. Very few boats, however, have arrived here this season, and the old coal wharves continue unoccupied and dismantled, and the city authorities have tried in vain to sell for a fair price the American coal wharves on the north end of the harbor.

ES, Fri. 11/27/91, p. 10.

**EVENTS IN HAGERSTOWN**

Boating on the Chesapeake and Ohio canal is very brisk now that navigation is drawing to a close. The demand for boats to move wheat and corn in addition to coal cannot be supplied.

ES, Fri. 12/25/91, p. 2.

**The Work of the Canal**

The Cumberland *Times* gives a review of the business of the Chesapeake and Ohio canal since it was reopened July 9, 1891. The entire length of the canal was not opened until some time in September. Including the way business, the total number of tons of coal dispatched by canal from Cumberland was as follows: July, 2,059.05; August, 4,091.14; September, 7,874.01; October, 16,692.08; November, 15,629.08; December (to December 21), 4,313.06. The total shipments of coal being 50,662.08 tons. The *Times* adds: "Besides these shipments of coal there are shipped between local points, as well as terminals, large quantities of lumber, mine props, lime, wheat and corn. The amount of this traffic could not be

definitely ascertained at this end until the first of the year. Withal, those in charge are very much pleased with the progress of the canal, and for the year 1892 the prospects are bright. Mr. Nelson Read, the general manager of this end of the canal, says that there is great activity in boat building at all the yards, and the season of 1892 bids fair to be one of large traffic. During the winter months there is no special repairs to be made, but general repairs will go on all along the line at the dams, locks, &c., and everything will be gotten ready for next year. The steam dredge came up to this city a few days ago and will work this winter in this city, opening up the channels and cleaning out the docks.”