

COMPILATION OF  
CANAL TRADE ARTICLES FROM  
*HEARLD AND TORCH LIGHT*  
a Hagerstown, Md. newspaper,  
and  
*BALTIMORE SUN*  
a Baltimore, Md. newspaper,  
and  
*EVENING STAR*  
a Washington, D. C. newspaper  
and  
*ALEXANDRIA GAZETTE*  
an Alexandria, Va. newspaper  
1892

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## Canal Trade - 1892

### A. PREFACE

In this compilation, articles were transcribed from the *Herald and Torch Light*, a Hagerstown, Md. newspaper, the *Baltimore Sun* a Baltimore, Md. newspaper, *Evening Star*, a Washington, D. C. newspaper and *Alexandria Gazette* an Alexandria, Va. newspaper of 1892. I have marked the articles from the *Herald and Torch Light* with "H&TL" prior to the date, those from the *Baltimore Sun* with *Sun* prior to the date, those from the *Evening Star* with "ES" prior to the date and those from the *Alexandria Gazette* with "AG" prior to the date.

All newspapers were found on-line.

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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**Canal Trade 1892**

*Sun*, Sat. 1/2/92, p. Suppl 1. **J. B. Stottlemeyer** – J. B. Stottlemeyer was born in Morgan county, Va., in 1835. He moved to Allegany county in 1849, where he has resided over since. He boated on the Chesapeake and Ohio Canal for eleven years. Five years of the time he worked for the late William Elder, of Cumberland. He was captain of the second steam boat that navigated the canal, called the *Julian McGaw*, which was built by James McGaw, of Harper's Ferry, in 1858. When the war broke out, he enlisted as a farrier in an independent cavalry company, commanded by Captain George D. Summers, which was attached to the First New York Lincoln Cavalry, under Colonel McReynolds and served three years. Since the war, he has been engaged in farming near Little Orleans. He was elected school commissioner for the first district in 1869 and served two years, was appointed tax collector for the first district in 1871 and served four years, and in 1878 was appointed agent for the Canton lands, lying in Allegany and Washington counties and Morgan county, W. Va., which position he still holds, and for which he was highly recommended by the late Judge Gordon and his son, Robert H., of Cumberland, who is the attorney for the estate. He was again appointed tax collector in 1884, and served until the fall of 1889, when he was elected county commissioner.

ES, Thu. 1/7/92, p. 3. **GEORGETOWN** Mr. Frank Fisher, who was for many years an employee of the Chesapeake and Ohio Canal Company in the capacity of section boss, is dead of Bright's disease.

*Sun*, Wed. 1/20/92, p. Suppl. 2. **MARYLAND BILLS IN CONGRESS** Senator Stewart, of Nevada, today introduced in the Senate a bill to incorporate the

Washington and Western Maryland Railroad Company. The proposed line is to cross the Chesapeake and Ohio canal and River road about 2,400 feet east of the Chain bridge, so as not to interfere with operations of said canal, and proceed westerly to the western line of the District of Columbia.

AG, Mon. 1/25/92, p. 4. **LOCAL BREVITIES** – The timber for the work of the Baltimore and Ohio Railroad extension to Georgetown is now being transferred from Shepherd's to the route of the proposed road near the Chesapeake and Ohio canal.

ES, Sat. 2/6/92, p. 16. **HAGERSTOWN NEWS** – Mr. Wm. F. Cowden, who recently died in Wilson district, this county, was the first man to run a steam canal boat on the Chesapeake and Ohio canal.

ES, Mon. 2/8/92, p. 8. **GEORGETOWN** The trade on the Chesapeake and Ohio canal is now confined to one boat, which plys between Georgetown and the Chain bridge. Almost daily it brings down seventy perches of quarried rock, which is used mostly for foundations. If the weather permits, the canal will again be open for business throughout its main length by the beginning of the second week in March. The closing of the canal not only throws several hundred men out of employment, but materially decreases the receipts of the merchants whose chief patrons are boatmen, so the resumption of trade means quite a good deal to Georgetown.

ES, Fri. 2/12/92, p. 8. **GEORGETOWN BUILDING NEW CANAL BOATS** At Winship's wharf, near the meeting place of Rock creek and the Potomac river, boat builders are busily engaged in constructing six new canal boats, which will be placed on the old waterway as soon as it is open for navigation. As long as the weather remains

unfavorable to traffic, no definite time will be decided upon for the resumption of business, but it is thought that the middle of March will probably see the mules again at work bringing the products of the upper Potomac region to the Georgetown markets.

AG, Fri. 2/12/92, p. 4. **LOCAL BREVITIES**

As yet no preparations have been made to open the Chesapeake and Ohio canal for trade between Georgetown and the upper country.

ES, Sat. 2/20/92, p. 16. **GEORGETOWN**

On the 1<sup>st</sup> day of March, the Chesapeake and Ohio canal dredges will begin the work of getting the old waterway in order by the 15<sup>th</sup>, on which date it will be formally opened. When the last season closed, ninety boats were engaged in plying between Cumberland and Georgetown. On the 15<sup>th</sup> of next month, when the regular season of '92 opens, 150 will be placed on the canal and more will follow as rapidly as they can be built. Meredith, Winship & Co. are now busily engaged in constructing boats, and others interested are emulating their example with enthusiasm. All along the 184 miles, wherever there is a suitable building place, the work is going on. Old boatmen say that the canal was in better condition last year than it has been for twenty years, the free use of the dredges enabling them to bring down larger cargoes. Since the winter season set in, the management has caused to be built near Williamsport three new locks, and wherever it was necessary, stronger timbers were placed. This gave employment to many in the localities who otherwise would have spent the winter in forced idleness.

ES, Wed. 2/24/92, p. 3. **GEORGETOWN**

In the Chesapeake and Ohio canal cases, in which Brown and others are the complainants, Mr. James G. Payne, the auditor of the court, has filed his report as to

the compensation to the receivers, Henry C. Winship and Victor Cushwa, recommending an allowance of \$1,500 each. The report sets forth their services since appointment, January 28, 1890, and in view also of their responsibility and the approval of the trustees of such sum, he makes this recommendation. Justice Hagner, on this report, made an order directing payment in accordance therewith.

*Sun*, Fri. 2/26/92, p. Suppl. 1. **CANAL OBLIGATIONS** – Annapolis, Feb. 25.

Mr. Garrott has introduced a bill to provide for the payment by the State of debts contracted in 1887, 1888 and 1889 by the Chesapeake and Ohio Canal Company for labor and material. An appropriation of \$75,000 will be asked for. The claim for payment of these debts is based upon the following grounds, among others: That the State is the owner of a majority of stock of the canal company, and appointed its president and directors through the board of public works; that the labor and material furnished saved the canal from utter destruction, and was in the nature of salvage of the State's interest; that the State's interest in the canal was increased in value by this labor and material in a sum larger than is asked for; that the canal is worth more and could be sold for more than the amount of the bonds of 1844 and of 1878, and if sold these claims would have to be paid before the State could get anything, inasmuch as the State waived its liens on the net revenue of the canal in favor of the bonds of 1844, and the mortgage securing those bonds gives priority to debts contracted for labor and operating the canal. The local law of Allegany county gives priority to debts contracted by corporations for labor and material over mortgage judgments and liens of all kinds, and it is thought right that the canal company should be put on the same footing with other corporations, even though the State has so large an interest in it.

Provision is made for the assignment of these claims to the State. The claimants are laboring people who had been working for two years with the expectation of getting their money from the company, and, failing to get their wages, many are reduced to a condition of great poverty and suffering. The bill requires that claims shall be audited by a commission of three persons, to be appointed by the Governor.

AG, Wed. 3/2/92, p. 4. **LOCAL BREVITIES**  
In the Maryland legislature yesterday, an order was passed for a committee investigation into the cost of repairs of the Chesapeake and Ohio canal since 1844, and of the tonnage, receipts and expenditures on it during 1891, the report to be made at an early day.

ES, Thu. 3/15/92, p. 13. **GEORGETOWN**  
The Chesapeake and Ohio canal is once more navigable, as water has been turned in throughout its entire length. Yesterday the Chas. Darrow left Georgetown for Cumberland, from which place she will bring a cargo of coal. Boats also left this end for Seneca, where sandstone will be procured. Inside of two days, the first loaded boats are expected to reach Georgetown.

ES, Wed. 3/16/92, p. 8. **RAILROAD AND CANAL.** – In the Maryland legislature Senator Robinson has introduced two joint resolutions concerning the Baltimore and Ohio railroad and the connections to be made by it west of Georgetown and the Chesapeake and Ohio canal.

The first of these resolutions recites that “as the Washington and Western Railroad Company, authorized by act of Congress to construct a railroad from Georgetown to the District line, has passed under the control of parties representing the Baltimore and Ohio Railroad Company, and whereas the said charter expired March 2,

1892, and whereas the said corporation is seeking to renew its charter and obtain from Congress the right to condemn the property of the Chesapeake and Ohio canal and place a bridge over the canal in such form as would prevent the use of the canal as a railroad as well as a waterway and greatly depreciate the value of the property and be a grievous wrong to the people of Maryland,” and declares “that the Senators of Maryland be instructed and the Representatives in Congress be requested to prevent the extension of the charter of the Washington and Western company unless it shall be so amended as to prevent the said railroad company from occupying, using or acquiring any property of said Chesapeake and Ohio Canal Company.”

The other resolution requires the Attorney-General to enjoin all persons from occupying the property of the canal, and also to bring the attention of the circuit court for Washington county to the action of the trustees now in charge of said property and to pray the court to pass an order on the trustees directing them to prevent the misuse of the canal property.

Yesterday afternoon the opening of the Chesapeake and Ohio canal for the season was inaugurated at Cumberland by the departure of a boat loaded with coal for Williamsport. Five boats are now on their way from Williamsport to Cumberland. There are one hundred boats at different points along the canal awaiting orders to go to Cumberland and load.

*Sun*, Thu. 3/17/92, p. Suppl. 2. **Maryland Items** – Business on the Chesapeake and Ohio canal was resumed Tuesday, the first boat of the season starting from Cumberland. For the present, says the *Cumberland News*, nothing but coal will be shipped, and heavy shipments of it by the West Virginia Central Railroad are awaiting transportation. The prospects for the season just opened are

brighter than they have been for twenty years, and by the close of the season there will be at least two hundred boats on the canal.

ES, Thu. 3/17/92, p. 2. **NEWS FROM ROCKVILLE** – The opening to navigation of the Chesapeake and Ohio canal this week has given quite an impetus to business all along the line of that work in this county. A large amount of grain and other products which have for some time been awaiting transportation will now be shipped to market. It is learned that during the coming season a very large quantity of building stone will also be shipped from the Seneca sandstone quarries.

ES, Fri. 3/18/92, p. 11. **GEORGETOWN NO CANAL BOATS YET ARRIVED**  
No coal boats have as yet arrived via the newly opened canal, but several are daily expected. Winship & Co. get the first cargoes. The new boats which this firm constructed during the winter have not been floated, but they will be within a few days, and a valuable addition to the present commercial fleet will thereby be made. Several loads of Seneca sandstone have reached Georgetown and been piled upon the wharves of the Potomac Sandstone Company.

ES, Wed. 3/23/92, p. 3. **MANAGEMENT OF THE CANAL** – The committee on internal improvements and railroads and canals of the Maryland house of delegates yesterday examined witnesses as to the management of the Chesapeake and Ohio canal since it has been under the control of the trustees of the bonds of 1844.

F. Mertens, a boatbuilder, was the only one who gave a definite testimony regarding the canal's condition. He said: "The condition of the canal today is as good as before the freshet. Then we had 120 boats

on the canal; now we have 90 boats ready to load. The boats which we will have by May, will deliver 362,000 tons. In tonnage on coal alone the canal should take in \$152,000. I think the canal ought to be operated so as to yield a profit of \$52,000 over and above expenses."

"Do you know whether any portion of the Chesapeake and Ohio canal is used by any other corporation?"

"I have been informed by my attorney that the railroad being built in Georgetown by the Baltimore and Ohio Company has gone on the property of the canal, which was leased by me, and are using the property for ballast. This is a valuable franchise to the railroad company. What it is worth in dollars and cents I am not prepared to say."

Mr. Cowen has requested the committee to formulate questions and send them to Mr. H. C. Winship, the general manager at Georgetown, who will answer them.

ES, Thu. 3/24/92, p. 6. **GEORGETOWN NAMING NEW CANAL BOATS**  
"Judge Walter S. Cox" is the name that is being painted this morning on one of Winship's new canal boats. Other judicial dignitaries will, in a similar way, be honored. The Dakota, the first boat loaded at Cumberland, has not yet arrived in Georgetown. Cold weather has somewhat delayed the delivery of these cargoes to their owners.

ES, Sat. 5/26/92, p. 6. **THE C. AND O. CANAL** – An important hearing was given by the House District committee this morning in the matter of the effect of the Washington and Western Maryland Railroad Company to obtain authority of Congress to cross the Chesapeake and Ohio canal in entering Georgetown and to condemn land for its shops, tracks and round houses. This

authority is extended in the provisions of House bill 3973, now before the committee.

Judge Cowan, counsel for the Baltimore and Ohio railroad, with his assistants, appeared in favor of the bill.

Gen. Poe, attorney-general of the state of Maryland, was present to oppose the bill, in accordance with instructions of the board of public works.

The resolution is as follows:

Resolved by the board of public works that the attorney-general be, and he is hereby, instructed to resist the passage of the bill now pending before Congress amending the charter of the Washington and Western Maryland Railroad Company, in so far as such bill proposes to authorize the construction of a railroad upon the property of the Chesapeake and Ohio Canal Company and to take such steps as in his judgment shall be necessary and proper to protect the property of the canal company from appropriation or condemnation for such railroad purposes.

Resolved further, That the attorney-general be and he is further instructed to apply by petition, on behalf of the state, to the circuit court of Washington county in the case therein pending of George L. Brown and others against the Chesapeake and Ohio Canal Company and others, for the passage of an order restricting the trustees of the bondholders of 1844 of the canal company to resist the taking or occupation of any part of the property of the canal company for said Washington and Western Maryland Railroad Company.

General Poe then submitted several amendments proposed to the bill to carry out the instructions of the above resolution, and said that if the amendments should be accepted, he would have nothing further to say.

Attorney Cowan resisted the amendments. He said the railroad only wanted to take some wild land adjacent to the

canal and between the canal and river, which is of no value and not necessary to the operation of the canal. In fact, the land was leased by the canal company for ninety-nine years for the nominal sum of \$50.

Gen. Poe read to the committee the message of Gov. Jackson upon the present status of the canal.

#### **PRESENT STATUS OF THE CANAL**

Gen. Poe said that by a decree of Judge Alvey of the circuit court, the entire canal must be sold within four years, but the execution of the decree is temporarily suspended in order to allow the trustees of the bondholders of 1844 to try the experiment of restoring the canal to running order and demonstrating that it can be made to earn a profit for the bondholders.

The trustees are now operating the canal, but that decree of court has not been vacated and is still hanging over them.

Gen. Poe said that the general belief is that the decree of sale will finally be executed. The question for this committee is whether Congress will permit the railroad company to confiscate a part of the canal and prevent the state of Maryland from selling the canal from end to end. The state wants the canal to be kept in a condition which will permit of its sale. If a portion of it near Georgetown is obstructed by this railroad company, no sale can be made.

All that the state asks, is that the railway company be required, before it takes the land, to go before the circuit court of Washington county and obtain leave from Judge Alvey after a fair hearing before the land is taken.

The state asks Congress not to permit its property, in which so much of the public's money has been invested, to be taken without submitting the matter to the court.

Representative Fellows asked what part of the canal the railway company proposed to take.

Gen. Poe replied he could not state in detail, but it is a fact that a portion is proposed to be taken.

At this point the committee took a recess until 1 o'clock.

#### **IN FAVOR OF THE BILL**

When the committee reassembled at 1 o'clock, Attorney Cowan of the Baltimore and Ohio Railroad Company addressed the committee, favoring the bill. He pointed out on a map the line of the Metropolitan branch of the Baltimore and Ohio, and the route of the Metropolitan Southern road from Linden station to the Potomac river. The Washington and Western Maryland Railroad Company is organized to build a road along the river from the Metropolitan Southern road to the Aqueduct bridge. The Washington and Western Maryland road is owned by the Baltimore and Ohio Railway Company, together with the road built by the Barge and Dock Company along the river front of Georgetown. The original charter of the Washington and Western Maryland provides a route between the canal and the river. As proposed to be amended the route will cross the canal and follow along the north bank on the bluffs. The first suggestion of this proposed change came from the District Commissioners because the original route would affect the Chain bridge.

The next suggestion came from the railroad company in order to practically surmount the bluffs. Under this change of route, the road would run 2,400 feet less along the line of the canal than was originally proposed. The change and elevation of the tracks would not preclude any other company from using the tracks, as required by the original charter.

The bill under consideration does two things; it lengthens the time for construction one year and proposes a change of the line which in fact takes one mile less than the original charter proposed.

The original charter was favored by every member of the Maryland delegation in Congress. It was granted first to men who were respectively president, director and attorney of the Chesapeake and Ohio Canal Company and the Baltimore and Ohio bought the stock from these canal employees.

The B. and O. having bought the charter from the employees of the canal who were elected by the state of Maryland, the railroad company is now opposed by the state. The state does not come to Congress now in her right as a sovereign, but only as a private individual owning the canal.

Mr. Cowan then explained the early history of the canal and its relation to the state. Maryland is a stockholder in the canal and the owner of mortgage bonds on the canal.

#### **AGAINST THE STATE'S JURISDICTION**

Mr. Cowan said the amendment proposed by the attorney-general is a most astounding proposition. It would be an astonishing occurrence if Congress, when asked for a national charter for a road in a tract controlled by Congress, should confer jurisdiction in that matter to the circuit court of a state, with right of appeal to the appellate tribunal of that state.

The trustees of the 1844 bondholders are in possession of that part of the canal lying within the District solely by decree of the Supreme Court of the District and not by the decree of the Washington county circuit court.

Mr. Cowan then explained the location of the canal property which the railroad company desires to condemn. He referred to the difficulty of obtaining land records of the canal route and the work of arranging with individual owners of adjacent tracts for the route of the road over their property.

The state of Maryland, the owner of the stock of the canal, gave a ninety-nine-



year lease to Mr. Henry Dodge for \$50 a year of the canal property, part of which the railroad now wants to condemn. Not over one-twentieth part of this tract is asked by the railroad company.

The only other piece of property desired to be taken is a tract of six or eight acres, which was also given by the state to several men, officers and employees of the canal, for ninety-nine years at \$50 a year.

Mr. Cowan said that ex-President Gambrill of the Chesapeake and Ohio canal, after having sold the charter of the Washington and Western Railroad Company, which he had obtained from Congress while president of the canal company, is today at Annapolis endeavoring to prevent the purchasers of the charter to perfect their rights.

**WOULD NOT AFFECT THE CANAL**

Mr. Cowan denied the argument of Gen. Poe that the land proposed to be taken by the railroad company will affect the operations or final sale of the canal. He also explained that if the trustees who are now operating the canal, can prove that the canal is paying expenses the court, at the end of four years, is authorized to further suspend the decree of sale that the canal may go on paying the interest.

Representative Fellow interrupted to ask Mr. Cowan to discuss the question of the right of Congress to confer upon a circuit court of the state of Maryland the right to adjudge property which lies wholly within the District of Columbia. Mr. Fellows said he could not see how such right existed.

Mr. Cowan agreed with him heartily.

Representative Heard said he thought it would be an extraordinary and far-reaching authority.

Mr. Hemphill asked if the canal company had opposed the original charter granted to the Washington and Western Maryland Railway Company.

Mr. Cowan said no opposition was made, but, on the contrary, the charter was granted to officers and employees of the canal company. The road is favored by every business interest of Washington and Georgetown and no one opposes it. The improvements proposed by the railroad, instead of damaging the canal would in fact benefit the canal, because a breakwater would be formed, which would keep the canal from damage by overflow.

**GEN. POE'S EXPLANATION**

Chairman Hemphill asked Gen. Poe to explain how the proposed railroad route will effect the Canal Company, and also his opinion whether Congress has the power to confer authority upon a circuit court of Maryland to adjudge property in the District of Columbia.

Gen. Poe replied that Judge Alvey in his decree of sale had held that while the circuit court of Washington county did not have the whole canal in its jurisdiction, it had the owners of the canal before the court, and therefore, the court had jurisdiction.

Gen. Poe held that it is entirely competent for Congress to grant a charter conditionally; Congress can grant a charter under conditions; then why can it not do so without conditions.

The building by the road along this proposed route will involve the occupation of a part of the canal. The railroad company says the portion is inconsiderable, but it is a portion nevertheless. Therefore, the rights of the canal should be considered.

**MR. HEMPHILL'S POINT.**

The point was raised by Chairman Hemphill that to agree to the amendment proposed by the state of Maryland would be to give a circuit court of that state jurisdiction over the interests and rights of the citizens of this District. Mr. Hemphill said that while a Maryland court might sell the canal proper, he doubted the right of that court to sell an outlying piece of property in the District

owned by the canal, but not necessary to its operation.

It appeared to be the sentiment of the committee that to agree to the amendment proposed by the state of Maryland, might possibly result in delay of the construction of the road and consequent detriment of the interests of the citizens of this District. The committee did not appear to see how any considerable damage might occur to the canal or the state of Maryland by allowing the railroad company to condemn the land asked for.

*Sun*, Mon. 2/28/92, p. 4. **THE C. AND O. CANAL.** – The District committee of the House of Representatives heard argument Saturday upon the proposed amendment to the charter of the Washington and Western Maryland Railroad Company changing the route and bridging the Chesapeake and Ohio canal. Attorney-General Poe appeared for the board of public works of Maryland in opposition to the amendment, and Messrs. John K. Cowen and George E. Hamilton as counsel for the road and the trustees of the bondholders of the canal in support of the amendment.

Mr. Poe claimed that no authority to cross the canal should be given except by consent of the Maryland courts, which, while they have placed the canal in charge of the trustees of the bondholders, still have a supervisory right in canal matters. His argument indicated that it was possible in the event of the present canal management failing, a sale of the canal for railroad purposes in the interest of the State might take place. It is said the committee will report the amendment favorably.

The Washington and Western Maryland Railroad was chartered by an act of Congress approved March 2, 1889, to build a road from Aqueduct bridge, in Georgetown, between the canal bank and the Potomac river, to the District line. The charter was

granted to Stephen Gambrill, president of the canal company, Spencer Watkins, a director of the company, and James Henderson, one of its attorneys, and others. When the Washington and Cumberland scheme was killed by the Court of Appeals turning the canal over to the trustees of the bondholders, Mr. Gambrill and his associates sold the stock of the railroad company to the Baltimore and Ohio. The Baltimore and Ohio also bought the charter of a road already built from the Aqueduct bridge to Rock creek, and is now engaged in building a line from the Metropolitan Branch to the Potomac river, where it would connect with the Washington and Western Maryland Road constructed up the Potomac, and thus give an entrance to Georgetown, its large mills and factories, and also the most favorable freight depot for a large part of Washington. The act now before Congress is to amend the charter of the Washington and Western Maryland Company so as to permit the crossing of the canal three-fourths of a mile from the District line and to keep on the north side of and away from the canal. The change of line was first suggested by the commissioners of the District of Columbia to avoid disturbing the Chain bridge over the Potomac, which is too low for the railroad to run under it. It was also desired by the railroad company to enable it to connect its line with the proposed Metropolitan Southern branch of the Baltimore and Ohio. The amended act is said to be approved by the District commissioners and by all the business interests in Georgetown. The railroad, as proposed, crossed the canal 16 feet above water level, and occupies no part of the canal proper, towpath or bank, but is constructed between the canal and river, passing over a few pieces, however, of canal property which, it is said, never have been or can be used by the canal, and for which the trustees require the railroad to pay what a

jury of condemnation will say the land is worth.

One of the canal trustees said yesterday: "Nobody opposes the amendment except the canal company, represented by President Stephen Gambrill and Mr. Poe. The construction of the railroad under the amended act does not take near as much canal property as would be taken by the construction of the line under the original act, which was granted to the officers of the canal company, and, was put through Congress for their benefit by the votes of every Maryland Representative, the Senior Senator from Maryland explaining the merits of the act in the Senate, and it being passed after his full explanation. The value of the pretense that it could injure the canal in the slightest is shown by the fact that the canal company itself, by the vote of the State of Maryland, owning and controlling the canal company stock, gave all the property of the company between the canal bank and the Potomac river to Henry Dodge for \$50 a year, and not one-fifth of the property thus given away is occupied by the roadbed of the Washington and Western Maryland Railroad. The construction of the road, between the canal and the river, will prevent the Potomac river from washing away the canal bank. The only other part of the canal property taken by the railroad is a portion of a rock bluff on the north side of the canal, which is part of a six or eight acre tract. This is being cut down to the level of the river road, and the material used in making the embankment of the railroad on the south of the canal. The trustees of the canal require the railroad company to pay for this material, and the property is much benefited by taking away the rock bluffs, thus making building lots. The larger part of the tract will not be touched. The value of this tract to the canal company may be fixed by the fact that the State of Maryland, as controller of the canal company's stock, gave it to Mr. Stephen

Gambrill, then superintendent of the canal, and Mr. Biser, a sub-boss, for \$50 a year. The trustees have brought suits to set aside the leases to Dodge and of Gambrill and Biser as being in fraud of the trustees' rights, and we confidently expect to recover the property for the benefit of the bondholders. The Gambrill and Biser property is thought by the trustees to be worth from \$25,000 to \$30,000, and a large company in Washington is now treating for its purchase. The trustees expect to receive from the railroad a fair sum for the property taken. This money will enable us to prosecute the suits brought against various parties in the District of Columbia, to whom the property of the canal "was either given by the old canal management, or who have squatted on canal property.

"We have begun a number of such suits and are about to begin others. We have been delayed and hampered in this recovery because there is not a single land record or deed-book of the canal company or any map of its lands or record of its leases or conveyances turned over to either the old receivers of the canal nor to the trustees, and in response to the orders of the court requiring these records to be turned over, the canal officers have answered that they haven't them and don't know where they are. The trustees, however, have had the records thoroughly examined, and are having maps made showing what is the canal property, so far as the records disclose it." The trustees are Joseph Bryan, Richmond, Va.; H. H. Keedy, Washington county, Md.; John K. Cowen, Hugh L. Bond, Jr. and Bradley S. Johnson.

ES, Wed. 3/30/92, p. 8. **GEORGETOWN**  
**THE FIRST CANAL BOAT**  
 Meredith, Winship & Co. have chartered the M. E. Rockhill, a vessel of 400 tons burden, to carry a cargo of Cumberland coal to Richmond, Va. The first coal-laden boat that

has moved down the canal since the season closed, arrived in Georgetown on Saturday, and the captain reports that nine others will probably be here today. Those on the way are all new ones, having been built during the past winter. Their average capacity is 115 tons each. At Winship's wharf the coming boats will discharge the black fuel brought down, and at the same place the Richmond-bound vessel will be loaded. The M. E. Rockhill has had quite an unpleasant experience with the now calm old Potomac. The last time she arrived here was in June, 1890. It had been raining for days all along her course and the mountain streams had swollen the Potomac to a most unusual size. The vessel's cargo consisted of cement and was consigned to the builders of the new naval observatory. Old river men told Capt. Anderson that the safest place to tie his boat was at Dent's wharf and there he secured her. But that memorable freshet came the next day and the Rockhill, captain, crew and cargo were carried down the river by the force of the roaring current until she stuck fast on the flats. After many days, she was floated and was once more in deep water. The Rockhill was the last vessel to arrive before the great break and the first one to take away a cargo. Both times she brought cement.

Sat. 4/2/92, p. 4.<sup>1</sup> **SEMI-LOCAL NEWS**  
**The Canal Will Pay**

At the investigation before the committee from the House of Delegates regarding the present management of the canal, F. Mertens, of Cumberland, said: The condition of the canal today is as good as before the freshet. Then we had 120 boats on the canal; now we have 90 boats ready to load. I built 11 boats last year and have contracts for 45 boats to be completed by August. The boats which we will have by May will deliver 362,000 tons. In tonnage on coal alone the canal should take in \$152,000. I think the canal on that

basis can be operated so as to yield a profit of \$52,000 over and above expenses.

With H. C. Winship in prime charge there is no reasonable question of the fact that it will pay.

ES, Wed. 4/6/92, p. 8. **NO TRESTLES AT PRESENT** – Yesterday afternoon Justice Hagner made a temporary restraining order in the case of the Independent Ice Company against the Washington and Western Maryland and Baltimore and Ohio Railroad Companies and M. J. Degon & Co., enjoining the erection of trestles, &c. The complainants possess certain land a fourth of a mile above the aqueduct, between the Potomac and the Chesapeake and Ohio canal – 400 by 100 feet – improved by three large frame and two stone buildings, designed for the harvesting and storage of ice, and that this property is worth \$40,000.

They state that the Washington and Western Maryland Railroad Company and the Baltimore and Ohio Railroad Company, by virtue of some contract with the Washington and Western Maryland Railroad Company by M. J. Degon, their agents and contractors, have entered on this land and have driven along the side of the river, between the river and the ice houses, rows of piles and are erecting thereon trestles, &c., for the maintenance thereon of a railway on these piles and trestles without first having made any agreement with the plaintiff or tendering any compensation for the right-of-way, or taking any steps to acquire the same by condemnation process, as the Washington and Western Maryland Railroad Company is bound to do by its act of incorporation before entering upon lands or premises; that these piles interfere with the plaintiff's business and constitute an irreparable injury. They ask, therefore, that the Washington and Western Maryland Railroad Company, the Baltimore and Ohio Railroad Company or

<sup>1</sup> *Frostburg Mining Journal*, Frostburg, Md.

their agents be enjoined and restrained from entering upon said property and further working to construct said trestles, &c., and be decreed to remove the piles, trestles, &c., already put on said property and restore the said property to its former condition. An injunction undertaking, with James L. Barbour and Wm. A. H. Clinch as sureties, was filed and the temporary restraining order issued.

ES, Sat. 4/9/92, p. 6. FOR SALE – BOAT – BOAT FOR EXCURSION BUSINESS – Length 83 feet, breadth beam 16 feet, draught 6 feet. Licensed for 180 passengers. Engine and boiler new. Awnings, chairs and the preservers on board. Burns one-ton coal a day and makes 12 miles per hour.

Apply C. F. T. B., Chesapeake and Ohio Canal Co. office, Georgetown, D. C. [Transcriber's Note: This ad first ran on April 9 and then daily for 2 weeks. Note the beam seems excessive for the Canal.]

ES, Mon. 4/11/92, p. 12. **The Potomac Flats Case.** – In the Potomac flats case – United States agt. Morris et al – Bradley S. Johnson et al, trustees, under a mortgage of the Chesapeake and Ohio Canal Company, having been substituted as parties in place of the canal company, by Hugh L. Bond, Jr., today filed answer, adopting the answer of the canal company filed January 3, 1887.

ES, Tue. 4/12/92, p. 8. **News from Allegany County, Md.** – The work on the new Baltimore and Ohio railroad yards in south Cumberland is rapidly approaching completion. The labor has been greatly lessened by a large steam shovel which does the work of fifty men.

The shipment of coal from the mines of the Cumberland coal region for the week ending Saturday, April 2, was 87,446 tons, and the total shipments for the year to date 831,405 tons, a decrease of 283,870 tons as

compared with the corresponding period of 1891. The shipments to the Chesapeake and Ohio Canal Company were 5,681 tons for the week and the year 13,099 tons, an increase of 13,099 as compared with last year.

*Sun*, Thu. 4/14/92, p. 4. **Maryland Items**  
The *Cumberland Times* says: "Mertens Sons have just launched two more new canal boats, known as No. 104 and No. 105. This makes four new boats this firm have launched during the past two weeks or thereabouts. The Meredith-Winship Company are building boats as rapidly as possible, and have launched quite a number recently at their leased yards, in the rear of the West Virginia Central Station. The other boat yards are actively engaged in building and repairing boats."

ES, Fri. 4/15/92, p. 7. **GEORGETOWN NEW TRANSPORTATION LINES**  
At the solicitation of the Glen Echo Company, Mr. John A. Blundon will run on the Chesapeake and Ohio canal a line of passenger packets, making the trip from the Aqueduct bridge to Glen Echo in fifty minutes. Mr. Lewis Collins will establish at this end of the aqueduct a line of coaches to run to Arlington.

ES, Wed. 4/20/92, p. 6. **GEORGETOWN NEW CANAL BOATS**  
Two new canal boats, viz., the Judge Alvey and Judge Hagner, will be launched from Winship's wharf the latter part of this week. While others will be built at points on the upper canal, no more will be christened this season at the Meredith-Winship yards. The Alvey and Hagner cost in the neighborhood of \$1,200 apiece, and were constructed under the supervision of Mr. Wm. C. Hunter. No ceremony will attend the launching of the boats.

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Harbormaster Kraft of the Chesapeake and Ohio canal will now allow no boats to be locked in town on Sunday. All those that arrive on that day must lie on the outskirts until the following day.

ES, Sat. 4/23/92, p. 16. **GEORGETOWN  
CANAL BOATS ARRIVED AND  
CLEARED**

Since last Monday, the following canal boats have arrived in town, registered at the office and gone back for another load of coal, grain or stone: Park Agnew, Consolidation No. 4, H. L. Barnes, Little Rob, Master J. K. Shaw, J. E. Dyer, Eva, Three Brothers, Judge Alvey, Lafayette, Junita, A. Greenless, Four Brothers, Baltimore Sun, Theo. Dean, Dr. Knott, John Spencer, Unexpected, J. W. Thompson and Geo. A. McIlhenny.

ES, Fri. 4/29/92, p. 11. **GEORGETOWN  
TRAFFIC ON THE CANAL**

Within the past ten days the following loaded canal boats have brought cargoes from Cumberland and intervening points: Consolidation No. 2, Thos. W. Gibbs, Consolidation No. 103, Olive & Cupid, L. Holbrook, Dakota, F. Flanagan, R. L. Sommerville, Consolidation No. 8, Consolidation No. 2, Frank Agnew, Consolidation No. 4, H. L. Bend, Little Rob, Winter, J. K. Shaw, J. E. Dyer, Eva, Three Brothers, Judge Alvey, Lafayette, Juniata, A. Greenless, Gallia, Four Brothers, Baltimore Sun, Theo. Dean, Dr. Knott, John Spencer, Unexpected, J. W. Thompson, George A. McIlhaney, Samuel Harvey, T. F. Shiple, J. K. Gowan, Potomac, A. G. Jackson, Sundown, No. 105, Henry Hanekamp, M. E. Grove, No. 11, No. 10, H. H. Keedy, Cuba, James Goddard, Emma Mertens, Mary Lind, Col. No. 6, A. H. Bradt, Java, George A. Hoffman, Edith Pratt, James H. Reed, Anteros, L. V. Baughman, James Bryan, L. W. Guinand, Bradley S. Johnson and Round

Top Cement. The majority of the boats came piled to the decks with coal, while the minority brought grain, flour and stone. Every captain who arrives in town is loud in his praise of the canal's excellent condition. Though the waterway has been open for nearly two months, the only hitch to navigation that has occurred, was caused through the heavy rain of two weeks ago. Not the smallest damaging hole has appeared in the banks between Cumberland and Georgetown.

ES, Wed. 5/4/92, p. 8. **GEORGETOWN  
CANAL MATTERS**

The Chesapeake and Ohio canal managers have, after due consideration, decided to abolish the office of harbormaster, now held by Mr. Kraft, but as that gentleman is recognized as a competent and valuable employee, his services will not be dispensed with, as an indoor position will be given him.

ES, Thu. 5/5/92, p. 8. **GEORGETOWN  
TRAFFIC ON THE CANAL**

Since May 2, the following canal boats have arrived here with various cargoes: Detroit, B. R. Mayfield, Here I Am, R. L. Summerville, Benj. Vaughn, Plough Boy, L. P. Reed, Geo. S. French, J. R. Cowen, Java, John Leetch, Unexpected, A. H. Dowden, Salina, J. K. Shaw and Antares.

Sat. 5/7/92, p. 3.<sup>2</sup> **GENERAL ITEMS**

**Retrospective and Prospective**

In a recent letter to the Mayor of Baltimore, President Mayer, of the Baltimore and Ohio railroad company, wrote: In 1887 the seaboard consumption, outside the capes of the Chesapeake and Delaware (the coastwise traffic as it is called by the trade) amounted to 4,742,571 tons. In 1891 this same class of trade amounted to 7,192,308 tons. This unexpected heavy increase in the trade taxed every one of the carrying companies for

<sup>2</sup> *Frostburg Mining Journal*, Frostburg, Md.

some months in the year to their utmost capacity to make prompt delivery, and some of them did not feel warranted at once to incur the heavy expenditure required to meet this phenomenally sudden and heavy increase.

In the case of the Baltimore and Ohio railroad, the situation was more embarrassing than elsewhere, for the reason that in May, 1889, the Chesapeake and Ohio canal was closed to navigation by reason of the freshet of that month and remained so until August of last year, largely through the efforts of some of the very gentlemen who are now demanding other means of transportation and making these incorrect statements about the Baltimore and Ohio. The canal supplied almost entirely the soft coal consumed in the District of Columbia and Western Maryland and by some coastwise consumers also.

When it closed, the Baltimore and Ohio railroad was called upon to supply the demand, and as it was a local interest it had to be promptly cared for, notwithstanding the fact that the character of the service demanded an excessive car supply, which had to be taken from our coastwise business.

The situation of the coming season, however, has entirely changed, on account of transportation resuming its normal condition in this – viz., that the Chesapeake and Ohio canal is now in full operation and the Baltimore and Ohio equipment devoted to that trade is returned to coastwise business. In addition to this, the Baltimore and Ohio railroad will, between April 1 and June 1, add to its coal car equipment thirty *percent* in new cars of the most approved pattern.

This, in the opinion of the coal producers on its line who have been conferred with, places the Baltimore and Ohio in a position to do promptly the full volume of trade they may offer.

Should this “coastwise” trade *via* Baltimore (the local trade has always been fully supplied) continue to increase, the

Baltimore and Ohio railroad will increase its equipment accordingly, as its interest as well as its duty is to supply the needed facilities, especially for its domestic demands, whenever such demands have an assured permanency. The coal traffic of the Baltimore and Ohio railroad eastbound amounted in 1890 to 1,759,155 tons, in 1887 to 3,063,303 tons, and in 1891 to 3,725,398 tons.

*Sun*, Wed. 5/11/92, p. Suppl. 2. **Maryland Items** – The Cumberland Valley Railroad Company will open a coaling station at Powell’s Bend, where the road crosses the Chesapeake and Ohio canal, near Williamsport, and from this point large quantities of coal will be transported from the canal to the railroad. This arrangement will be made under authority conferred by a bill passed by the last Legislature allowing the railroad and canal to form a junction at that point.

*Sun*, Thu. 5/12/92, p. Suppl. 2. **Canal Receipts and Wages for April** – The pay-boat on the Chesapeake and Ohio canal came up to Williamsport last night. About \$7,000 will be paid out along the line for the past month, and the people along the canal are in good spirits. Bradley S. Johnson, who is with the boat, reports that the canal will pay expenses for the month of April, this being the first case in which the canal has done so well during April for many years.

ES, Fri. 5/13/92, p. 9. **GEORGETOWN TRAFFIC ON THE CANAL**  
Since last Thursday, the following loaded canal boats have brought cargoes to town; M. E. Grove, A. L. Miller, Gallia, Scow, John Spencer. A. Greenless, Edith Pratt, Consolidation No. 7, J. H. Milstead, C. R. White, W. T. Coulehan, James M. Schley, Ollie V., C. W. Adams, H. H. Keedy, Cuba, No. 109, Consolidation No. 205,

Consolidation No. 104, James Bryan, No. 108, Java, Judge Hagner, Judge Stake, Samuel Henry, Mary Mertens, No. 101, No. 102, Consolidation No. 12, Four Brothers, Hugh L. Bonds, Jr., Three Brothers, J. K. Cowen and Emma Mertens.

Thu. 5/19/92, p. 4.<sup>3</sup> **A Great Demand for Canal Boats** – Yesterday morning our reporter visited the different boat yards in this city and very carefully looked into the facilities for the building of boats. Space, space, is the cry of the boat builders and by its economy, scores of boats are never built during a rushing season like the present one.

Where five boats should be framed, only two can be worked upon at once. At least this is the state of affairs in Meredith-Winship Co.'s yard, and Mertens Sons have barely enough room in one of their yards for their increasing business. As soon as one boat is launched, another is framed and skilled mechanics are always in demand. The boats that are being built in this city are nearly perfect as the most cynical boatman would desire. – *Alleganian*.

ES, Thu. 5/19/92, p. 9. **HAGERSTOWN NEWS** – Cherry Run is the terminus of the extension of the Western Maryland railroad from Williamsport, this county, where it makes a connection with the Baltimore and Ohio railroad. The residents of that little village have suddenly become excited. They think there are millions in it. Mr. Peter Schriver of that place has discovered some quartz supposed to be gold. Samples have been sent to an assayist and in the meantime owners of land are advancing prices to such an extent to put to blush the usually hard-fisted real estate dealer.

Wild ducks are plentiful on the Big Pool at Cherry Run, this county, and gunners are killing large numbers of them.

The proposed connection of the Cumberland Valley railroad with the Chesapeake and Ohio canal at Powell's Bend is going to prove an important factor in the financial success of the latter. Heretofore, all the soft coal used by the railroad company and that supplied to factories and dealers along its line was transported by the Baltimore and Ohio railroad by the way of Martinsburg at a heavy expense to the consumers. This connection will give the canal the hauling of 50,000 tons of coal each season. Extensive wharves will be built, the work on which will be commenced at once.

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*Ibid*, p. 10. **GEORGETOWN**

At the docks of Winship & Co. two vessels are being loaded with coal, which will be carried to northern ports.

ES, Mon. 5/23/92, p. 9. **THE RIVER FRONT – ARRIVED** – Barge Theodore Dean, Cumberland, Capt. Cross, from Cumberland, with 115 tons of Consolidation coal.

ES, Mon. 5/30/92, p. 7. **HAGERSTOWN NEWS** – Thursday the remains of Otho Crutcher, a boatman on the Chesapeake and Ohio canal, were interred at Sharpsburg. He was drowned in the canal while attempting to open the paddles in a lock gate by the giving way of the lever.

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The bridge over the river at Cherry Run, now being erected by the Potomac Valley railroad, the Western Maryland's connection with the B. and O., will be completed in the next ten days. This bridge is 700 feet in length, divided into five spans of 140 feet each.

ES, Wed. 6/1/92, p. 8. **THE RIVER FRONT – ARRIVED** – Barge Plough Boy, Cumberland, Capt. George D. Kretzer, from

<sup>3</sup> *Catoctin Clarion*, Thurmont, Md.



Cumberland, with 115 tons of Consolidation coal.

Barge Vaughn, Cumberland, Capt. J. S. Dean, from Cumberland, with 113 tons of George's Creek coal.

Barge A. H. Bradt, Cumberland, Capt. Martin Smith, from Cumberland, with 116 tons of George's Creek coal.

SAILED

Barge No. 1, Cumberland, Capt. Eichelberger, light to Cumberland.

ES, Sat. 6/4/92, p. 16. **A Novel Excursion.** The Young Men's Christian Association has made arrangements for a rather novel excursion to Glen Echo via the Chesapeake and Ohio canal. On Monday evening, June 6, two new pleasure barges will leave the dock foot of High street, Georgetown, one at 5:30 and the other at 6:30 p.m. for Glen Echo. Arrangements have been made with the Glen Echo orchestra of eighteen pieces to give a grand concert in the immense amphitheater and furnish music on the barges returning. The grounds and buildings will be lighted by electricity and refreshments will be served in the Hall of Philosophy overlooking the Potomac. An excursion of this character is always attractive, especially so by moonlight, and the occasion promises to be one thoroughly enjoyed.

Sat. 6/4/92, p. 3.<sup>4</sup> **Coal News.** The Winchester (Va.) *News* says: The proposed connection of the Cumberland Valley railroad with the Chesapeake and Ohio canal at Powell's Bend is going to prove an important factor in the financial success of the latter. Heretofore all the soft coal used by the railroad company and that supplied to factories and dealers along its line was transported by the Baltimore and Ohio railroad by the way of Martinsburg at a heavy expense to the consumers. This connection will give the canal the hauling of

50,000 tons of coal each season. Extensive wharves will be built, the work on which will be commenced at once.

ES, Wed. 6/8/92, p. 3. **THE RIVER FRONT** – ARRIVED – Barge James Goddard, Cumberland, Capt. Louis Cartwright, from Cumberland, with 112 01 tons of Consolidation coal.

Barge Camden, Cumberland, Capt. Joseph Mason, from Cumberland, with 109 tons of Consolidation coal.

SAILED

Barge, Camden, Capt. Mason, to Cumberland.

Barge James Goddard, Cumberland, Capt. Louis Cartwright, to Cumberland.

ES, Fri. 6/10/92, p. 9. **THE RIVER FRONT** – ARRIVED – Barge Baltimore Sun, Cumberland, Capt. Daniel Kauffmann, from Cumberland, with 115 tons of Consolidation coal.

ES, Sat. 6/11/92, p. 6. **GEORGETOWN A BREAK IN THE CANAL.**

Day before yesterday a break occurred in one of the banks of the Chesapeake and Ohio canal on that portion known as the fourteen-mile level. It was caused, it is thought, by a gradual unseen weakening of the side. Yesterday Engineer Nicholson started from this office for the scene at the break and will order the repairs made as rapidly as numerous workmen can make them. Probably three days will be spent in rebuilding the side and as many more in drawing off and letting on the water. In the meantime, traffic on this portion of the waterway will be suspended. The managers of the canal feel proud of the success they have had this year, boats having come in by the scores weekly, and but two comparatively small delays occurring since the season opened.

<sup>4</sup> *Frostburg Mining Journal*, Frostburg, Md.

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*Ibid*, p. 15. **HAGERSTOWN NEWS**

Miss Susie Barber was an interesting young lady residing at Williamsport. In company with a number of companions, she went out boat riding on the Chesapeake and Ohio canal. The boat capsized and Miss Susie was drowned, her companions reaching the shore in safety. She was but eighteen years of age and only last Sunday formed a large class admitted to membership in the Lutheran Church.

ES, Tue. 6/14/92, p. 6. **RELIEF FOR THE FLOOD SUFFERERS.** – The executive committee of the Johnstown and Chesapeake and Ohio canal relief fund met today and decided to send \$2,000 of the surplus in their hands to Oil City and Titusville to relieve the suffering there. Every case has been relieved on the canal that has come to their knowledge, and they still reserve a sufficient sum for such cases as may present themselves next winter.

*Sun*, Wed. 6/15/92, p. 6. **A WATER RIGHT SUIT** – The case of the Seneca Sandstone Company against the trustees of the Chesapeake and Ohio canal was argued today before Judge R. H. Alvey by Nathaniel Wilson, of Washington, and G. B. Henderson, of Rockville, for the petitioners, and Hugh S. Bond, Jr., of Baltimore, and H. H. Keedy, for the trustees. In 1884 the Canal Company leased a water right at Seneca to the Potomac Sandstone Company for a period of twenty years, and the Seneca Sandstone Company, which succeeded the Potomac Company, have been enjoying this lease since the company was changed. The trustees of the canal desire to limit the lease to three years, but the right being a valuable one, the Sandstone Company wishes the original lease to remain in force, and they have petitioned the court here in their behalf.

The court withheld its opinion for the present.

ES, Wed. 6/22/92, p. 5. **DISTRICT IN CONGRESS** – Senator McMillan from the Senate District committee reported today, with amendments, the House bill incorporating the Washington and Great Falls Electric Railway Company. The Senate bill for the purpose was indefinitely postponed. One of the amendments to the House bill recommended by the Senate committee provides that for the safety of travel on the Canal road and before commencing to run its cars on the elevated railway, the company shall construct a substantial masonry wall between the Canal road and the Chesapeake and Ohio canal throughout its entire distance on said road occupied by the elevated railway. The company must also pave said portion of the road with granite blocks in the best manner. Another amendment provides that there shall never be run more than one double track on or over the Canal road. And all acts or parts of acts granting the use of the surface of the Canal road for laying railway tracks are declared repealed. A third important amendment is that subscribers to the stock of the company shall pay in 50 percent of their subscription at the time of subscribing, and no subscription shall be valid unless 50 percent is so paid in.

ES, Mon. 6/27/92, p. 7. **GEORGETOWN HIS BODY FOUND IN THE CANAL**  
On Saturday, Frank Harris, colored, who since the morning of the day before, had been missing from his home, was found drowned in the Chesapeake and Ohio canal at the foot of 84<sup>th</sup> street. It is thought that the deceased fell asleep on the little bridge which spans the waterway and rolled overboard, meeting his death at a time when no one was near. The body was sent in the patrol to Factory

Hill, in the rear of Grace street, the late home of deceased.

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**TRAFFIC ON THE CANAL**

Since June 20, the following canal boats laden with coal, grain and sandstone have arrived in town and registered at the Chesapeake and Ohio office: Maryland, Cuba, Dr. Knott, F. Flanagan, Three Brothers, Gallia, Ollie V., J. K. Cowen, Hugh Bond, Consolidation No. 2, Samuel Henry, A. A. Brodt, A. L. Miller, No. 108, Consolidation No. 5, A. H. Dowden, Judge Stake, Unexpected, No. 109, B. L. Summerville, Park Agnew, S. W. Grimm and J. H. Milstead, Four Bros., Winter, Geo. A. McIlhaney, Isabella, Garnett, Consolidation No. 12, L. V. Baughman, Marshall Wise, Judge Alvey, No. 119, Consolidation No. 11, Lafayette, W. S. Jacques, Plough Boy, Edith Pratt, No. 107, C. R. White, W. S. Coulehan, No. 114, Here I Am, W. F. Creighton, Geo. A. Hoffman, T. J. Shiflet, Eugene, Potomac, Java, A. G. Johnson.

ES, Tue. 6/28/92, p. 8. **GEORGETOWN**  
At about 6 o'clock yesterday the water was shut off from the mills on the Georgetown level of the Chesapeake and Ohio canal in compliance with an order issued by Mr. H. C. Winship, who represents the trustees of the bonds of 1884. All the mills in and near Georgetown, including several ice manufactories, are affected by the order. Not until some definite arrangement for the payment of back rents have been made, will the mills again be run by canal water.

ES, Wed. 6/29/92, p. 6. **THE MILLERS AND THE CANAL.** – When Mr. A. H. Ward, of the Transparent Ice Company, was asked this morning by a *Star* reporter what he thought of the action of the Chesapeake and Ohio Canal Company in shutting off from the Water street mills and factories their motive power, he replied that it was the

greatest surprise he had received in recent years. “About 3 o'clock last Saturday,” said Mr. Ward, “just after we had paid the court something over [illegible], the total amount of rent owed by us, a notice was received at the office stating that later in the day the foreways, which admit the water into the factory, would be boarded up and that we were prohibited from further running our factory until certain arrangements were entered into with the canal company.”

While on the face of the notice it was stated that the order was issued owing to the unsatisfactory settlement of certain back rent, the affected parties claim that the canal managers are trying to get them to surrender the perpetual leases which they now hold, and to take instead leases which will protect them for only two years.

Yesterday afternoon a meeting of the principal mill owners was held at the office of Mr. Geo. W. Cissell and after a thorough discussion of the subject, it was decided to remain passive and let the canal company do what it might, but every owner was instructed to keep a strict and accurate account of the loss sustained by the closing down and at the proper time suits for damages will be filed against the alleged offending parties. Mr. Ward claims that already his company has lost nearly \$4,000 and every day adds \$500 or more to the figure. Though he has ice on hand, it has been found necessary to telegraph to the dealers of the Kennebec to send down a cargo of 1,000 or 1,500 tons. Mr. Cissell's daily loss is also considerable, and over fifty men by the shutting down of his mill have been thrown out of employment. The milling establishment of W. H. Tenney & Son is the only one on Water street now in operation. At the time of the issuing of the closing order Mr. R. B. Tenney, the proprietor, was in Boston and Mr. Brown, the gentleman left in charge, entered into an agreement with Mr. H. C. Winship, the general manager of the

canal, by which the order in that case was revoked.

The millers say that owing to the unsettled condition of the canal company's affairs, they were ordered by the judge to pay all rent into the court, and this order, they declare, was issued in compliance with a request of Mr. Winship.

AG, Thu. 6/30/92, p. 4. LOCAL BREVITIES - The Georgetown millers have determined to remain quiet in reference to the cutting off of water by the Chesapeake and Ohio canal managers, but to keep account of losses and sue for damages.

ES, Wed. 7/1/92, p. 10. **GEORGETOWN TRAFFIC ON THE CANAL**  
Since May 24, the following boats have brought in cargoes by way of the canal:  
Anteros, J. C. Chaney, Judge Alvey, Isabella, A. D. Miller, Consolidated No. 12, No. 115, M. E. Grove, Marshall Wise, W. T. Corcoran, C. R. White, Jr., B. S. Johnson, Hugh S. Bond, Jr., Java, Wheatley Bros., Winter, J. W. Deale, No. 108, H. H. Keedy, No. 101, Cuba, Consolidated No. 4, A. H. Bradt, Plough Boy, No. 107, Judge Stake, No. 114, Unexpected, W. S. Jacques, Samuel Henry, Judge Hagner, No. 113, Gallia, Maryland, Detroit, B. R. Mayfield, Here I Am, Consolidated No. 7. Benj. Vaughn, Three Bros., I. M. Stern, Chas. Darrow and Consolidated No. 3.

ES, Sat. 7/2/92, p. 10. NEWS FROM ROCKVILLE – Mr. Henry Beckwith, an old and well-known citizen of this county, died at his home at Redland on Friday, in the eightieth year of his age. At the time of his death, Mr. Beckwith was the oldest representative of a large family of that name in this section of the state, many of whom reside in the District. During the construction of the Chesapeake and Ohio canal, deceased was for several years

employed as a superintendent upon that work. He was afterwards employed by Col. Alfred Spates in conducting the business of the old Washington Hotel at this place.

*Sun*, Mon. 7/4/92, p. 6. **A Suit Against the Canal Trustees** – Hagerstown, July 3. Mrs. Lillie Kretzer has brought suit against the trustees of the Chesapeake and Ohio canal to recover damages for the death of her husband. The declaration is not filed yet and the amount of damages claimed is not known.

About two months ago Otho J. Kretzer, the husband, who was then boating on the canal, was drowned near Hancock. How the accident occurred is not positively known here. One report said that Kretzer was trying to open the paddles in a lock gate when the lever broke, throwing him into the canal, while another report said that the boat ran against the lock gate and threw Kretzer into the water. The summons was served upon H. H. Keedy, one of the trustees, today.

ES, Wed. 7/6/92, p. 9. **AGAINST THE CANAL COMPANY.** – Geo. W. Cissel and the Smith Transparent Manufacturing Company have each filed a bill against Bradley S. Johnson, et al., trustees, and Henry C. Winship, general manager of the Chesapeake and Ohio Canal Co., for an injunction to restrain the cutting off of the water supply to their mills and factory.

Messrs. Edwards & Barnard appear for the complainants and the bills set forth leases with the canal company for water to run their mills, and on the good faith of the company they invested large sums of money; that in 1889 the canal was greatly damaged by freshets and rendered useless and by an agreement with the canal company, the Georgetown level was restored by money advanced by complainants and others, said money to be repaired from the rents of water takers. They refer to the cases of Brown et

al. against the canal company in which they were required to pay the water rents into the registry of the court, and notwithstanding such orders and the pendency of the issue between the millers and the company, the defendants began another suit, in which they ask that the water leases be set aside, &c., and this cause is pending, and they now threaten to cut off the water unless the old leases are surrendered and new leases, limited to two years, entered into, and state, unless stopped, the (complainants) will be greatly damaged.

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*Ibid*, p. 12. **GEORGETOWN THE TROUBLE WITH THE CANAL COMPANY** – Since July 1, the following canal boats have arrived in town laden with coal, stone, &c.: Juniata, John Spencer, No. 106, Ollie V., Judge Stake, Consolidation No. 2, L. P. Read, No. 102, J. K. Cowen, W. H. Cooper, Judge Cox, Cuba, S. M. Stern, Consolidation No. 3, Consolidation No. 18, Consolidation No. 15, Theo. Dean, Emma Mertens, Scow No. 2, R. S. Somerville, Consolidation No. 10, Maj. L. L. Blake, Dakota, Consolidation No. 8, No. 9 and No. 6, Maryland, Consolidation No. 1, Mary Mertens, Salina, T. L. Holbrook, No. 116, No. 109, No. 118, Winter, A. H. Bradt, No. 112 and Consolidation No. 5. Since the shutting off of water from the mills on the Georgetown level of the canal, no grains of any consequence have arrived. Tenny's is still the only mill in operation and as the proprietors of the others absolutely refuse to accept the terms offered by the canal company, no one at present knows when the establishments affected will start up. The millers say though they are steadily losing money through the company's action, the courts will eventually reimburse them at the canal's expense.

ES, Tue. 7/12/92, p. 8. **GEORGETOWN TRAFFIC ON THE CANAL**

Since the 6<sup>th</sup> of July the following laden canal boats have discharged their cargoes at Georgetown's wharves: Gallia, Sarah Kroon, Samuel Henry, A. K. Dowden, R. P. Mason, Joseph Bryan, Consolidation No. 11, Consolidation No. 12, L. V. Baughman, F. S. Garnet, Judge Alvey, Lafayette, Savannah, Marshal Wise, Detroit, R. R. Mayfield, No. 119, F. O. Becket, A. W. Guinand, Java, D. A. Lowe, J. H. Milstead, Plough Boy, C. R. White, W. T. Coulehan, H. H. Keady, Cuba, W. S. Jacques, No. 127, A. L. Miller, Edith Pratt, James H. Reid, F. Flanagan, Geo. A. Hoffman, M. E. Grove and Consolidation No. 16. The situation with the millers still remains the same. Grain is now coming down the canal consigned to the various commission merchants of Georgetown, but, owing to the closing down, all but one of the establishments which use it, anything but a large number of sales have been made. Tenny's mill, though the only one running, has, by the stoppage of others, been doing extra work. The canal company's action in boarding up the foreways has thrown at least 200 men out of employment. Water street is as quiet now as one of the back alleys of the town, the rumble of machinery and the splash of running water being no longer heard. Today the court will discuss the matter.

*Sun*, Wed. 7/13/92, p. 1. **SENECA SANDSTONE COMPANY** – Hagerstown, July 12. – Judge Alvey rendered a decision today in the case of the Seneca Sandstone Company against the trustees of the Chesapeake and Ohio canal. He granted the injunction prayed for by the sandstone company. In December, 1883, the president and directors of the canal leased to the sandstone company a certain water right at their works in Montgomery county. This lease was for twenty years from January 1, 1884. Some time ago the trustees of the canal wanted the stone company to cancel the old lease and accept a new lease of the same

right for three years, and threatened to shut the water off if the stone company did not accept these terms. The stone company refused to change the original lease and petitioned the court here to enjoin the trustees from shutting off the water or otherwise interfering with their water rights. The opinion of the court is a long one, and the decree grants the injunction as prayed for, but adds that the injunction shall in no manner restrain the exercise of the right and power of the said trustees acting in the place and stead of the president and directors of the canal company to control the supply of water from the said canal to the mill of the petitioner according to the terms and reservations of the said lease of December 31, 1883, and the petitioner shall in all respects attend to and recognize the power and authority of the said trustees in the control and operation of said canal to the same extent as if said lease had been made by them, and shall pay the rent reserved by said lease to said trustees according to the terms of said lease.

ES, Wed. 7/13/92, p. 5. **Injunction Denied**  
This morning in the case of the Transparent Ice Company agt. Johnson et al., trustees of the Chesapeake and Ohio Canal Company, which was submitted as bill and answer, Justice Bradley discharged the restraining order and denied the injunction against cutting off the water.

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*Ibid*, p. 8. **THE INJUNCTION CONTINUED – The Canal Company Must Not Cut Off the Water From the Mills** – At the conclusion of the argument in the Equity Court before Justice Bradley in the case of Cissell agt. [vs.] Johnson et al. (trustees of the C. and O. Canal Co.) without deciding the main questions the justice continued the injunction against the respondents cutting off the supply of water to the mills on filing the usual injunction bond.

Messrs. Morris and Hamilton, for the respondents, claimed that they had a right to require new leases of the complainants or cut off the water from the mills that something like order be obtained, and the complainants not having complied with the terms of the lease were not entitle to the relief sought.

Messrs. Edwards and Barnard, for the complainants, claimed that there would be no loss by the use of the surplus water, and if cut off great damage would result.

*Sun*, Thu. 7/14/92, p. 6. **WATER TO BE CUT OFF FROM THE ICE COMPANY.**  
The Chesapeake and Ohio Canal case in relation to the cutting off of water from mills at Georgetown was again before the Equity Court today in the case of the Transparent Ice Company vs. Bradley S. Johnson et al., trustees of the canal bondholders now controlling the canal. The case, as mentioned in *The Sun* yesterday, had been taken under advisement by Judge Bradley at the time he ordered the continuance of the injunction into the Cassell water-right case. When the court opened today Judge Bradley said that he had examined the bill and answer in the case, and it appeared by those papers that the ice company presented on case calling for the further interposition of the court, and the motion to dissolve the injunction must, therefore, be granted. The case set out in the bill was not explicit, clear and exact enough to enable the court to act in the premises. He, therefore, made the usual formal order dissolving the injunction which restrained the canal authorities from cutting off the water of the sluices to the works of the Transport Ice Company. It is said that the bill will be amended so as to make a more complete case in favor of the ice company.

AG, Thu. 7/14/92, p. 4. **Injunction Dissolved** – Judge Bradley yesterday, in the Circuit Court of Washington, dissolved the injunction restraining the manager of the

Chesapeake and Ohio canal from cutting off the water supply of the Transparent Ice Company. The injunction in the case of miller Cassell holds, however. The injunction in the case of the ice company was dissolved because of the faulty manner in which the bill requesting the injunction was worded. It is understood, however, that the company will not cut the water off from the ice company, as it is conceded that the injunction will be granted again, when requested in a document free from technical defects.

ES. Sat. 7/16/92, p. 3. **AT THE RIVER FRONT** – ARRIVED – Barge Ollie Zimmerman, Cumberland, Capt. Taylor Reed, from Cumberland with 112 tons of George’s Creek coal.

SAILED

Barge Burke Spencer, Cumberland, Capt. Richard Haynes, to Cumberland. Barge James Goddard, Washington, D. C., Capt. Louis Cartwright, to Cumberland. Barge Frederick Weiland, Cumberland, to Cumberland.

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*Ibid*, p. 9. IN THIS OLD PAPER – It is announced that “water has been let into the new cut of the Chesapeake and Ohio canal from the Powder House to the old locks, and it is spoken of as a beautiful sheet of water,” but that was a long time ago.

ES, Tue. 7/19/92, p. 6. **TO CLEANSE ROCK CREEK.** – Senator McMillan is again showing the interest he takes in the welfare of the District. This time he has taken a step towards the reform of the disease-breeding condition of the lower portion of Rock Creek. Some time ago, the Senator wrote Colonel Elliot in regard to the matter and has received the following from Colonel Elliot: “The Chesapeake and Ohio Canal Company’s dam backs the water of the creek to and beyond the P street bridge, and

by reason of the small flow of the creek in summer the pool made by the dam is essentially stagnant.

“A large part of West Washington empties its sewage into the creek through the ten-foot slush run sewer and other sewers. The sewage of a large part of Georgetown also empties into the creek and it is a receptacle for dead cats and all sorts of nastiness, and this condition of affairs in our hot summer weather must be dangerous to health.

“I understand it was formerly the custom of the health office to require the gates of the outlet lock into the river and the valves in the dam to be opened periodically under the supervision of a deputy for the purpose of sluicing out into the river the stagnant water of the creek, but it was discontinued a long time ago.

“The Chesapeake and Ohio Canal Company’s receiver, Mr. Winship, informs me that there is no objection whatever on the part of the company to a renewal of the practice, but an order should be given to the proper officials, so that the company will be guarded against claims for damages by the grounding of the sand boats in the creek.

“I do not think any legislation is required and probably a letter from yourself to the Commissioners requesting them to direct the gates in the outlet locks and also the valves in the dam to be opened not less than once a week at low tide and kept open long enough to lower the creek to the level of the river would be quite sufficient.”

Senator McMillan has written to the Commissioners drawing attention to the matter and requesting that the above recommendations be carried out.

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*Ibid*, p. 8. **GEORGETOWN TRAFFIC ON THE CANAL**  
Since July 11, the following laden canal boats have been registered at the Chesapeake and Ohio office: B. S. Johnson, Judge

Hagner, No. 121, No. 125, J. K. Cowen, Geo. S. French, Anteros, H. C. Chaney, John Leetch, No. 123, No. 107, No. 104, O. R. Laden, James Goddard, Wheatley Brothers, No. 116, Java, Burke Spencer, A. G. Johnson, No. 111, No. 114, H. Hanekamp, Dave Linkins, No. 113, Fred Wieland, Her I Am, A. Greenless, No. 122, Consolidation No. 2, Consolidation No. 10, Consolidation No. 8, F. Flanagan, No. 117, Little Rob, Ollie V., Deer Park, No. 128, No. 44, No. 120, No. 102, No. 103, No. 110, No. 105, No. 101, B. S. Summerville, Gallia, T. F. Shiftler, Eva, Potomac, Muskingum, Consolidation No. 4, Joseph Bryan, Cuba, Consolidation No. 7, No. 109, Judge State, John Spencer, No. 126, E. C. Cooney, W. D. L. Walbridge, Baltimore Sun and No. 124. Most of the above boats brought down coal, stone and grain from Cumberland and the intervening points along the waterway. Business on the canal for the past few weeks has been exceptionally good, an unusually large number of boats bringing down cargoes.

ES, Fri. 7/22/92, p. 7. **HAGERSTOWN NEWS** – The Chesapeake and Ohio canal, familiarly known in this locality as the “old ditch,” is receiving the perennial question of its utility. It must be admitted that the trade this year has not been active, owing partly to the decrease in the output of coal, and it is doubtful if the bondholders of 1844, under whom the canal is now being operated, will receive a penny from its business of the season. In fact, it is a question whether it will pay operating expenses. The people of this county, however, cling to the canal. This is notably so by the residents of Williamsport. They, however, complain of ill-treatment by the railroads. They say the railroads first consider their own interest, and if any interest is left it is conceded to Williamsport. In the palmy days of the canal - before the time of the great flood – it was

no unusual thing for 70,000 to 80,000 tons of freight to pass through the wharves of Williamsport. Now these figures cannot be reached by one-half, and consequently Williamsport is far from being happy. About 4,500 tons is an average week’s receipt of coal at the three wharves at Williamsport.

*Sun*, Sat. 7/23/92, p. 6. **SEEKING WATER BY PETITION TO COURT.** – Another petition was entered today in the suit of George Brown and others, of Baltimore, trustees, &c., vs. the Chesapeake and Ohio Canal Company. The petitioners, Lewis W. Richie, James E. Padgett and Edwin Forrest, filed a petition at the city hall today and set out that they are the proprietors of the Columbia Mills at Georgetown, which are supplied with water by the Chesapeake and Ohio canal under a lease made over fifty years ago and recognized and acted upon many times since. They set out further that although the trustees who are now operating the canal have refused to receive from the petitioners the water rent due the canal company under such leases, Manager Winship, under authority of the trustees, did, on the 25<sup>th</sup> of June, 1892, close the aperture in the canal bank through which the water used in the Columbia Mills is drawn, and has nailed and fastened the gate of said aperture and tied a scow in front of said aperture and placed on said scow a guard of men to prevent the aperture from being opened. They ask the court that the defendant be enjoined from the further maintenance of the barriers which prevent the flow of water into their mills and to permit the mills to receive water from the canal, subject to the limitations contained in the lease, and that they have leave to intervene in the case and pay \$1,775 water rent due the Chesapeake and Ohio Canal Company into the registry of the court.

Thereupon the court made the following order: “Under consideration of the



petition of Lewis W. Ritchie, Jesse E. Padgett and Edwin Forrest, it is this 22<sup>nd</sup> day of July, 1892, ordered by the court that said petitioners have leave to file their said petition therein and to pay into the registry of this court the sum of \$1,775, to be held subject to the further order of the court in the premises, and that process issue to the said trustees and to Henry C. Winship requiring them and him to answer said petition. Now it is further ordered, that said trustees and Winship show cause, on the 30<sup>th</sup> day of July, 1892, why they should not by order of this court to be enjoined and restrained, as prayed in the petition, pending a hearing upon said petition, provided a copy of the order be served upon them five days prior to said day. So, the case goes over until the 30<sup>th</sup> instant.

ES, Sat. 7/23/92, p. 3. **The Mills and the Canal Company** – Yesterday in the Equity Court – Judge Hagner – a petition was presented by L. W. Ritchie, J. E. Padgett and E. Forrest asking to be allowed to intervene in the Chesapeake and Ohio canal case of Brown against the canal company. They state that they are owners of the Columbia mills, operated by water from the canal under a contract made August, 1862, which has been renewed for twenty years; that H. C. Winship, manager, has refused to receive \$1,775, the amount due, and has cut off the water. Justice Hagner allowed the petition and allowed the deposit of the amount in the registry and directed that the trustees and H. C. Winship show cause why they should not be enjoined, returnable on 30<sup>th</sup> instant.

ES, Tue. 7/26/92, p. 9. **GEORGETOWN TRAFFIC ON THE CANAL**  
Since the 19<sup>th</sup>, the following laden boats have been registered at the office of the Chesapeake and Ohio Canal Company: H. L. bard, Consolidation No. 15, Consolidation No. 1, F. Flanagan, J. K. Shaw, Consolidation No. 8. Judge Alvey,

Consolidation No. 9, Isabella, No. 106, Consolidation No. 12, M. E. Grove, Garret F. Snider, Consolidation No. 5, No. 116, No. 112, Dr. Knott, Lafayette, No. 11, Mary Mertens, No. 118, Unexpected, A. K. Dowden, Samuel Henry, Dalia, Marshall Wise, L. W. Guinand, Benj. Vaughn, Plough Boy, Florence, B. S. Johnson, Major Blake, No. 125, G. W. Thomson, No. 129, Three Brothers, Salina, Consolidation No. 6, C. R. White, W. T. Calhan, J. H. Milstead, Dakota, Consolidation No. 14, Juniata, Edith Pratt, R. P. Mason, F. O. Becket, Cuba, A. H. Bradt, W. S. Jacques, T. F. Holbrook. Everything connected with the waterway is reported to be in splendid condition.

ES, Thu. 7/28/92, p. 8. **GEORGETOWN TRAFFIC ON THE CANAL**

Last week there were 7,396 tons of coal shipped from Cumberland over the Chesapeake and Ohio canal. All of it, though did not come to Georgetown, as Williamsport and other landing places received much of it. From July 9 to the 24<sup>th</sup>, 176 loaded boats passed through lock 75 on the canal and the average tonnage was 119 tons per boat.

ES, Fri. 8/5/92, p. 3. **HAGERSTOWN NEWS** – The Potomac Valley railroad, a branch of the Western Maryland railroad, is now open for traffic. The road connects the Western Maryland with the Baltimore and Ohio at Cherry Run, and is fourteen miles long. By this new road the Baltimore and Ohio and Western Maryland will be able to save many miles in the hauling of their freight, and the road will be a great blessing to people living in the western part of the county. Instead of driving long distances, as compelled heretofore, they can come to Hagerstown by this new railroad in a very short time. They will also have better facilities for marketing their products.

*Sun*, Sat. 8/6/92, p. 6. **Maryland Items.**

The shipments from the mines of the Cumberland coal region for the week ended Saturday, July 30, 1892, were 72,580 tons, and the total shipments for the year to that date 2,097,839 tons, a decrease of 401,182 tons as compared with the corresponding period of 1891. The shipments to the Chesapeake and Ohio Canal Company were 9,582 tons for the week, and the year 119,699 tons, an increase of 116,966 tons as compared with last year.

ES, Sat. 8/6/92, p. 16. **GEORGETOWN TRAFFIC ON THE CANAL**

The shipments from the mines of Cumberland for the week ending July 30 were 72,580 tons and the total shipments for the year to that date, 2,097,839 tons, a decrease of 401,182 tons, as compared with the corresponding period of 1891. The shipments to the Chesapeake and Ohio Canal Company were 9,582 tons for the week, and the year 119,699, an increase of 116,966 tons as compared with last year.

*Sun*, Thu. 8/11/92, p. 6. **Maryland Items.**

The shipments from the mines of the Cumberland coal region for the week ended Saturday, August 6, 1892, were 70,537 tons, and the total shipments for the year to that date 2,168,377 tons, a decrease of 414,906 tons as compared with the corresponding period of 1891. The shipments to the Chesapeake and Ohio Canal Company were 7,451 tons for the week, and the year 127,150 tons, an increase of 123,188 tons as compared with last year.

ES, Thu. 8/11/92, p. 2. **SUITS BY THE CANAL COMPANY – They Want to Recover Certain Ground Claimed to Belong to Them.** – The Chesapeake and Ohio Canal Company to the use of B. S. Johnson et al., trustees, today by Messrs. Morris & Hamilton, filed an action in

ejection against the Washington and Georgetown Railroad Company to recover ground in square 30, Georgetown, 47 by 66 feet on Grace street, which it is alleged the defendant entered upon June 2, 1887, and still retains possession.

A similar suit has been entered against Cammack J. Decker to recover parts of lots 5 and 6, square 1, of Washington – 26<sup>th</sup> and K streets northwest.

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*Ibid*, p. 8. **GEORGETOWN TRAFFIC ON THE CANAL**

From the mines of Cumberland there were shipped last week over the Chesapeake and Ohio canal, 7,451 tons of coal. For the year ending August 6, 127,150 tons were shipped, an increase of 123,188 tons as compared with last year.

*Sun*, Fri. 8/12/92, p. 6. **C. AND O. CANAL SUITS** – The Baltimore trustees of the Chesapeake and Ohio Canal Company have now nearly completed their transcripts of the muniments of the titles of the canal company to various lands in this District and Maryland as shown by the land books of the various counties. Two suits for District land were entered today by the canal attorneys, Messrs. Morris and Hamilton.

The Chesapeake and Ohio Canal Company entered suit against Wm. Cammack and Geo. W. Decker, claiming certain lots in square No. 1 of the city of Washington, which are now in possession of Cammack and Decker, but which are alleged to be part of the property of the Chesapeake and Ohio Canal Company. The plaintiff's claim also \$800 profits of said lots since 1887.

A similar suit is entered in the same manner by the Chesapeake and Ohio Canal Company against the Washington and Georgetown Railroad Company for land situated in square No. 30 in the city of Georgetown, known as part of lot 45,

beginning at the north line of Grace street (Cherry alley) 274 feet west of the southeast corner of square 30, being the intersection of Grace street with High street; thence 47 feet along the north line of Grace street; thence north 66 feet; thence east 47 feet; thence due south 66 feet to the place of the beginning. The canal company claims that being lawfully possessed of this land in June, 1887, the defendants unlawfully entered on the land and ejected the plaintiff from the same, and the canal company now claims the possession of the said land, containing about 3,102 square feet, and also sues for \$1,000 profits as issues of the land since 1885.

ES, Fri. 8/12/92, p. 10. **GEORGETOWN TRAFFIC ON THE CANAL**

Since Tuesday, August 2, the following laden boats have registered at the office of the Chesapeake and Ohio Canal: James Goddard, Samuel Henry, Three Brothers, J. K. Shaw, E. J. Cooney, Hugh S. Bond, Eva Cushwa, Wheatley Brothers, Baltimore Sun, W. Darrow, Theo. Dean, Bell, Consolidation No. 9, Isabella, Seneca, No. 112, Consolidation No. 11, Lafayette, No. 109, W. H. Walbridge, No. 126, J. W. Deale, Dr. Knott, Leper, F. Reid, Shiftlet, Emma Mertens, Geo. A. McAlhaney, John Leech, Consolidation No. 6, Fred Wieland, Consolidation No. 15, C. R. White, Jr., W. F. Coulehan, John Spencer, No. 106, No. 116, Dowden's, Savannah, Canal Scow, Thomas H. Gibbs, Morning Star, Judge Cox, S. M. Storm, No. 133, Geo. S. French, Florence, Park Agnew, D. A. Lowe, L. W. Guinand, No. 134, Marshall Wise, No. 109, R. P. Mason, J. H. Milstead, No. 113, Dakota, Consolidation No. 14, Fannie Flanagan, Maryland, H. Hanekamp, Maj. L. L. Blake, Anteros, H. Chaney, No. 122, Florence, Dixie, H. H. Keedy, F. S. Garnet, Consolidation No. 3, No. 102, No. 104, Consolidation No. 17, No. 101, E. R. Laden, C. W. Adams, Joseph

Bryan and Judge Hagner. All quiet along the canal.

ES, Mon. 8/15/92, p. 8. **GEORGETOWN FOUND WITH A BULLET WOUND**

While walking along the canal towpath yesterday afternoon, a couple of Georgetown gentlemen discovered a man sitting under the large tree near the outlet lock with a bullet wound in his neck and completely covered with blood. Sitting beside him, considerably frightened, was the man's little son. On being asked the cause of his condition the man, who proved to be a captain on one of the nearby canal boats, stated that he had been struck by a bullet fired from the opposite side of the river and so weakened that he was unable to help himself. The bullet, which had come a distance of 500 feet or more, first struck its victim in the shoulder, then glanced off and entered the neck, inflicting a flesh wound of a very painful nature. The party who fired the shot was probably shooting at a target. The police were notified of the affair and assistance immediately rendered.

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**BURNED TO DEATH**

Mrs. Jacob B. Humbird, an estimable lady, who resides a few miles this side of Cumberland on the line of the C. and O. canal, was, on Saturday, burned to death. She was preparing supper on a gasoline stove, when it was noticed that the fluid used was about exhausted and, in her attempt to replenish it, her clothes caught fire. The flames were extinguished after a struggle by the victim's daughter and a gentleman named Rice, but not before fatal injuries had been received. A physician was called in, but the lady was then too far gone, and after suffering greatly for twelve hours, she expired.

ES, Wed. 8/17/92, p. 8. **GEORGETOWN**

LAND BOUGHT BY A RAILROAD COMPANY

A deed was placed on record yesterday in Alexandria, Va., showing that the Pennsylvania Railroad Company had purchased some fourteen acres of land on the Virginia side of the river, about one-half of which is in the town of Roslyn, the balance being the old canal bed, extending from Roslyn to a point opposite the entrance to the Arlington cemetery. The railroad had previously acquired the remainder of the canal bed as far as Alexandria. The property purchased extends to Chadwick street, an avenue eighty feet wide, which leads directly from the Free bridge. On this avenue the company has 100-feet front, and there they will construct a depot.

REPAIRS TO BE MADE

The abutment on the Maryland side of the Chesapeake and Ohio canal at dam No. 4 will be torn down to the water's edge and rebuilt. This is necessary on account of the damage of 1889. Mr. Cain has the contract and will push the work with all possible haste.

ES, Fri. 8/19/92, p. 8. GEORGETOWN TRAFFIC ON THE CANAL

Since August 11, the following laden canal boats have arrived: Judge Stake, No. 117, Little Pat, No. 115, A. H. Bradt, No. 124, F. O. Becket, R. W. Summerville, Fannie Flanagan, Consolidation No. 8, No. 110, L. V. Baughman, No. 123, Consolidation No. 10, No. 121, No. 111, J. W. Thompson, Benj. Vaughn, No. 127, No. 135, Juniata, W. F. Creighton, J. K. Carven, W. H. Cooper, A. L. Miller, No. 114, M. E. Grove, Round Top, Winter, Consolidation No. 16, No. 18, No. 107, B. R. Mayfield, Detroit, Consolidation No. 4, Muskingum, Maryland, No. 109, Consolidation No. 12, Unexpected, Florence, Eugene, geo. A. Hoffman, No. 125, Dixie, Fred Weiland, B. S. Johnson, Judge Alvey, John Leetch, Archibald Greenless, Geo. S.

French, No. 130, T. L. Holbrook, No. 120, Deer Park, Three Brothers, No. 105, No. 108, Plough Boy, Lafayette, No. 119, Dr. Knott, Here I Am, Wheatley Bros., J. K. Shaw, No. 136, Samuel Henry, Burke Spencer, No. 112, Consolidation No. 1, No. 132, No. 131, Consolidation No. 13, Consolidation No. 4, W. R. Lewis, No. 7, No. 103, Mary Mertens, No. 128, H. H. Keedy and Ollie V. Wheat, corn, hay, stone, coal, lumber and lime composed the cargoes.

THE WATER VERY LOW

The water in the upper Potomac is so low that Cumberland fears her supply will be cut off if rain does not fall at a very early date.

ES, Thu. 8/25/92, p. 8. GEORGETOWN TRAFFIC ON THE CANAL

During the week ending August 23, the following laden boats registered at the office of the Chesapeake and Ohio Canal Company: Cuba, W. C. S. Walbridge, G. A. McIlhaney, Hugh L. Bond, Consolidation No. 6, Isabella, Cupid, Potomac, No. 126, Sarah Kroon, Consolidation No. 5, Consolidation No. 6, Theo. Dean, Mary S. Mills, Consolidation No. 15, James Goddard, Four Brothers, No. 134, E. J. Conroy, No. 133, Emma Mertens, No. 116, No. 1118, Anteros, H. C. Chaney, No. 106, No. 102, W. M. Coulehan, Charles R. White, Charles Darrow, L. P. Reed, T. F. Shiftlet, A. G. Johnson, John Spencer, Florence, Consolidation No. 101, Judge W. S. Cox, J. W. Veale, Judge Stake, R. P. Mason, Consolidation No. 4, L. W. Gruinard, J. K. Cowen, Joseph Bryan, A. H. Dowden, D. A. Lowe, A. H. Bradt, Loudoun, Unexpected, Dr. Knott, No. 104, Judge Hagner, Florence Flanagan, No. 122, Ollie V. and Three Brothers. Stone, coal, hay, straw and wheat make up the cargoes of the foregoing.

NOTES

The Canal toad from the Aqueduct to the Chain bridge is now nightly illuminated by twenty-four brilliant electric lights. The Chain bridge is also supplied with illuminators from the Georgetown side to its southern end.

ES, Mon. 8/29/92, p. 8. **GEORGETOWN CANAL BOATS WILL NOT BE DELAYED**

Engineer Nicholson, of the Chesapeake and Ohio Canal Company, returned Saturday night from his trip of inspection. The break in the neighborhood of Sharpsburg, which was reported to be of a serious nature, has been found by the engineer to be of not much consequence and in a day or two at the most will be thoroughly repaired. It was thought at first that boats would be delayed on their trips at least ten days by this impairment, but the prompt action of the company in sending men immediately to the scene has reduced the delay to comparatively nothing. In other respects, the canal is doing quite well.

ES, Tue. 8/30/92, p. 3. **THE RIVER FRONT – ARRIVED – Barge Consolidation No. 10, Cumberland, Capt. Swain, from Cumberland with 106 tons Cumberland coal. SAILED**

Barge Maj. L. L. Blake, Georgetown, D. C., Capt. Gay, to Cumberland.

*Sun*, Fri. 9/2/92, p. 6. **Maryland Items**

The shipments from the mines of the Cumberland coal region for the week ended Saturday, August 27, were 78,232 tons, and the total shipments for the year to that date 2,490,967 tons, a decrease of 410,034 tons as compared with the corresponding period of 1891. The shipments to the Chesapeake and Ohio Canal Company were 7,667 tons for the week, and the year 151,584 tons, an increase of 142,688 tons as compared with last year.

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The break in the towpath of the Chesapeake and Ohio canal in the neighborhood of Sharpsburg, which was reported to be of a serious nature, has been found by the engineer to be of not much consequence, and in a day or two at the most will be thoroughly repaired. Boats will not be delayed.

ES, Tue. 9/6/92, p. 8. **GEORGETOWN TRAFFIC ON THE CANAL**

Since August 25, the following laden boats have registered as "arrived" at the office of the Chesapeake and Ohio Canal Company: L. V. Baughman, Park Agnew, Little Rob, No. 117, No. 123, Madge Blake, R. B. Johnson, F. S. Garnet, Fred Weiland, Geo. L. Church, Florence, Fannie Flanagan, Dixie, Three Brothers, Dr. Knott, Unexpected, No. 135, No. 132, F. O. Becket, Lafayette, A. Greenless, No. 107, Samuel Henry, Juniata, Dakota, No. 108, Consolidation No. 11, Judge Alvey, No. 190, No. 121, H. H. Keedy, Seneca, No. 125, Consolidation No. 18, No. 136, J. H. Milstead, Muskingum, Consolidation No. 4, J. K. Shaw, Winter, J. K. Cowen, No. 119, Consolidation No. 1, Consolidation No. 12 and Cuba. Most of the above came from Cumberland with coal. The minority brought wood, wheat, lime and lumber. The break near Sharpsburg occurred during the time herein noticed, which accounts for the comparative few arrivals. Most of the above boats have discharged their cargoes and gone back loaded with fertilizers and other manufactured articles.

ES, Mon. 9/12/92, p. 3. **GEORGETOWN TRAFFIC ON THE CANAL**

Since the Sharpsburg break, the following canal boats have brought cargoes to town: No. 101, R. L. Summerville, John Leetch, Consolidation No. 16, Plough Boy, No. 105, J. H. Reid, No. 130, E. J. Cooney, Consolidation No. 6, Isabella, Consolidation No. 7, Benj. Vaughn, No. 126, C. W. Adams, No. 120, Deer Park, Detroit, B. R. Mayfield,

No. 114, Here I Am, No. 112, No. 137, W. R. Lewis, Three Brothers, Consolidation No. 13, W. F. Creighton, W. D. L. Walbridge, Dr. Knott, Hugh L. Bond, Fannie Flanagan, Eva, Burk Spencer, A. L. Miller, W. H. Cooper, Unexpected, Steamer Rattling, Morning Star, Judge Hagner, No. 131, T. S. Holbrook, No. 128, Geo. McIlhaney, Theo. Dean, Sarah Kroon, Wheatley Bros., W. H. Bayley, Cuba, Fred. Wieland and No. 138. The Wheatley Bros. brought down wheat and corn, the Cuba straw and shucks, the Morning Star and Judge Hagner cement, the Three Brothers millstones, Dr. Knott building stone and the remainder coal from the Cumberland region.

ES, Tue. 9/13/92, p. 3. **GEORGETOWN**  
**DEATH OF MR. W. H. KING**  
 Mr. W. H. King, who for some time has had charge of the canal lock near Glen Echo, died yesterday at the hospital after a painful illness. The deceased was well and favorably known in Georgetown, while those connected with the canal company speak of him in the highest terms. This morning the body was sent home.

ES, Thu. 9/15/92, p. 9. **GEORGETOWN**  
**TRAFFIC ON THE CANAL**  
 The shipments from the mines of Cumberland for the week ending September 10, 1892, were 96,639 tons and the total shipments for the year to that date 2,576,818 tons. A great deal of the above came to Georgetown by way of the Chesapeake and Ohio canal and was loaded on vessels which carried it to many of the northern and southern cities.

ES, Thu. 9/22/92, p. 9. **GEORGETOWN**  
**TRAFFIC ON THE CANAL**  
 The following are the latest arrivals at the Georgetown canal docks: No. 124, Consolidation No. 3, R. P. Mason, Park Agnew, Little Rob, No. 122, Geo. S. French,

Consolidation No. 5, Consolidation No. 6, J. W. Deale, Judge Cox, No. 118, Consolidation No. 19, Consolidation No. 17, No. 106, Consolidation No. 10, No. 124, A. H. Bradt, Three Brothers, Fannie Flanagan, Unexpected, Dr. Knott, Rattling Spring, Chas. Darrow, Four Brothers, C. R. White, No. 117, W. T. Coulehan, M. E. Grove, Maryland, Salina, E. P. Sadue, No. 115, H. H. Keely, Consolidation No. 12, A. H. Dowden, No. 125, No. 110, No. 104, F. S. Garnet, J. H. Milstead, Consolidation No. 15, Joseph Bryan, J. K. Carven, S. P. Reid, T. J. Shiflet, No. 119, Baltimore Sun, No. 111, No. 134, Consolidation No. 14, No. 15, No. 123, Dom. Spencer, H. Hanekamp, Seneca, No. 116, Cuba, No. 101, J. M. Gibbs, A. G. Johnson, No. 103, Glen Echo, Oak Spring, Consolidation No. 4, A. Greenless, Winter, Dom. Leetch, S. M. Storm, Daniel Linkin, F. Wieland, Judge Alvey, G. S. Nicholson, Muskingum, Judge Hagner, Consolidation No. 11 and Lafayette. The Maryland and Four Brothers brought wheat and corn, the Flanagan limestone, and the remainder coal. After discharging, they carried back guano, seed, lumber, wagons, flour and hardware.

ES, Sat. 10/1/92, p. 16. **GEORGETOWN**  
**TRAFFIC ON THE CANAL**  
 Since the 24<sup>th</sup> of September, the following laden canal boats have arrived and registered: No. 102, 103, Consolidation No. 13, No. 132, 137, 120, C. W. Adams, Deer Park, W. R. Lewis, Consolidation No. 5, J. P. Hewitt, No. 114, A. L. Miller, No. 126, M. E. Grove, Judge Stake, R. P. Mason, No. 112, Theo. Dean, C. A. McIlhaney, Maryland, W. H. Cooper, Consolidation No. 8, Ollie V., Samuel Henry, M. L. Miles, Libbie, Consolidation No. 9, Isabella, Judge Cox, No. 136, A. H. Bradt, Consolidation No. 2, Eva Cushman, Little Rob, T. L. Holbrook, Col. Baughman, Consolidation No. 17, Cuba, No. 118, J. H. Reed, C. R. White, W. T. Coulehan, Consolidation No. 12, F. F.

Flanagan, B. Vaughn, No. 121, No. 138, J. Bryan, No. 128, Here I Am, Consolidation No. 10, No. 106, H. H. Keedy, J. K. Carven, Unexpected, E. R. Laden, J. H. Milstead, W. S. Jacques, Consolidation No. 18. Most all of the above are coal boats and brought down Cumberland's principal product for Winship and Agnew & Co. After unloading, they carried back from this end lumber, furniture, fertilizer and gas lime.

ES, Sat. 10/8/92, p. 6. **GEORGETOWN TRAFFIC ON THE CANAL**

The following boats have registered at the office of the Chesapeake and Ohio Canal Company as "arrived:" F. Miland, W. H. C. Bailey, No. 110, No. 104, No. 115, No. 119, Cuba, W. C. S. Walbridge, Dakota, J. K. Shaw, No. 127, Three Brothers, F. Flanagan, Florence, A. H. Dowden, W. F. Creighton, Consolidation No. 3, Baltimore Sun, S. P. Reid, F. F. Shiftlet, B. S. Johnson, John Leetch, Consolidation Nos. 14, 4, 111 and 15, Maryland, Consolidation No. 11, Judge Alvey, Lafayette, Dr. Knott, 20, 103, 116, Consolidation No. 20, No. 133, Daniel Simpkins, No. 135, Plough Boy, Park Agnew, No. 102, Wheatley Brothers, No. 130, No. 16, S. W. Guinand, G. S. Nicholson, No. 105, T. M. Gibbs, No. 123, No. 107, W. L. Bond, No. 132, E. J. Cooney, R. S. Summerville and Consolidation No. 7. Coal and grain were the principal cargoes brought down, and lumber, fertilizer, flour, bricks, lime and shingles the principal ones taken back. At the docks of the Meredith-Winship Company Constructor Hunter of Washington is putting the last nails in a large new boat that is soon to be added to the canal fleet.

ES, Tue. 10/25/92, p. 10. **GEORGETOWN TRAFFIC ON THE CANAL**

Within the past few days the following boats have brought cargoes down the canal: Okonoko, No. 13, No. 117, No. 122, Salina,

Consolidation No. 19, B. S. Johnson, No. 102, M. Wise, W. H. Cooper, Three Brothers, W. C. S. Walbridge, F. Flanagan, Oak Spring, Florence, J. H. Reid, Consolidation No. 11, Lafayette, Judge Hagner, J. H. Mertens, Consolidation No. 16, No. 136, No. 108, F. S. Garnett, Round Top, Geo. S. French, Baltimore Sun, No. 124, J. K. Shaw, No. 133, W. H. C. Bailey, No. 127, Maryland, T. J. Shiftlet, L. P. Reid, Dr. Knott, Deer Park, F. L. Holbrook, J. K. Carven, Dakota, A. Greenless, A. H. Dowden, Consolidation No. 20, J. W. Deale, Theo. Dean, A. Henry, No. 110, No. 104, John Leetch, G. L. Nicholson, E. Cushwa, Consolidation No. 4, Consolidation No. 3, No. 115, Seneca, No. 119, F. Wieland, Cuba, Unexpected, No. 103, Consolidation No. 15, Loudoun, H. L. Boyd, No. 135 and May L. L. Blake. The cargoes carried back to Cumberland and intermediate points consisted of lumber, flour, oil, phosphates, gas lime, salt and other like stuff.

ES, Wed. 11/2/92, p. 6. **DISTRICT GOVERNMENT – THE CANAL COMPANY AND ROCK CREEK** – In connection with the preparation of a report on the question of arching over Rock creek, as directed by the last Congress, the Commissioners, upon the recommendation of Capt. Lusk, who has immediate charge of this work, have requested the attorney for the District to ascertain and report the full status of the Chesapeake and Ohio Canal Company in regard to Rock creek; the rights and franchises of the said company with reference to the said stream; the extent to which the company owns or controls lands along the said creek, on both sides thereof; and also the extent to which the said company is authorized to utilize said creek as a harbor and to what extent the company is authorized to raise the water of the creek by damming or otherwise.

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*Ibid*, p. 7. **GEORGETOWN**

**THE CANAL TRAFFIC**

Since the 26<sup>th</sup> of October, the following laden boats have arrived from Cumberland and intermediate points via the canal: A. H. Bradt, Consolidation No. 7, Consolidation No. 6, No. 137, Isabella, M. L. Mills, B. Coulehan, Consolidation No. 1, No. 17, C. R. White, Jr., W. T. Coulehan, No. 123, Little Rob, F. O. Becket, Judge Alvey, Little Walter, No. 129, No. 113, Consolidation No. 12, Consolidation No. 18, No. 101, W. R. Lewis, Judge Cox, B. R. Mayfield, Unexpected, H. Hanekamp, Judge Hagner, Daniel Linkins, No. 182, Consolidation No. 5, G. A. McIlhaney, No. 125, Juniata, Three Brothers, A. L. Miller, No. 112, Consolidation No. 9, B. S. Johnson, Dr. Knott, F. Wieland, F. Flanagan, Morning Star, Four Brothers, Maryland, W. S. Jacques and Oak Spring. Most of them returned with manufactured goods.

ES, Fro. 11/4/92, p. 9. **GEORGETOWN NOTES**

Canal boats Maryland and Wheatley Brothers have brought down hay for J. G. and J. M. Waters. Hay is now selling from \$14 to \$15 a ton.

Mr. B. W. Murch left the Curtis building yesterday to take charge of the Force School, on Massachusetts avenue. His place at the Curtis will be filled by Mr. Nicholson.

The Chesapeake and Ohio canal is again being dredged.

ES, Tue. 11/8/92, p. 7. **GEORGETOWN THE CANAL PROSPEROUS**

The following boats, laden with coal, stone, wheat, hay &c., have arrived by the canal since November 1: Dr. Knott, Florence, Theo. Dean, No. 138, Consolidation No. 20, Consolidation No. 2, Three Brothers, No. 128, No. 117, No. 128, Here I Am, Winter, Consolidation No. 13, Consolidation No. 4,

S. M. Storm, A. H. Dowden, No. 134, Wheatley Brothers, No. 110, No. 104, M. Wise, John Leetch, F. Flanagan, Consolidation No. 19, Consolidation No. 11, Joseph Bryan, No. 106, M. E. Grove, Unexpected, No. 119, No. 126, No. 121, No. 138, Consolidation No. 16, J. H. Mertins, No. 122, G. S. French, Bo. 114, L. V. Baughman, Consolidation No. 3, Consolidation No. 10, No. 115, G. L. Nicholson, Three Brothers, E. R. Laden, Cuba, W. D. S. Walbridge, W. H. Cooper, A. Mayer, H. H. Keedy, Seneca, and Muskingum. During the season that is now drawing to a close, the canal has enjoyed greater prosperity than it has had for many years, and its officers feel sure that with better river shipping facilities the old-time bustle on the 184-mile stretch will again be seen. The greatest trouble those interested in canal shipping have is in the getting of vessels to carry coal, &c., away, after it has reached town. The obstruction offered to navigation by the Long bridge and certain other inconveniences that Potomac river captains have had to contend with have had the effect of driving them to other shipping ports in preference to this. Only when business is dull around Baltimore's wharves and those at adjacent cities can the majority of captains be induced to come to Georgetown.

ES, Mon. 11/14/92, p. 9. **GEORGETOWN HAD TO FIVE BONDS.**

Charles Barnes and Charles Tingstrum are not on pleasant terms just now for the reason that the former paid a visit to the latter at his boat on the canal. A report was circulated about Georgetown concerning Barnes' acquaintance with Tingstrum's wife, and he called upon the husband for an explanation and some threatening language was indulged in. A knife and pistol were to take part in the next conflict, according to the threat, but before there was time for another meeting, an arrest was made and Judge Miller settled the



affair by taking the personal bonds of the defendant, Barnes, and warned him to keep away from Tingstrum's boat.

NOTES

All the mills along the Georgetown level of the Chesapeake and Ohio canal are in daily operation and doing a good business. Wheat is coming down from the region to the west in large quantities and all the flour made is meeting with a steady sale.

ES, Wed. 11/16/92, p. 6. **DISTRICT GOVERNMENT – THE CHESAPEAKE AND OHIO CANAL AND ROCK CREEK**  
The opinion of the attorney for the District was asked by the Commissioners in connection with the preparation of a report on the arching of Rock creek as to the status of the Chesapeake and Ohio Canal Company in regard to that creek, the rights and franchises of the canal company with reference to it, the extent to which the said company owns or controls land on both sides of the creek, and also to what extent said company is authorized to utilize the creek as a harbor and to what extent the canal company is authorized to raise the water of Rock creek by damming or otherwise. The conclusion reached by the attorney is that the only rights of the canal company in Rock creek are those of a riparian owner.

ES, Thu. 11/17/92, p. 8. **THE CANAL AND THE CREEK** – [illegible] in which it is held, as stated in yesterday's *Star*, that the only rights the Chesapeake and Ohio Canal Company has over Rock creek are those of a riparian owner, the attorney for the District reviews the history of the canal. He states that the Chesapeake and Ohio Canal Company had its origin in the Potomac Company, which was chartered by Virginia and Maryland for the purpose of improving the navigation of the Potomac river "from tidewater to the highest point on the North branch." President Washington appears to

have taken considerable interest in this enterprise as one of national importance. The Potomac Company made the river navigable for long, flat-bottomed boats, called "gondolas," by means of canals around the falls and rapids (its canal at Great Falls being on the Virginia side) as far as Seneca. These gondolas made only one trip. They were sold as old lumber at this end of the canal. In 1822 the Potomac Company suspended operations and its property and franchise subsequently passed into the hands of the Chesapeake and Ohio Canal Company. The Chesapeake and Ohio Canal Company was chartered by the legislature of Virginia in 1823, and afterward, in the same year, by the legislature of Maryland. The act of Virginia was ratified and confirmed by the Congress of the United States in March 1823 (4 Stat. 101), so far as it was necessary to enable the company to carry into the provisions of its charter in the District of Columbia. The charter of the company empowered it to agree with the owners of any land through which the said canal was intended to pass, for the purchase, use and occupation thereof, and in case of disagreement to apply to a justice of the peace for a warrant of inquisition, to be directed to the sheriffs of the several counties of Maryland through which the canal should pass. The sheriff was to return the inquisition to the clerk of his county court, and unless good cause was shown against it by a limited time, it was to be confirmed by the court. In 1830 the Chesapeake and Ohio Canal Company acquired by purchase and condemnation the land on both sides of Rock creek in Washington and Georgetown necessary for the uses and purposes of the canal. As to several of the parcels of land taken, it will be noticed, the condemnations extend to the "channel of Rock creek." The plat book in the assessor's office entitled "Squares of Georgetown," folios 1, 2, 3, 23 and 24, shows the lines of the canal

company's property abutting on the west side of Rock creek. On the east side of the creek, the line of the canal company's land is shown on page 2 of the latest edition of the Hopkin's map of Washington. In 1837, some question having arisen as to the validity of these condemnations, the proceeding having been conducted by the United States marshal for the District, whereas by the charter, they were to be conducted by the sheriffs of the several counties of Maryland through which the canal passed. Congress enacted (5<sup>th</sup> Stat., 197) that all condemnations of land in the District of Columbia for the canal company made by the marshal or any lawful deputy marshal should be as valid as though made in Maryland through the agency of the sheriffs of the several counties of that state through which the canal passed.

The fee simple in the land acquired by the canal company was apparently taken. The owners, it would seem from the proceeding, were paid the entire value of their lands, including "water privileges." But no authority appears to have been given the canal company by Congress to interfere with Rock creek in any manner, and it would seem that the only rights of the canal company in Rock creek are those of a riparian owner. The rights of such an owner, whether he owns to the center of the stream or to the banks, is that of access to the navigable part in front of his lot, the right to fish in the stream, the right to make a landing, wharf or pier for his own use or the use of the public under proper regulations. He also owns the accretions to the soil. He is entitled to the customary flow of water. Any diversion of the water supply is a damage requiring compensation.

The canal company apparently supposed that as riparian owner on both sides of the creek, its title would include the rich right to the stream. This is to be inferred, I think, from the fact that it acquired the land on both banks for a considerable distance

above the mouth of the creek, and the creek not being navigable, it erected a dam to raise the water to make it navigable for canal boats. It would seem, then, that any claim the canal company may have to Rock creek is limited to "water privileges." Rock creek at this point was tidewater of the Potomac and the canal company had the right to lock its boats into the river by way of the creek. If this be the extent of the canal company's claim, then the arching of the creek as proposed, would entitle it to compensation if its "water privileges" were impaired or destroyed. The canal company would also be entitled to compensation, perhaps, for so much of its land as might be taken for the abutments of the proposed arch and for the use of its land during the time employed in making the improvement.

In view of the fact – and I am informed it is a fact – that Rock creek is no longer used by the canal company for canal purposes, it might be assumed that the company would co-operate in this great improvement. Especially is this so if, as I understand it, it is only necessary, since the erection of the "outlet lock" above Georgetown, for the canal company to keep up the Rock creek end of the canal in order to fulfill its obligations to certain mill owners in Georgetown, since provision could be made for an outlet or waste way for the canal into the proposed sewer, if necessary. It seems to me, the canal company would view with great favor a proposition to arch Rock creek, considering the great benefits that would result to it by the enhancement of its property abutting thereon.

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**GEORGETOWN**

**TRAFFIC ON THE CANAL**

Since November 8 the following laden boats have registered at the office of the Chesapeake and Ohio Canal Company as "arrived:" Consolidation No. 6, S. P. Reid, T. J. Shiftlet, No. 131, Unexpected, C. R.

White, Jr., W. T. Callahan, Maryland, Fannie Flanagan, Little Walter Anteros, H. Chaney, No. 103, No. 135, Consolidation No. 8, No. 116, Plough Boy, No. 111, J. K. Cowen, Three Brothers, Consolidation No. 15, No. 124, J. K. Shaw, Judge Hagner, Judge Cox, Dr. Knott, B. S. Johnson, W. R. Lewis, Consolidation No. 1, No. 118, No. 137, A. H. Bradt, Consolidation No. 21, H. L. Bond, C. F. Beale, Consolidation No. 14, John Spencer, Cuba, No. 107, No. 127, Okonoko, Consolidation No. 12, No. 130, G. S. Murch, F. S. Garnet, No. 129, No. 113, Judge Stake, W. H. Bayley, Consolidation No. 18, J. P. Hewitt, G. S. Nicholson, Detroit, B. R. Mayfield, Emma & Julia, No. 101, C. W. Adams, Eva Cushwa, M. L. Miles, T. F. Gibbs, C. David, F. Williams, No. 109, Four Brothers, Little Rob and Three Brothers. Coal composed the cargo of most of the above.

ES, Fri. 11/18/92, p. 9. **GEORGETOWN NOTES**

Col. Alfred Spates of Cumberland, once prominent as the president of the Chesapeake and Ohio Canal Company, and a member of the Maryland legislature, a gentleman well-known in Georgetown, died yesterday at the residence of his nephew, Mr. Renshaw, 809 13<sup>th</sup> street.

ES, Fri. 11/25/92, p. 10. **GEORGETOWN A FIRE ON THE CANAL.**

At 3:23 yesterday afternoon fire broke out in the carpenter shop of the Chesapeake and Ohio Canal Company, located near the outlet lock about a half-mile west of town. The fire department, on being telephoned for, sent up engine No. 5, which threw her hose into the canal, raised steam and began her work of extinguishing the flames. A light boat passing by was hailed and the firemen crossing to the side on which the shops were, soon completed the work of preservation. The shops were built by the canal company

for the purpose of constructing there, three new lock gates to be placed in the vicinity. These having been finished and left on the scene of the fire were destroyed along with about fifteen feet of the Baltimore and Ohio Railroad Company's new trestle work, which runs along the canal on the south side. A scow belonging to the canal company was also sadly treated by the flames. The loss is estimated at about \$800 or \$1,000.

AG, Fri. 11/25/92, p. 4. **C. & Co. Canal Shops Burned** – A fire occurred yesterday in the workshops of the Chesapeake and Ohio Canal located upon the banks of the canal about one mile from Georgetown. The shops were badly damaged, and the fire spreading to the new trestle-work of the Baltimore and Ohio Railroad, destroyed it for a distance of 100 yards. The damage is estimated at \$5,000.

ES, Mon. 11/28/92, p. 11. **GEORGETOWN ARRIVALS BY CANAL**

Those boats that have arrived in town by way of the Chesapeake and Ohio canal since the 19<sup>th</sup> are as follows: Nos. 104, 110, 106, Juniata, J. H. Mertens, Nos. 127, 125, Lafayette, No. 120, J. H. Milstead, No. 138, Consolidation No. 4, Judge Alvey, E. J. Cooney, W. D. L. Holbrook, John Leetch, Marshall Wise, Consolidation No. 11, Three Brothers, H. Hanekamp, Oak Spring, A. S. Miller, Maryland, Dr. Knott, J. K. Carven, Morning Star, No. 121, Consolidation No. 20, Winter, Consolidation No. 13, No. 120, No. 134, Cuba, B. S. Johnson, S. M. Stone, Sara Kroon, Here I Am, Joseph Bryan, Consolidation No. 17, A. H. Dowden, Seneca, Consolidation No. 19, No. 128, F. Flanagan, No. 114, No. 123, L. B. Agnew, Anteros, Consolidation No. 8, Judge Cox, Nos. 108, 131, 117, Consolidation No. 6, Deer Park, Consolidation No. 2, Nos. 103, 133 and H. H. Keedy. Most of the above brought Cumberland and George's Creek

coal, while the minority brought hay, grain, stone, &c.

The canal remains in perfect condition, and the open weather is prolonging to a profitable extent the shipping season. When the cold weather causes ice to form on the waterway and its boats are tied up, those who make their living by driving mules and bringing to town the products of the Cumberland region are forced to subsist much more economically, and consequently those merchants in Georgetown whose trade lies principally with boatmen are also much affected. By the closing down of the canal it is estimated 500 men are thrown out of employment between Georgetown and Cumberland.

ES, Wed. 11/30/92, p. 10. **THE CANAL COMPANY'S RIGHTS – General Manager Winship Takes Issue With the Attorney for the District** – General manager Winship of the Chesapeake and Ohio Canal Company writes to the Commissioners today as follows: *Gentlemen:* My attention has been called to an article published in the Washington *Evening Star* of the 17<sup>th</sup> instant, and which article purports to be an extract from a report made to you by the attorney of the District of Columbia, on the so-called rights of the “Chesapeake and Ohio canal” to Rock creek and the lands bordering on the same. The article, among many other things, says: “In view of the fact, and I am informed it is a fact, that Rock creek is no longer used by the canal for canal purposes, it might be assumed that the company would co-operate in this great improvement. Especially is this so if, as I understand it, it is only necessary, since the erection of the outlet lock above Georgetown, for the canal company to keep up the Rock creek end of the canal in order to fulfill its obligations to certain mill owners in Georgetown. Since the provision could be made for an outlet or wasteway for the canal into the proposed sewer, if necessary, it

seems to me that the canal company would view with great favor a proposition to arch Rock creek, considering the great benefits that would result to it by the enhancement of its property abutting thereon.”

In correction of the statement made by your attorney of the abandonment of Rock creek level of the Chesapeake and Ohio Canal Company for canal purposes permit me to state: The “Chesapeake and Ohio canal,” in present operation, extends from Cumberland, Md., to Washington, D. C., the operated terminal being at the foot of 28<sup>th</sup> street northwest. (If 28<sup>th</sup> street were extended to the water front of the Potomac river). The distance from Cumberland to the outlet lock being about 185 miles. That portion of the “Chesapeake and Ohio canal” into which Rock creek flows extends from the intersection of M street northwest and Rock creek to the Potomac river in the vicinity of the foot of 29<sup>th</sup> street, and which section of the “Chesapeake and Ohio canal” is known as the “Rock creek level” of the canal. Over 90 percent of the whole through business or traffic of the canal from and to Cumberland and intermediate points passes into the Potomac river through the Rock creek level of the “Chesapeake and Ohio canal.” Since the canal was repaired and opened for business operation, about one year ago, there have passed into the Potomac river via the “Rock creek level” over 2,300 canal boats loaded with coal, grain, stone, cement and other merchandise and over 2,300 canal boats, loaded and light, from the Potomac river enroute for Cumberland and other points along the line of the canal, so you will readily see that the “Rock creek level” of the “Chesapeake and Ohio canal” is used for canal purposes, and is as essential to the canal as any other level between its Washington and Cumberland terminal points. In fact, it seems incredible that the attorney for the District of Columbia could be misled in a matter so easy of correction.

In regard to the statement of the existence of an outlet lock above Georgetown; &c., I would state that the "Chesapeake and Ohio Canal Company" have no outlet lock above Georgetown and no means of passing boats from the canal into the Potomac river at any point within the District of Columbia, except through the "Rock creek level" of the canal.

The "Potomac Lock and Dock Company" (a distinct corporation from the "Chesapeake and Ohio Canal Company") some years ago constructed an outlet lock above Georgetown. This outlet for many years was only used for the passage of boats from the canal to the Potomac river and was a partial failure, the light boats being compelled to enter the canal via Rock creek level.

The outlet lock of the Potomac Lock and Dock Company was disabled by the great flood of 1889 and has never been repaired for practical operation, and in my judgement ought not to be used by the canal, as it only imposes a burden on the transportation and operation of the canal of from \$30,000 to \$50,000 per annum, when in operation, without a single compensating benefit to the canal in operation or its commerce, consequently in consideration is useless in connection with the arching of Rock creek.

In conclusion permit me to say that if you or your attorney require any information in regard to the physical condition and operation of the "Chesapeake and Ohio canal" within the District of Columbia I will be most happy to furnish the same.

ES, Fri. 12/2/92, p. 10. **GEORGETOWN TRAFFIC ON THE CANAL**

Yesterday the schooner Lizzie A. Williams left the wharf of the Meredith-Winship Company loaded with 329 tons of Cumberland coal consigned to P. H. Mayo & Bro. of Richmond, Va. This is the last cargo

that will be shipped from Winship's wharf this season, as all the coal on hand and that which is to come before the canal shuts down will be needed to supply the local demand, which is at present very large. As boating in cold weather is very hard, many of the captains have laid off until good weather sets in, and this has, of course, cut short Georgetown's supply of coal.

Telegrams from Cumberland state that the number of boats now plying is sufficient to carry away the coal mined, and that which would come to Georgetown is now being sent by rail to Baltimore.

Yesterday the canal boat which a few days ago was seriously injured by being passed too rapidly through the outlet lock at the mouth of Rock creek after being repaired was once more put to work.

Mr. Westbrook, who has had charge of the above-mentioned lock, has been succeeded by Mr. King, who for many years has been employed in another capacity.

ES, Tue. 12/6/92, p. 9. **DISTRICT GOVERNMENT – THE CANAL AND THE CREEK** – The letter of General Manager Henry C. Winship to the Commissioners in relation to the rights of the Chesapeake and Ohio Canal Company in Rock creek was referred to Assistant Attorney Thomas for reconsideration. Mr. Thomas today returned the papers in the case and says it seems to him that the question whether his information as to the canal company's use of the Rock creek end of the canal was wrong, or whether Mr. Winship's claim that the creek belongs to the railroad company is correct, is immaterial to the question. He considered the matter, in his opinion, from a legal standpoint and has no change of views. He adds, however, that Mr. Winship's letter gives point to his suggestion that the canal company's co-operation should be secured in any proposition to arch Rock creek.

ES, Thu. 12/8/92, p. 9. **GEORGETOWN TRAFFIC ON THE CANAL**

Since December 1, the following laden canal boats have brought cargoes of coal, grain, stone, &c., to Georgetown: The Four Brothers, Capt. Collier; Little Walter, Capt. Chaney; No. 137, Capt. Hill; James Goddard, Capt. S. Atwell; No. 124, Capt. N. E. Stevens; C. W. Adams; Geo. A. McIlhane, Capt. Dick; No. 115; Theodore Dean, Capt. J. A. Smith; No. 107; Consolidation No. 18, Capt. Snyder; F. Flanagan, Capt. Wood; C. F. F. Beall, Capt. Pierce; No. 132, Capt. Hammond; F. O. Becket, Capt. Zimmerman; J. K. Carven, Capt. R. Webb; No. 101, Capt. Eichelberger; A. H. Bradt, Capt. U. Smith; Consolidation No. 20, Capt. Shines; No. 102, Capt. J. Penner; W. H. Bayley, Capt. McCoy; M. L. Myles, Capt. Wordelbaugh; Consolidation No. 21, Capt. R. Bartlet; Three Brothers, Capt. G. Ingram; No. 129, Capt. E. Bowers; No. 113, Capt. S. Creamer; Dr. Knott, Capt. J. Ingram; D. Linkins, Capt. Baker; E. T. Ludlow, Capt. C. Shaw; W. A. Leetch, Capt. Shafer; A. Mayes, Capt. J. Baker; Cuba, Capt. Longthum; F. H. Gibbs, Capt. Crampton; F. S. Garnett, Capt. Benner and 122, Capt. J. C. Boler.

*Sun*, Tue. 12/20/92, p. 6. **ALLEGANY COUNTY** – Cumberland, Md., Dec. 19. – With Saturday last the boating season on the Chesapeake and Ohio canal, which has its source in Cumberland, closed. On Friday next the water will be drawn out. The season has been the most successful the boatmen have had for years. About 200 boats have been constantly running, and over 270,000 tons of coal have been shipped. The waterway is reported in good repair all along the line, and will probably be reopened during the month of March.

ES, Thu. 12/22/92, p. 3. **THE CONDITION OF ROCK CREEK**

**The commissioners Have Taken the Matter up in Earnest** – The outrageous condition of Rock creek, as set forth in *The Star*, has occupied the serious consideration of the Commissioners for several days. They are unanimously of the opinion that something should be done, and that at once, to relieve the condition of things.

At a discussion of the matter yesterday, one of the Commissioners said that no matter who the dam belonged to if the Commissioners believed that its continuance was a detriment to health, they would order it removed and see to it that their order was carried out, even if they had to do it with the police force. After a general discussion of the matter Capt. Russell was asked to investigate the subject as to its engineering features and report at an early date to the Commissioners.

Today he wrote a letter to President Winship of the canal company requesting an estimate of the cost of lifting the first lock west of Rock creek so as to allow boats to be locked in and out, provided the dam near the mouth of the creek be removed; also an estimate of the approximate cost to keep Rock creek dredged a sufficient depth so that loaded canal boats can pass in and out; also an approximate estimate of the cost of providing adequate arrangements for locking boats between the Georgetown level and the Potomac river, at some point west of Georgetown.

If, when these estimates are received, the Commissioners conclude that the expenditure is warranted, a bill will be prepared and Congress asked to appropriate the money sufficient to do the work.

The Commissioners say they are determined not to allow the dam to remain through another summer.