

## CHAPTER VII

### THE TONAWANDA RAILROAD

**T**HE Tonawanda Railroad Company was incorporated April 24, 1832, by Chapter 241 of the laws of that year, to construct a railroad with a single or double track "commencing at any eligible point within the village of Rochester in the County of Monroe and extending on the most direct and eligible route through the valley of the Tonawanda to Attica in the County of Genesee." Notwithstanding the furore which was then sweeping the country for railroad construction, some opposition developed to this road. At least three remonstrances from citizens of the counties of Genesee, Orleans and Monroe were filed with the Legislature while the bill was under consideration and sixteen members of the Assembly voted against it. Just why Tonawanda was selected as the name is wholly unexplained and at this time most likely unexplainable. The Company itself regretted the name as early as 1837, but took no steps to have it changed. For the benefit of those curious in such matters it may be noted that this name in 1832, was spelled in the Assembly journal and elsewhere "Tonnewanta." The Tonawanda is a creek in Genesee county, flowing from Attica to Batavia in a northerly direction, and thence westerly to the Niagara river at Tonawanda. The road did not enter the valley until it reached Batavia and its entire length in that valley was only about 11 miles from Batavia to Attica, while the distance from Batavia to

Rochester was 31½ miles. The road from Batavia to Attica was deemed of so little importance that it was not constructed until 1842 and then only because it would form a connection with the Attica and Buffalo, which was not incorporated until four years subsequent to the Tonawanda.

The capital stock was fixed at \$500,000 with shares of \$100 each. Commissioners were named in the act to receive subscriptions to the stock and whenever the same was fully subscribed and \$5 a share paid in, they were directed to call a meeting of the stockholders to elect thirteen directors, who were thereafter to be elected annually. The commissioners were directed to publish notice of time and place of receiving subscriptions within six months of the passage of the act, but they did not for some reason move with great alacrity, the books not being opened until August 14, 1833, nearly a year and a half after obtaining the charter. On that day the whole amount of stock was subscribed.

No record remains of the first election of directors and officers, nor has it been possible to learn their names prior to August, 1837, at which time the directors were David E. Evans, Trumbull Cary, George W. Lay, Abraham M. Schermerhorn, Frederick Bushnell, Thomas Kempshall, David Scott, James Brisban, Daniel M. Chandler, Jonathan Child, Frederick Whittlesey and Joshua Lathrop. At that time the officers were David E. Evans, president, Jonathan Child, vice-president, Abraham M. Schermerhorn, treasurer, Frederick Whittlesey, secretary, and David Scott, superintendent. The stockholders at that time were sixty in number.

Nothing is known of the early operations of the Company other than what is stated in a report of a

committee of the directors made to the Board June 16, 1837. This report shows that the road was completed from Rochester to Batavia in May, 1837. It is so full of interesting information that it is here given in part:

*Report &c. to the Board of Directors of the Tonawanda Railroad Company*

The books for subscription to the capital stock of this company, were opened by the commissioners appointed under the charter, on the fourteenth day of August, 1833; and, on that day, the whole of the capital stock was taken by ninety-six subscribers. No effort was made to procure subscriptions to the capital stock, from abroad. Individuals residing in the section of country in which it was contemplated the road would be located, knowing the importance and feeling confident of the success of the enterprise, determined to take the whole hazard of the experiment upon themselves. They justly thought that they could furnish no better evidence to distant capitalists, whose aid they might want, of the value of the stocks than by such manifestations of their own confidence in it; and it is worthy of remark, that this whole stock was readily taken in a single day and under a very short notice by persons who had the best opportunities of knowing its value, from a residence in the immediate vicinity of the work.

Immediately after the distribution of the stock and the election of the first Board of Directors, engineers of skill and experience were employed to survey and report upon the most eligible route upon which the track of the company's road should be constructed. As the line of the road was not described in the charter, with any particularity, a wide and ample field was left open for the selection of the most advantageous route. This gave rise to the necessity of several surveys and estimates, and furnished ground for some differences of opinion, as to the proper route; but after the reports and estimates of the different engineers were carefully examined by the Board, the line of the route was finally settled and arrangements made at once for the acquisition of title to the necessary lands for the construction of the track of the road; and this having been accomplished, the construction was commenced late in the year 1834, and vigorously

prosecuted during the two following years and finally opened to Batavia in May of the present year. Elisha Johnson, Esq., of Rochester was selected as the chief engineer, to direct the construction of the road in that capacity; the track of the road was made on a plan believed to be heretofore untried, which was invented by Mr. Johnson and adopted by the Board of Directors. His plan consists in making a framework of heavy timber to sustain the grade of the road and support the embankments, upon which framework the earth for filling the grade was transported. Large posts of twenty-four or thirty inches in diameter were placed upon each side of the track, opposite to each other, so as to sustain the side timbers of the track. These posts were permitted to enter the earth so as to stand firm upon the hard ground, and were squared at the top. Each of these sets of posts was about ten feet apart. Upon the top of these posts, were laid transversely sticks of timber twelve or fifteen inches in diameter, morticed on the upper side, near each end, so as to receive the longitudinal timbers. The longitudinal timbers—being from sixteen to twenty inches in diameter, smoothed only upon the upper sides, and intended for the support of each of the rails—were let into the mortices of the transverse timbers and supported by them and the posts. This, where an embankment was to be made, presented a substantial framework of the proper grade. Upon the top of the longitudinal timbers, proper wooden ribands, as a substitute for iron rails, were laid. Railroad cars were provided to carry earth, with four different boxes each, turning upon hinges attached to the car frame so as to discharge the earth between the rails and over the outside of each rail. These cars were loaded with earth at places, where excavations were necessary, and transported by horses upon the railroad track and emptied without any delay, to make the embankment. The same framework of timber, with the exception of the posts, was laid where excavations were to be made. When the earth was finally prepared for operation, pine scantling, of the usual dimensions, was laid upon the longitudinal timbers, and the iron-plate rail upon the scantling, and all securely nailed together by heavy spikes seven inches long.

We have reason, from experience, to be very much gratified with this plan of construction, as simple, economical, and durable; and we cannot but feel very much indebted to Mr. Johnson, the engineer, for the ingenuity manifested in its successful appli-

cation. In a country like ours abounding with timber, it seems peculiarly applicable. The removing of the earth upon the railroad itself, was a great saving in the expense of teams; and the facility and ease with which it could be thus transported considerable distances, caused the excavations and embankments both to be made with an expense very little enhanced from what either would have cost, if made in the usual mode. The whole timber work, with the exception of the pine scantlings, is covered with earth, which will prevent it from speedily going to decay; and as the framework and embankments mutually support each other, it must add materially to the strength of the road. Much of this road has stood the test of two winters and has exhibited the effects of frost much less than the common wood roads; and we are satisfied, from this experience, that the plan adopted is preferable to that of any road not made of more durable materials. The same experience has enabled us to pronounce, with great confidence, that the yearly expense of repairs will be much less than upon other roads, while the danger arising from cars running off the track, is much diminished, by the fact that it will, in such case, have a smooth road of earth to run upon, unobstructed by any cross timbers above ground.

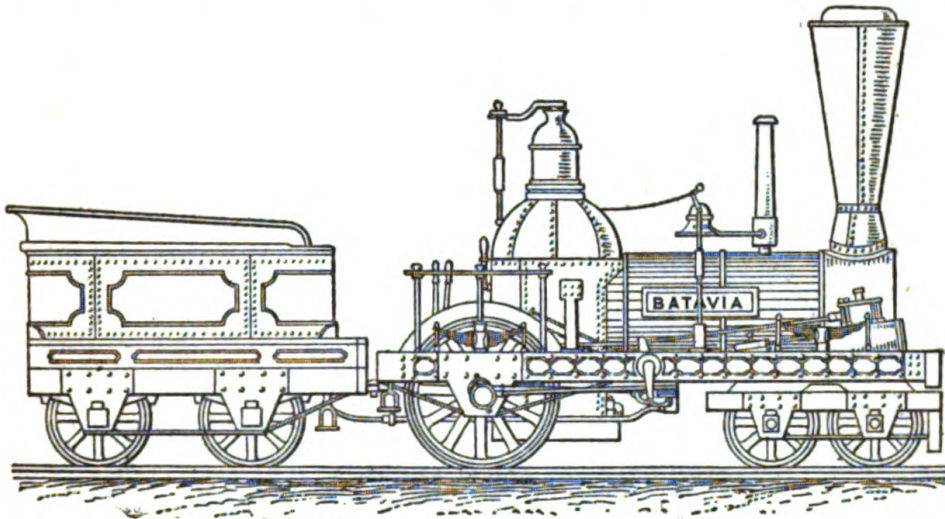
Seventy dollars per share have been paid in upon the stock, making in the whole the sum of three hundred and fifty thousand dollars. There have been expended by the company, nearly three hundred and seventy-five thousand dollars. In addition to the expenditures upon the road itself, the company have purchased lands in Rochester and Batavia for the necessary purposes of the road, to the amount of about twenty thousand dollars. They have erected an engine house, machine shop, car houses, shops for making cars, and other buildings in Rochester. They have a warehouse upon lands purchased by them and also occupy another warehouse hired by them. They have two locomotive engines, ten passenger cars, and a large number of freight cars. Since the opening of the road, the locomotives make two trips daily between Rochester and Batavia each way, with passengers and freight. The passenger and freight cars were made in the company's shops. In their shops are also now manufactured wheels, springs and other articles for furnishing railroads; and it is not improbable that this company will hereafter manufacture all such articles for railroads west of us.

From calculations drawn from all these facts, and after making deductions for emigrants who will continue to travel in a great measure upon the canal, we think we are not too sanguine in assuming that, after the railroad shall be completed to Buffalo, from four to five hundred persons will pass over the railroad from Rochester to Buffalo daily, during the travelling season of the year. The price of passage from Rochester to Batavia is \$1.50; from Rochester to Buffalo it will be \$3.00. As the whole road will be run it is contemplated, under a single arrangement with one set of cars and locomotives, the expense of running cannot be very considerable, not greater certainly than that of the Utica and Schenectady road, while the yearly expenses of repairs to the road itself, we are also satisfied by experience, will be greatly less than is common upon wooden roads. The cost of constructing the entire road and finishing it fully, with cars, locomotives, depots, &c., cannot exceed the sum of \$700,000. A slight calculation from the above data will show how great must be the income, even after making every allowance for expenses. If we suppose the receipts to be \$1,000 per day (which is less than the above estimate would warrant) for two hundred and forty days, it would give for receipts \$240,000. If we suppose the expenses to be \$200 per day for the same time, (which is much greater than our present expenses would justify) it would give for our expenses, \$48,000, and the balance or profit would be nearly \$200,000 which upon capital of \$700,000 would be nearly 30 per cent.

The construction of the track from Batavia upon the Tonawanda creek to Attica twelve miles, will cost about \$100,000, and will, of course, add that amount to the capital. As this extends into the fertile country south of Batavia, it may be fairly considered that this part of the road will at least support itself. But if it should yield nothing, the income from the main track, will be, by the above calculation, about 25 per cent upon a capital of \$800,000 and this for passengers alone.

There is no better way of bringing to mind the hopes and expectations of the public generally over the opening of the first railroad into a community than is afforded by contemporaneous writings. In the case of the Tonawanda there has been preserved a copy of a

letter written from Batavia the day the first locomotive engine arrived in that village which gives a fairly representative picture of such an occasion, not over colored by excitement or exuberant enthusiasm. Genesee county at that time was largely devoted to the growing of winter wheat. After the opening of the Erie Canal, this wheat was hauled by teams to Buffalo



LOCOMOTIVE BUILT BY BALDWIN FOR THE TONAWANDA, 1836.

or Rochester or points westerly from Rochester on the canal to ship to various markets or milling places. What the farmers of the county needed was more and cheaper facilities for marketing. But to the letter, which is, perhaps, its own best commentary:

BATAVIA (GENESEE Co.), May 5, 1837.

DEAR SIR:—The appearance here this morning of the first locomotive engine, with its train of cars, created quite an excitement among us, and for a while dispelled the gloom of "Hard times" and re-animated the spirits of our citizens. The railroad, 34 miles in length, connects the flourishing city of Rochester with this village, and brings the two places within two hours ride of each other, at the same time opening a new avenue for the discharge of our surplus produce directly into the Erie canal. In an agricultural point of view, perhaps no portion of western New



York, is richer in all the great elements of wealth, than the section immediately around us; and, aided by this road, we must contribute greatly to the advancement of the commercial interests of Rochester to say nothing of the advantages to the country generally. As a point for the purchase of wheat, I think I hazard nothing in saying that no place affords greater advantages than this. It being the point where the Holland Land Company originally located their principal office, and where their business has always been done, the roads, which intersect the farming territory in every direction, have been made directly to this village, making it, necessarily, the natural place for a market. Suitable warehouses are now in progress of building, and we have nothing to ask but easy times for money and good crops, to keep half the flouring mills of the State in constant operation. The railroad itself passes through a very rich and interesting section, and is spoken of as among the most permanent and best constructed in the country, offering to persons travelling in this quarter an agreeable change, either from the canal at Rochester or from the usually travelled route by stage from Buffalo eastward. It cost for a single track, with suitable turnouts, three locomotive engines, passenger and freight cars, &c, &c., about \$10,000 per mile, which has been furnished entirely by the individual means (with two or three exceptions) of persons resident in one or other of the two places it connects, and speaks well for the enterprising spirit. After this week the trips of the locomotives will be regular, and should anything bring you this way, allow me to hope you will make it convenient to pass over the Rochester and Tonawanda Railroad.

A florid and very bubbling description of the opening was given in the Rochester *Daily Democrat* for May 12, 1837, which contains enough of interest to justify its insertion here:

### *The Rail Road Celebration*

Upon no occasion have we participated in a more pleasant excursion than that enjoyed yesterday upon the event of the completion of the Rochester and Batavia Rail Road. The morning was delightful, and the hour designated for the departure of the cars, they were thronged with our citizens desirous of



participating in the celebration of an event so important to the interests of our city.

When we reached the Depot the engine was snorting like an impatient war horse; and at a given signal, it sped forward "like a thing of life." Hearty cheers from the multitude scattered along the line of road greeted its magic progress, and gave a thrilling animation to the scene.

In 40 minutes we were at Churchville. Its inhabitants gave us a cordial welcome. As we bade adieu to their kind gratulations, the waving of the 'kerchiefs showed us that the ladies also participated in the hilarity of the scene, and appreciated the important influence which the Road would have upon the prosperity of their pleasant village. Twelve minutes carried us over the three miles and one half that intervened between Churchville and Bergen. Here, too, we were most heartily received. The inhabitants for miles around had congregated to witness and participate in the joyful festivities of the day.

In a very few minutes we were at Byron and our reception was peculiarly pleasant. Friend Allis—whose spirited liberality even pressure cannot check—had a rich treat for his friends. They only wait for an occasion to reciprocate the kindness. Passing through one of the most delightful parts of the country the eye ever beheld, we were soon at Batavia. Here was animation. The Road, for a mile, was lined with citizens. The cheers were long and loud, and the thunderings of the cannon, called into requisition on this occasion, responded to the "three times hoorah" which was elicited from the cars by this grand reception.

At the place of landing the company were reviewed by the corporation and a Committee of citizens of Batavia; and escorted to the Eagle, where, in due time, a most sumptuous dinner was served up by "mine host" Mr. Smith. To gratify the palates of his guests, and to add to his own good name, he seemed to have monopolised the choicest delicacies of earth, air, and water. Fresh salmon, white fish and shad—wild ducks, snipe and pheasants—new radishes, sallad and cucumbers—were among the luxuries of the table. The mutual gratulations of the citizens of Rochester and Batavia, thus assembled to celebrate the completion of a work so important to the interests of both towns—were most cordial. Our neighbors felt that with them it was especially a proud day—and warmly and appropriately did they evince their joy.

After a few hours tarry at Batavia—passed in a pleasant interchange of good wishes—the party returned, delighted with the excursion, and pleased with themselves. The Road may be ranked among the best in the United States. Their cars are the *very* best. Their Engineers—Messrs. Hayden and Smith—have not their superiors in the Union, while the Superintendent, Mr. Scott, and the agents, Messrs. Welbasky, Lyman, Fitch and Demerry, are intelligent, industrious and polite.

It appears from entries in the scattering books of account, that Thomas H. Rochester was commissioner in charge, Elisha Johnson was chief engineer. John B. Jervis was called into consultation on engineering in January, 1834, and paid \$125.

For some reason not disclosed, work on the road from Batavia to Attica was not undertaken for some years. Apparently it was not considered a profitable part of the road unless the Attica and Buffalo were constructed to meet it.

In the spring of 1840, the Company had obtained state aid in state stock to the amount of \$100,000 for the construction of its road (Chap. 200, passed May 1) and this could only have been required for construction from Batavia to Attica. The same year (Chap. 116, passed April 12) it obtained an extension of time for the completion of this part of its road. In 1841 and 1842, it did construct that part, completing the same about December, 1842, presumably using the money obtained from the state stock of \$100,000.

Chapter 17 of the laws of 1844, passed February 17, authorized an increase in the capital stock to the amount of \$250,000. The only reason which has been found for this increase is that given in a remonstrance submitted to the legislature in March, 1845, by the presidents of seven of the roads, of whom Heman J. Redfield, president of the Tonawanda, was one, against

a proposed reduction of the rate of passenger fare on their roads. They say,

In the case of the Tonawanda railroad company the structure had become so decayed and the track poor that under the then embarrassed state of the company it could not be renewed, without further means derived from additional capital or loan. A law was passed at the last session providing for such increased means and fixing a fare of four cents a mile.

This statement of fact signed by the president of the Tonawanda was undoubtedly literally correct and explains definitely the large increase of capital stock in 1844 and 1845. The reader will undoubtedly compare the statement, "the structure had become so decayed and the track poor," with the encomium in the report of the committee above quoted, "We have reason from experience to be very much gratified with this plan of construction as simple, economical and durable and we can not but feel very much indebted to Mr. Johnson, the engineer, for the ingenuity manifested in its successful application. The whole timber work with the exception of the pine scantlings, is covered with earth which will prevent it from speedily going to decay and as the frame work and embankments mutually support each other it must add materially to the strength of the road."

Unquestionably the men engaged in building the Tonawanda were some of the best and most experienced in Western New York. They were aided by the expert advice of their own local engineer and the judgment of John B. Jervis, one of the ablest and most experienced engineers of the day. They felicitated themselves upon the strength and durability of the track they had constructed and yet in eight years after commencing operation, saying nothing of intermediate repairs, that track must be rebuilt under operation at great expense.

This experience was one of the tribulations of the early railroad builders.

In 1844, by Chapter 50 of the laws of that year passed March 19, the Company was empowered to connect its road in the city of Rochester with the road of the Auburn and Rochester upon a route to be determined by three commissioners named in the act. The gap between the two roads at this point was the only remaining one on the line between Albany and Buffalo. The act limited the time for the completion of the connection to the first day of September, 1846. The date of completion has not been ascertained but undoubtedly it was well within the limiting period.

In 1846, (Chap. 292, passed May 13) an act was passed entitled, "To regulate the price for transporting freight on the Tonawanda railroad." At whose instance this was done has not been learned, nor has it been ascertained what situation gave rise for the interposition of legislation. Whether the company procured it to crush the complaints of dissatisfied shippers or whether shippers asked it to reduce exorbitant charges by the carrier is a question which remains unsolved. At all events the law was passed and is unique in being probably the first attempt in this country to regulate freight rates by statute, and as such it deserves and shall receive full transcription at this place.

§ 1. The Tonawanda Railroad Company shall supply sufficient accommodation for conveying, and shall convey over their road or any portion thereof, passengers and their ordinary baggage, goods, wares and merchandise, salt, grain, flour, wool and all other produce, on the payment of the tolls provided for by this act.

§ 2. The said railroad company may receive for conveying goods, wares and merchandise, from the city of Rochester to Wardville, in the town of Bergen, Genesee county, or to any intermediate place, at the rate of eight cents for every one

hundred pounds, and ten cents for every one hundred pounds from Rochester to Batavia, and from Rochester to any place between Wardville and Batavia, and ten cents for every one hundred pounds from Rochester to any place west of Batavia and they shall receive no other or further charge whatsoever for such services, except that they may receive for transporting household furniture from Rochester to Wardville, two dollars per carload of three tons, and from Rochester to any place west of Wardville, three dollars for such carload, and at corresponding rates on furniture as aforesaid, going to the city of Rochester.

§ 3. The said railroad company may receive for transporting wheat and all other grain, from Attica, Alexander and Batavia to the city of Rochester, three cents per bushel; and from all places east of Batavia, two and a half cents per bushel; and the said company may receive for transporting flour from Attica, Alexander and Batavia to the city of Rochester, twelve cents per barrel; and from any place east of Batavia, ten cents; and for pork, pot and pearl ashes, lard, butter, grass and clover seed, from Attica, Alexander and Batavia to the city of Rochester, or from Rochester to those places, eight cents per one hundred pounds; and from any place east of Batavia, six cents; and for wool, twelve cents, for each hundred pounds from Attica, Alexander and Batavia to the city of Rochester, and ten cents for every one hundred pounds east of Batavia; and for salt, ten cents per barrel from the city of Rochester to Wardville, and sixteen cents for any place west of Wardville; and the said company shall not receive any further compensation for receiving and forwarding the above named articles, than the prices named in this section.

Wardville was probably the present village of Bergen. The precise distances from the Rochester terminal, as it was situate in 1846, are not known, but they could have varied but little and that negligible, from Rochester to Wardville 17 miles; to Batavia  $31\frac{1}{2}$  miles; to Attica  $43\frac{1}{2}$  miles; from Wardville to Batavia  $14\frac{1}{2}$  miles. Using these distances for translating the rates named into the rates per ton mile for the purpose of comparison with the rate unit in common use, the results are as follows:

			<i>Per Ton Mile</i>
Rochester to Wardville,	17 miles	wares and merchandise	9c.
Rochester to Batavia,	31½ miles	" " "	6½c.
Rochester to Attica,	43½ miles	" " "	4.6c.
Attica to Rochester,		wheat and other grain	2.3c.
Batavia to Rochester,		" " " "	3½c.
Wardville to Rochester,		" " " "	4.9c.
Attica to Rochester,		flour	2.8c.
Batavia to Rochester,		"	3.88c.
Wardville to Rochester		"	6.00c.

The following examples are probably sufficient to comprehend the principle or lack of principle running through the whole list. Certainly there is a recognition of classification and of length of haul, but the application is interesting. Attica, 12 miles west of Batavia, pays the same flat rate per hundred pounds, per bushel and per barrel, as Batavia. Batavia, 14½ miles west of Wardville, pays 2 cents per hundred pounds, one half cent per bushel and 2 cents per barrel, more than Wardville.

Having stated the facts, it seems well to leave to everyone the opportunity to draw his own conclusions and make his own comments on this first legislative effort to handle the intricate and perplexing problem of freight rates. The point most likely to attract attention is the general level of rates per ton mile with those obtaining in our own day.

The next blow which fell upon the financial fabric of the Tonawanda was the Act of 1847, elsewhere discussed, requiring the laying of heavy iron rail. Then for the second time, if it was rebuilt in 1844, the track had to be rebuilt. March 29, 1848, that Act was amended in behalf of the Tonawanda (Chap. 151) so as to extend the time of performance to January 1, 1851, but only on condition it should expend for the general purpose at least \$150,000 in each of the years 1848 and 1849. In its report for the year 1849, is found the following:

The road is laid with a heavy iron rail. The relaying was commenced in the year 1847, continued through the year 1848 and completed in September, 1849. About 6 miles of the road is laid with rails weighing 64 pounds per lineal yard, the remainder with rails weighing 61 pounds per lineal yard.

In this report it is said that capital stock to the amount of \$950,000 had been called and paid in. It also had a bonded indebtedness of \$150,000 which included the state loan. The total amount which it had charged to construction was \$1,150,968.23, which exceeds what the road had cost up to the time it was opened for operation to Batavia, a little over twelve years previously, by over \$775,000. Of this excess it seems the stockholders found over \$600,000 in their own pockets. Not a cry of complaint from them has come down to us, but the fact speaks for itself. And the public had for its benefit a link in a great through line of railroad.

Chap. 226 of the laws of 1850 (passed April 9), authorized a consolidation with the Attica and Buffalo which was completed the latter part of the year and will be elsewhere described.

The following table is a summary made from the reports of the Company filed in the office of the Secretary of State for the years named:

<i>Year Ending Dec. 31</i>	<i>Operating Revenue</i>				<i>Operating Expenses</i>	<i>Net Income</i>	<i>Oper- ating Ratio</i>
	<i>Passenger</i>	<i>Freight</i>	<i>Other</i>	<i>Total</i>			
	\$	\$	\$	\$	\$	\$	%
1843	59,663.02	11,750.66	4,813.34	76,227.02	43,606.04	32,620.98	57.21
1844	92,639.06	15,722.00	5,816.22	114,177.28	38,311.93	75,865.35	33.55
1845	89,896.98	20,311.12	6,462.50	116,670.60	37,006.12	79,664.48	31.72
1846	111,583.09	23,779.97	8,455.14	143,818.20	45,184.49	98,633.71	31.42
1847	157,738.28	27,684.15	9,743.40	195,165.83	55,719.90	139,445.93	28.55
<b>Total for 5 Years</b>	<b>511,520.43</b>	<b>99,247.90</b>	<b>35,290.60</b>	<b>646,058.93</b>	<b>219,828.48</b>	<b>426,230.45</b>	<b>34.03</b>