

**EVIDENCE BEFORE THE
GOVERNOR AND COUNCIL IN
RELATION TO THE TROY AND
GREENFIELD RAILROAD: WITH THE
DECISION OF THE GOVERNOR**

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Evidence Before the Governor and Council in Relation to the Troy and Greenfield Railroad:
with the decision of the governor by J. M. W. Yerrinton

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J. M. W. YERRINTON

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Exhibits. Secretary of State.

EVIDENCE



BEFORE THE

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IN RELATION TO THE

Troy and Greenfield Railroad:

WITH THE

DECISION OF THE GOVERNOR.

Phonographically Reported
BY J. M. W. YERRINTON.

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Commonwealth of Massachusetts.

COUNCIL CHAMBER, September 25, 1861.

Ordered, That the evidence taken in the hearing in relation to the Troy and Greenfield Railroad, together with the opinion of His Excellency the Governor, as delivered to the Council, be printed under the supervision of the Secretary of the Commonwealth.

Adopted in Council:

OLIVER WARNER, *Secretary of the Commonwealth.*

EVIDENCE BEFORE GOVERNOR AND COUNCIL.

FIRST DAY.

TUESDAY, September 24.

The hearing in relation to the Troy and Greenfield Railroad, originally commenced before a Committee of the Council, August 13th, and terminating the day following, was resumed before the full Board, on Tuesday, September 24, 1861, His Excellency, the Governor, in the Chair.

The GOVERNOR stated the purpose of the hearing, as follows:—

There are two or three questions of the practical application of engineering science to the construction of railroads, which have arisen in reference to that part of the Troy and Greenfield Railroad which lies between its eastern terminus in Greenfield, and the Hoosac Mountain; and the gentlemen who have been requested to attend to-day, by summons, in the character of professional experts, have been so requested in the hope that their testimony will illustrate some of these questions.

I do not propose, myself, to put to the gentlemen many interrogatories, and desire that the examination shall be confined strictly to the practical questions which actually arise, for the purpose of ascertaining what is our duty in the present aspect of the affair.

The questions, as I understand them, are, in substance, three; and they arise out of the report recently made by Mr. Whitwell, the State Engineer, in reference to the present condition of the road.* One touches the substantial character of the bridge in Greenfield, over the Green River; another involves the question whether, if the trestle-work over ravines is left unfilled, the construction of the road, so far as it relates to building over ravines, is to be considered a substantial construction; another is, whether slopes left at an angle of forty-five degrees, or what is commonly called of one to one, are or are not too steep. I

* See Appendix, A.

believe the questions relating to the bridge, the trestle-work, and the slopes, are the only practical questions which are now raised.

I make this statement in the hearing of the gentlemen summoned as witnesses, in order that they may be prepared, in their own minds, to reflect on these questions, and not left at random to consider all possible questions relating to engineering science. And in the first place, I suppose it is desirable that some description be given, as nearly as possible, in order that gentlemen who have not seen the road may be enabled to have a better basis of opinion. I endeavored to obtain the plans and profiles for exhibition to-day, and telegraphed to Greenfield yesterday for that purpose; but they are in the custody of Mr. Haupt, who happens to be detained in Philadelphia, and no one else could procure them. If any gentleman of the Council remembers that any other question of practical science is open, I should like to have him state it now, in order to avoid any misconception.

The Hon. Mr. Greene suggests that one question which might properly be put would be, whether it is usual to perfect the slopes before the road is put into operation, or to leave the slopes to be perfected afterwards?

Perhaps it would be advisable, before proceeding to examine any witnesses, to read the section of the Act of the Legislature of Massachusetts upon the subject of a loan to the Troy and Greenfield Railroad, and the duties of the State Engineer and the Governor and Council in connection with it. I read the third section of chapter 202 of the Acts of 1860.

SECTION 3. The governor and council shall annually appoint a state engineer for the purpose of examining and determining monthly the amount and value of the work done, and materials delivered on the railroad and tunnel of the Troy and Greenfield Railroad Company, who shall receive an annual salary of one thousand dollars, payable quarterly. The state engineer shall forthwith fix permanent marks in each end of the Hoosac Tunnel, marking the progress of the work up to February twenty-fourth, eighteen hundred and sixty, from which to determine the progress subsequently made. He shall also determine by suitable notes, marks, or observations, the amount and value of all grading, bridging, masonry, or other work done, or iron, or other materials delivered on the road east of the Hoosac Tunnel prior to December twenty-second, eighteen hundred and fifty-nine, and fix data from which to determine the value of any work, or materials delivered subsequent to the date last named. He shall monthly, immediately after the first day of each month, estimate the

proportion which the work done upon the road, since the preceding estimate, bears to the whole of the work required to be done in the graduation, masonry, bridging and superstructure of said railroad east of the Hoosac Tunnel, and also the work done in the excavation of said tunnel, which he shall certify separately to the governor, together with the amount of state scrip to which the company is entitled under the provisions of this act. Such monthly estimates shall be based upon a width of road-bed at grade of fifteen feet, on embankments, seventeen and a half feet in side-cuts, and twenty feet in thorough-cuts; in the heading of the tunnel, upon dimensions fourteen feet wide and six feet high in the middle, and in the finished excavation of the tunnel of fourteen feet wide and eighteen feet high in the middle.

The deliveries of scrip shall be at the rate of fifty dollars for each lineal foot of tunnel, divided between heading and full sized tunnel, in the proportion of thirty dollars for each lineal foot of heading and twenty dollars per lineal foot for the remaining excavation; and of six hundred and fifty thousand dollars for the whole of the graduation, masonry, bridging and superstructure of the unfinished portion of the road east of the tunnel.

The scrip shall be delivered on the road in the proportion which the value of the work done and the materials delivered each month bears to the estimated cost of the whole work and materials required on the portion of road aforesaid.

No expenditures shall be required merely for the purposes of ornament, but the work shall be substantially performed, and the rails shall weigh not less than fifty-six pounds to the lineal yard: for any defective materials or work, a proportionate amount of scrip shall be withheld.

The governor and council shall have a general supervision of the work, and for that purpose shall visit and inspect the same at least once in each year, and as much oftener as they may deem expedient; and they shall have power to correct abuses, remedy defects, and enforce requirements, by withholding scrip or imposing new requirements in such manner as the interest of the Commonwealth shall in their judgment require.

If the governor, upon the receipt of the monthly estimates and certificates of the state engineer, shall approve thereof, he shall transmit the same and his approval thereon to the state treasurer, and the state treasurer shall thereupon deliver the amount of scrip so certified for, to the treasurer of the Troy and Greenfield Railroad Company, or to his order, subject to the provisions hereafter mentioned. If he shall not approve thereof he shall submit the same to the council, and their approval transmitted to the state treasurer as aforesaid shall authorize such delivery.

Let me remark, gentlemen, that nothing which arises at the present time, or which is involved at this time, touches at all the Tunnel through the Hoosac Mountain. There have been opened here several questions which relate solely and exclusively to the railroad east of the Hoosac Mountain. Upon the graduation, masonry, bridging and superstructure of the unfin-

ished portion of the road east of the Tunnel, the legislature undertakes to loan \$650,000. It is this railroad, and the application of this loan, which are alone under consideration. In one word, the question is, "Has the work, in reference to the points and items suggested, been substantially performed?"

LIST OF WITNESSES.

GEORGE BALDWIN, Civil Engineer, Boston.
 JAMES LAWRIE, Civil Engineer, Brooklyn, N. Y.
 JAMES P. KIRWOOD, Civil Engineer, Brooklyn, N. Y.
 JOHN RUSSELL, Jr., Superintendent Portland, Saco and Portsmouth Railroad, Portland, Me.
 GEORGE STARK, Superintendent Nashua and Lowell Railroad, Nashua, N.H.
 E. A. CHAPIN, Superintendent Cheshire Railroad, Keene, N. H.
 CHARLES RUSSELL, Road-master Western Railroad, Springfield.
 E. B. PHILLIPS, Freight-master Worcester and Boston.
 SAMUEL JOHNSON, Railroad Engineer of railroad extension of Old Colony to Newport.
 ROBERT HARRIS, Civil Engineer, Portsmouth, N. H.
 SAMUEL NOTT, Superintendent Hartford, Providence and Fishkill Railroad, Hartford, Ct.
 JAMES HAYWARD, Boston.
 GORDON NOTT, Civil Engineer, Boston.
 MARTIN B. INCHES, Boston.
 W. B. BRINSMADE, Superintendent Conn. River Railroad, Springfield.
 CHARLES S. STORROW, Boston.
 T. WILLIS PRATT, Engineer, employed at Gloucester and Boston.
 THOMAS DOANE, Civil Engineer, Boston.
 THOMAS S. WILLIAMS, Boston.
 WILLIAM H. SWIFT, Boston.
 WALDO HIGGINSON, Boston.
 ISAAC HINCKLEY, Lowell.
 ONSLOW STEARNS, President of Northern Railroad, Concord, N. H.
 S. B. CUSHING, Civil Engineer, Providence, R. I.
 SAMUEL ASHBURNER, Boston.
 ALEXANDER HOLMES, President Old Colony Railroad, Kingston, Mass.
 JOHN J. SWIFT, President Fitchburg Railroad, Boston.
 ALVAH CROCKER, Fitchburg, Mass.

SEPTEMBER 21, 1861.

It is Ordered by the Governor, with the advice of the Council, that summonses issue to the foregoing witnesses to appear and testify before the Governor and Council on Tuesday next, at eleven o'clock; also, that Mr. J. M. W. Yerrinton be employed to report the testimony.

* COUNCIL CHAMBER, September 21, 1861.

The foregoing Order is adopted.

CHAS. W. LOVETT, *Dep. Sec'y.*