

## **Westport subdivision**

### **Files seen**

Privy Council Railway Committee 8 November 1887  
RG 12 vol. 2509 file 3506-3 (3 parts)  
RG 46 accession no. 1992-93/066 file 28979  
RG 46 accession no. 1992-93/066 file 28979.1  
RG 43 vol. 362 file 6604  
RG 30 vol. 13149 file 6205-2  
RG 46 vol. 508 file 39310.58 Abandonment.  
RG 46 vol. 1530 file 5892 Inspection report.  
RG 43 vol. 668 file 21285 Dangerous crossing half mile west of Lyn.  
RG 46 vol. 1529 file 21179 Service complaints

### **Privy Council Railway Committee 8 November 1887 Application by BW&SSM to cross GTR on the level near Lyn station.**

Having heard the objection of the GTR for the point and mode of crossing suggested by the BW&SSM and after considering other means and sites of crossing it appears to the Committee that a better point to effect a crossing on the level would be at a place known as Manitoba Siding near the town of Brockville.

The Committee does not approve of the mode of crossing and intersection near Lyn as preferred by the BW&SSM and it is ordered that a plan and profile of a level crossing at the point selected as a suitable one for the purpose be submitted for consideration by the Committee.

### **RG 12 vol 2509 file 3506-3 (3 parts) Railway Legislation - Brockville Westport & Sault Ste. Marie Railway**

**Undated plan of Ontario Pacific Railway** coloured - good.

#### **25 Feb 1885 petition**

#### **2 March 1886 From President BW&SSM to Pope**

Wishes to enter into a contract for subsidy.

#### **8 March 1886 Collingwood Schreiber**

Specifications generally alright but makes detailed amendments.

#### **15 March 1886 Letter from Secretary BW&SSM**

Attaches certificate giving details of the organization of the company.

#### **15 March 1886 from BW&SSM**

Detailed survey now going on expect to have it completed by middle of April.

#### **12 April 1886 List of shareholders and officers.**

**28 April 1886 PC 1886-819** see data base. Agreement, specification and description

**4 June 1886 Sends plan and profile of first 44 miles.**

**16 Sept 1886 from BW&SSM**

Assigns subsidy to Messrs Cooper-Fairman to pay for rails.

**10 May 1887 also 3 June from BW&SSM**

Petition for subsidy from Westport to Sault Ste. Marie.

**Plan of crossing of Rideau Canal**

Dominion Bridge plan March 29, 1887

Dominion Bridge masonry plan 12/5/87

**7 June 1887 from BW&SSM**

Construction of first division from Brockville to Westport is far advanced, the substructure nearly completed, the rails and fastenings are on hand and it is expected to open for traffic in August. Negotiations for capital to complete and equip the line to SSM have progressed so far that the entire amount is promised conditional upon Government of Canada granting the subsidy.

Sets out streams over 100 ft to be bridged. Details of traffic potential

**23 Sep 1887 From BW&SSM**

GTR want an overcrossing. This will make grades steeper than set out in the contract.

**17 October 1887 From BW&SSM**

Encloses plan and profile of our proposed crossing of the GTR near Lyn station.

**17 Jan 1888 from residents of South Leeds to Geo. Taylor MP**

farmers and residents of the area have given credit to contractors in furnishing materials and supplies, boarding laborers, work of ourselves and our teams and in various other ways and non payment is the cause of great hardship. Lists amount owing and asks that Taylor use his influence to ensure subsidy is withheld until payment is made.

**11 Feb 1888 from BW&SSM**

Immediately after our appearance before the Committee in November last when the company received permission to cross the GTR on the level near Brockville surveys were resumed with a view to improving our approaches to the level crossing. The question of the overhead crossing of the GTR was also considered and efforts made in the field in this direction and it was found that an overhead crossing could be obtained but at a greatly increased cost. The GTR were communicated with and a suggestion made to them by this company that if they would convey to us a portion of their Lyn branch which should become a part of our Main Line, and give this company the right to run trains over the GTR between Lyn and Brockville stations during the construction of our line between

Lyn and Brockville this company would undertake the construction of the line with the overhead crossing of the GTR, which proposition was accepted by the GTR and reduced in writing.

Attaches plan and profile showing the proposed changes.

**17 Feb 1888 from Collingwood Schreiber** - proposed change is in the public interest.

**21 March 1888 from BW&SSM**

List of original shareholders and present shareholders.

**29 March 1888 OIC 1888-618 is passed** see data base.

**Profile of the location showing crossing of GTR.**

**22 May 1888 from BW&SSM**

40 miles of track laid and 8 station houses built and the rail makers are anxious to get their money or a portion of it and while the line is not yet ballasted request an inspection of the line in order at least a portion of the subsidy be paid.

**26 July 1888 from BW&SSM**

Detailed estimate of costs of construction of first division.

**16 August 1888 from Collingwood Schreiber**

Mr. Ridout has inspected and reported on the BW&SSM, 44½ miles from Brockville to Westport.

5 miles from Brockville to Lyn, delay occurred in connection with the crossing of the GTR this is now done by an overhead bridge. The grading on this section is not yet completed nor the bridges built connection being made at present with the GTR at Lyn.

From Lyn to Westport the track is laid but the location does not agree with that approved by OIC of 16 July 1886. Company should submit plans and profiles as built for approval. Clearing has only been made 66ft wide whereas the contract requires a width of 100ft. Fencing is now being erected.

Gives details of culverts. These are well built but the timber is hewn pine with some elm instead of cedar as called for in the specification. Mr. Ridout believes it is impossible to get cedar in the neighbourhood.

Trestle bridges at 6 locations and the Rideau Canal is crossed by iron plate girder bridge 70 ft span. Trestles might be shortened.

Track is 56lb Cammel with no ballast but will shortly be commenced. There is a Y at Westport.

Two tanks have been erected with a capacity of 21000 gallons each. There are two locomotives, second hand but apparently in good order. 17 box cars, 3 cattle cars, 10 flat cars 1 combine - all second hand but repaired and appear to be in good order.

Estimates proportionate value of subsidy for work done to be \$50,566 out of \$108,288 for Lyn to Westport - nothing allowable for Brockville to Lyn.

**23 August 1888 from Jones, Department Secretary to BW&SSM**

Inspection having been made:

1 location is not that approved.

2 clearing is 66ft in place of 100 ft.

3 timber culverts have been built of pine in place of cedar.

4 in 10 cases wooden box culverts have been made. All box culverts must be made of stone or iron (open culverts under embankments of less than 12 feet may be of cedar.

5 in six places trestle work has been used in place of masonry, iron or open beam culverts.

**28 Aug 1888 from BW&SSM**

Greatest deviation is 2100 ft between mile 18 and 14 this improves the alignment doing away with four curves and shortening the line by 2100 ft.

Other deviations are less than 1900 ft.

There is one curve of 5°. All gradients are considerably under the maximum allowed in the contract.

**30 Sep 1888 PC 1888-2085** see data base.

**12 Nov 1888 from A. Ferguson? On behalf of BW&SSM**

Cammel are asking for their money. Not unreasonable to ask for \$50,000 out of the \$128,000 voted.

**29 Nov 1888 PC 1888-2546** cancels OIC passed on 30 Sep 1888 and approves plans as built with one exception.

**26 November 1888 PC 1888-2540 is passed** approving subsidy payment of \$45,000.

**Plan of proposed line 27 Feb 1886**

**26 July 1889 from BW&SSM**

Company is of the opinion that the portion of their railway between Brockville and Westport has been sufficiently completed for the safe conveyance of passengers and is now ready for inspection.

**9 Aug 1889 From Schreiber**

Mr. Ridout again inspected the BW&SSM on 26 27 ultimo and found it far from completed. Would approve an additional \$6,400 subsidy payment.

**1 October 1889 from Cooper (Steel Rails) to Schreiber**

I have somewhere about \$90,000 locked up in this road. Decided to send an engineer over the line in order to find out whether Mr. Hervey is progressing with the work and trying to have it completed before the close of the season.

**7 June 1890 from BW&SSM**

Since payment of \$45,000 much work has been done, ballasting and have purchased an additional excursion passenger car. Request additional payment to Cooper.

**19 July 1890 from BW&SSM**

Enclosed please find copy of agreement with the GTR

**12 November 1887 from BW&SSM to Hickson, GTR Montreal**

if our company would undertake the expense of making an overhead crossing of your line west of your Manitoba siding would you give us a deed of the right of way and main track if your Lyn branch from the point where our line would connect with it, to the northwesterly end of that branch (our Company giving you the right to run, under our regulations and supervision, trains over the portion of said branch so transferred, without charge forever) and also give us the right to run our trains over the remainder of the Lyn branch and your main line from Lyn to Brockville under your regulations and supervision without charge pending completion of the overhead crossing, say not later than 30<sup>th</sup> June next.

We own station grounds and yard room of our own at Brockville and will have our Engine-house, freight and passenger stations completed with the greatest possible despatch; but if we cannot reach them from your track at Brockville immediately, you to give us the right to use your buildings, we paying reasonable compensation therefor.

The overhead crossing to be at least 22 feet above your track and to be thirty five feet wide in the clear (as the piers of the permanent bridge would be on Grand Trunk company's land they would be subject to removal if the Grand Trunk Railway Company required the land.

If you wish to make such an agreement as this kindly advise us today, attaching your letter to a copy of this, so that if we can find it practicable to do so (and we will at once use our best efforts to that end) we can wire you and the agreement will then be in effect.

We can set our men instantly at work upon the changes involved, instead of grading upon the line that would be used if we were to cross you at grade.

**20 June 1890 from Ridout**

I gain examined the line on 17<sup>th</sup> inst. Excellent detailed description of facilities. Brockville to Lyn 5 miles - generally according to plan except that the 10 degree curve at mile 4.5 had not been reduced to 8 degrees as required. Between the 4<sup>th</sup> and 5<sup>th</sup> mile the line goes over a part of the GTR Lyn branch which had been acquired from the GTR. Company should satisfy the Department as to their title to this. The one stall engine (house) which had blown down is now being re-erected.

Employee timetable commencing June 24 1890.

Shows

4 Lyn GTR

5 Lyn B&W,

10 Lees

13 Unionville

14 Elbe

17 Athens

24 Washburns

26 Lyndhurst

28 Delta

33 Elgin

37 Crosby

40 Newboro

44.5 Westport

**1 July 1890 PC 1890-1685** authorizes payment of additional \$46,640.

BW&SSM quibbled on the details.

**24 Dec 1890 OIC 2831 is passed** see data base.

## **Part 2**

### **27 June 1891 from BW&SSM**

Petition for additional subsidy for additional 55 miles, 20 miles were subsidized two years ago beginning at Newboro, \$3,200 per mile.

### **31 Aug 1891 from BW&SSM**

Two years ago additional 20 miles were voted from Newboro towards Palmer Rapids about five miles of which have been built and such engineering difficulties have been encountered that it may be necessary to change the route leaving the main line from the present terminus and we beg that you revoke the present subsidy so that \$16,000 can be drawn upon the portion already constructed between Newboro and Westport (although less than a ten mile section and the remainder drawn upon completion of the additional mileage.

**2 October 1891 PC 1891-2346 is issued** see data base for details.

### **17 March 1892 from BW&SSM**

Applies for renewal of subsidy for voted two sessions ago for a railway from Westport and extending 19 miles westward.

**2 April 1892 from lawyers on behalf of Cooper Fairman**

Have obtained judgement in the High Court of Ontario for \$56, 640.68 in respect of BW&SSM indebtedness to them, this amount is in excess of the subsidy due. They have priority over other creditors. James Cooper holds power of attorney, fyled with the Department of Finance. Entitled to payment of the balance of the subsidy when it is payable.

**8 May 1894 Petition from BW&SSM**

Asks for a renewal of subsidy

**20 Feb 1896 letter from James Cooper**

The sum of \$32,000 was revoted to BW&SSM by 55-6 Vic cap. 5 as the balance remaining due of the original federal subsidy. The original subsidy was transferred to me as a member of Cooper Fairman with a power of attorney to draw the money as security for the payment of the price of the rails, fastenings, wire fencing &c. which were supplied by my firm.

The railway, although in operation has never been completed according to the subsidy contract with the Government, and for that reason my firm has never been paid for the rails, fastenings, wire fencing &c. There remains due to us \$84,084.00 for which we have judgments.

As the vote will lapse unless renewed this year I beg to request that you will cause this amount of \$32,000 to be revoted at the present session so we will not lose the security upon which the rails were sold to the Company.

It is expected that the road will be completed within the next year or so and the subsidy thus earned.

**5 March 1898 from BW&SSM**

First section has been built 45 miles from Brockville to Westport, is equipped and has been operated for several years.

Dominion government granted subsidy of \$3,200 per mile for 40 miles of the said road and a further \$3,200 per mile from a point at or near Westport to a point at or near Scharbot (sic) Lake.

Fair and substantial progress has been made on the line.

Petitioners are making arrangements for the completion of the line and hope to effect a junction with the Ottawa, Arnprior & Parry Sound Railway during the course of the next 12 months (!).

Requests that the subsidies granted and remaining unpaid be revoted and continued.

**19 April 1898 From B.W Britton (on House of Commons stationery) to Collingwood Schreiber.**

Wants to know the date upon which an assignment from R.G. Hervey to Cooper, Fairman of certain monies voted by the government to the former was deposited in your office. Also the date upon which was received in your office a certificate signed by the sheriff of Leeds and Grenville that he held an execution against R.G. Hervey and others for \$2750 in favour of W.J. Webster and others.

There is a handwritten note - 1<sup>st</sup> there is a power of attorney files in department of Finance filed in 1887 and has not been cancelled. 2<sup>nd</sup> for the sheriffs certificate see No. 61876 received 30 Sep 1891.

**23 April 1898 From James Cooper**

Requests again that the money be revoted.

**29 April 1898 From Hutcheson V. Fisher attorney for William John Webster of Westport.**

Encloses argument in support of Webster's claim for payment of his execution against the BW&SSM, out of the subsidy granted.

Claim is for labour and materials supplied and furnished in the original construction. Suit entered in Feb 1890. Argues that he has a greater claim than Cooper Fairman.

**29 Jan 1903 from McGiverin & Haydon to Secretary of Department**

Our Mr. McGiverin handed today a notice of the purchase of the BW&SSM. This is filed by Mr. W.S. Buell, of Brockville, Solicitor for the purchasers of the road.

**9 Feb 1903 From Department to McGiverin & Haydon**

Received notice of the purchase of the BW&SSM by Charles F. Holm & others. Encloses a certificate under section 279 of the Railway Act that the purchasers have complied with the conditions respecting notices in section 279. No further authorization or letter of license is necessary at present.

**21 Mar 1903 from Charles Cooper to Acton Burrows Esq. Railway and Shipping World**

I furnished rails for the line. The contractor, really the railway, did not complete his work and a large portion of the subsidies were not paid.

The company obtained advances from Philadelphia Investment Co giving them shares and bonds as security and later that company took over all his interests as contractor, shareholder and bondholder and getting absolute control of the company.

In a suit of the Investment Company they brought about a sale of the railway.



New York Syndicate, under some arrangement with the Investment Co. purchased the line at a judicial sale, intending to pay for it with the bonds which the Investment Company received as collateral on their advances to the Contractor.

Creditors, for their own protection, applied for a charter under the name Brockville & Western Railway.

Hopes parliament will not completely ignore the rights of Canadians who furnished the materials for the construction of this line, and still remain unpaid, for the benefit of foreign speculators, who although the real debtors, wish to wipe out the creditors and take possession of the whole property without paying them a dollar.

### **23 May 1903 From Edward Smith , Prescott to Blair, Minister**

I bought the BW&SSM from the Investment company in Philadelphia in May 1901. Investment company said the outstanding claims were not serious and I received direct offer of the bonds and shares and I accepted. But I found the claims and judgements were not as stated by Mr. Hunt, but in tangible form, and I decided that all these claims must be settled and paid off. We were completing this last fall when the German Syndicate betrayed my people and come in with the Investment company and bid in the road contrary to the wish or knowledge of the Knickerbocker Trust in whose name they sold and in this they are trying to defraud all the judgement creditors and claimants. The amount of judgements and claims against this road is to date over \$214,909.32 with interest and this the New York Syndicate who have, if they succeed, beat out the Canadian Claimants and make a clean steal of the bonds of the road that received \$3,200 per mile from the government and also \$118,000 from the Municipalities that the road runs through.

The charter expired in 1900. The road has never been passed by the government and now I understand that this Yankee Syndicate are applying to you for a charter for said road and extension. The extension part is bluff.

Attachments including letter from Hunt.

### **27 March 1903 Indenture of sale of the road**

Between BW&SSM and Investment Co of Philadelphia of the first part and Charles Holm and others. Sets out all the assets and land holdings sold at public auction 20 January 1903. Also notice in High Court of Justice 28 Apr 1903.

Notice of sale

Letter from Cooper.

### **7 May 1903 Resolution of Brockville Town Council**

Some years ago this municipality granted a bonus of \$36,000 to the BW&SSM under the expectation that the railway would be extended into undeveloped regions to the north and west of Leeds County. Railway has been purchased at auction by some American

gentlemen who are applying for a charter to enable them to extend the railway under the name of BW&NW.

We believe the applicants have the necessary money and enterprise to push the said work to completion. Urges parliament to grant the application of William Henry Comstock and others.

**13 May 1903 From Buell to Jones, secretary of the Department.**

Hold certificate 14844 of 9 Feb 1903 certifying to the compliance of Charles Holm et al, the purchasers of the railway with the conditions of section 278 of the Railway Act. Attaches a copy of the certificate.

Letters from creditors

**16 May 1903 from W.A. Lewis, MP to Blair, Minister**

Nearly all the people who have claims against the road are supporters of mine in the last election.

Those who bought the road were prepared to pay \$500,000. They bought it for \$160,000 because our people who practically built the road were financially unable to help themselves. Will simply turn round and laugh at the honest yeomen who furnished the money and labour.

**23 May 1903 Letter from Cooper**

Encloses statement and agreement with Robert Hervey made with Investment Co. of Philadelphia.

Much correspondence, legal agreements etc.

**28 Mar 1904 Petition from BW&NW**

Proposed immediately to construct and extend the road from Westport in a northerly direction crossing the Ontario & Quebec near Maberly thence northerly to the banks of the Mississippi River to the banks of the Madawaska River to Palmers Rapids, from there to North Bay and Sault Ste. Marie. Petitions for a subsidy of \$3,200 per mile, hope to obtain grant from Ontario.

**16 Jan 1905 Inspection by E.V. Johnson, Inspecting Engineer**

Inspected the line on 21<sup>st</sup> ultimo. Considerable quantity of snow on the ground rendering it impossible to make a satisfactory examination of the condition of the road in the manner of ballast and ties.

Road appears to have been ballasted throughout though to what depth I am unable to state. The few ties visible appeared to be in good condition.

Road has evidently been well built. Piles of pile trestles have been cut off at water surface and frame bents of a substantial character erected.

Fenced throughout.

Large combined passenger and freight buildings 60' x 30' at Brockville, Lyn. Athen (sic) Delta, Elgin, Crosby, Newboro and Westport. Forthton building is 35' x 25' and Lyndhurst 30' x 20'. These are all frame buildings of neat design, comfortable and well finished.

There are also flag stations 18' x 16' at Seeleys, Elbe, Soperton and Forfar.

There are two good enginehouses of brick at Brockville sizes 101' x 31' and 83' x 43'.

At Westport there is a good frame engine house 75' x 30'.

There are water tanks in service at Brockville, Athens, Delta and Westport.

#### **7 Feb 1905 Knowlton to Schreiber**

Sets out a detailed list of improvements made including:

1. New engine shed at Westport.
4. New roundhouse at Brockville capacity 3 locomotives.
10. moved Crosby station building 200' east.

Construction of station platforms and stations.

Requests for revote etc.

#### **5 Sep 1905 MacDonnell & Farrell**

Acting for an engineering party which during winter and spring of the present year were employed by BW&NW in doing work for them. Company have failed to pay the ordinary workmen as well as the engineers.

Possibility of applying for unpaid subsidies.

**21 Sept 1906 OIC 1906-1897 is passed** see data base.

#### **10 Nov 1906 Inspection by E.V. Johnson**

The various features are as described in my report of 18 Jan 1905. The road has been fully ballasted and all the terms of the subsidy contract of 16 Jul 1906 have been complied with.

**8 Dec 1906 PC 1906-2438 is passed** see data base.

#### **21 Dec 1906 from Minister of Justice**

Attaches award of Commissioners or arbitrators for the award of the subsidy.

Receipt from the various people who received part of the subsidy money (34 cheques)

Purchase (of physical assets) by Phillip Ormsby on 13 July 1911 later corresp shows Dec 14 1911.

Indenture of sale dated 24 Jan 1912, deed of sale from Knickerbocker Trust to Robert Phillip Ormsby

**29 Jan 1912 CNOR to Cochrane, Minister**

Application on behalf of Phillip Ormsby for an operating order - purchaser without corporate powers to operate. Bill 50 will probably come before the Railway Committee tomorrow.

Various other correspondence.

**1 Sept 1952 Ottawa Citizen clipping on closure of the line.**

End of file.

**RG 46 accession no. 1992-93/066 file 28979**

**25 Oct 1918 application by CNoR (BW&SSM) for authority to replace the trestle on west leg of wye (i.e. south) with a girder span.**

Drawing 40579 of 7 October 1918 shows the layout of the bridge, south of Church Street as well as a two road engine shed running westwards off a siding to the south of the wye.

Letter of 25 Oct 1918 explains that the deck plate girder span was released from the old Bay of Quinte Railway.

Order 27791 of 31 Oct 1918 approves this.

CNoR letter of 27 Nov 1918 enclosed Canadian Allis Chalmers stress sheets for 34' deck plate girder bridge.

Order 27905 of 29 Nov 1918 approves this.

**RG 46 accession no. 1992-93/066 file 28979.1**

**Application by Canadian National for proposed renewal of bridge over Rideau Canal at m. 40.1 from Brockville.**

Application by CNR 17 December 1919.

Order 29210 issued 23 Dec 1919.

**RG 43 vol 362 file 6604**

## **Siding and Land at Lyn**

**20 June 1921**

Good poster by John A. Glassford, Coal, Hay, Cement etc.

The undersigned is preparing to erect coal sheds and warehouse at the Canadian National (B&W) station, Lyn, for the sale of above named commodities. Etc.

**11 July 1921 from Agent at Lyn to CN, Kelly**

Mr. Glassford wants to know what is being done in connection with his lease on site located alongside public team track here, but on account of Mr. G.C. Cumming raising the question of ownership of the property on which the public team track is located, Mr. Glassford located a new site.

At present Mr. Glassford is unloading 2 cars of coal and has more on order, besides other commodities which he purposes to handle if he can get proper facilities from us.

**13 July 1921 from Agent, Lyn to CN Kelly**

Have you determined the ownership of the property on which the public team tracks are located as Mr. Glassford would still prefer to locate there in preference to the new site adjoining our passing track as it would avoid the necessity of laying down any track and would be handier for access to the public.

**14 July 1921 from Devenish, CNR General Superintendent, Belleville to John A. Glassford**

Conditions under which the siding will be installed.

Fill out our standard application form and make a deposit of \$25.00 to cover preliminary expenses of making survey, preparing plans etc. When application approved by Traffic Department a statement of estimated cost will be rendered to you and you will be required to pay outright for the perishable material such as switch ties, track ties, headblocks, ballast etc. and the labour of installing the spur.

If you supply any of the material mentioned it will make your indebtedness so much less and we are willing that you supply the labour on condition that the work is done under the supervision of our Section Foreman for whose wages while on the work you will, of course, be charged. In addition you will be required to pay a rental of 6% on the value of the imperishable material, rails, frogs, switches etc. in the track.

Mr. Kelly, Superintendent at Ottawa has all the necessary papers and has been instructed to get in touch with you.

**2 September, 1921 From Jones, Agent at Lyn to Glassford**

I took up this matter with Mr. Kelly personally when he was here yesterday. Will involve the construction of an industrial siding or spur for you at a cost of \$500.00, the Company's customary charge for this sort of work.

If this is satisfactory to you please sign the attached Application for Industrial Siding (Form 2839E) and return it to me along with a deposit of \$25.00.

**5 September 1921 From Glassford to H.A. Stewart KC. Brockville**

You having called attention of the Minister of Transport, a personal friend of both, of my intention to establish a business at Lyn. Encloses papers.

Note the proposal of Mr. Kelly to charge \$500.00. If the ground occupied by the team delivery track and claimed by Mr. Cumming was not the property of the Company though used by the B&W Ry. for the past 30 years as their property in the delivery of car load traffic and on which track there at present is located an automobile unloading platform erected by Stack & McHenry; then if n industrial siding had to be installed leading from what is known as the passing track, south of the main line and abutting at or near highway crossing, I would furnish the labour and ballast, the CNR the switch headblock also necessary ties - called perishable material, for which I would pay the cost; also 6% rental value of rails, frog switch stand spikes and angle bars or so called imperishable materials.

The correspondence explains the hampering conditions under which I am laboring to establish the business undertaking, I have handled two cars of coal and two more are on order, six cars of hay, the latter netting the CNR nearly \$400 exclusive revenue, prior to second inst. I was told verbally investigation was being made to determine right of the railway to lease the ground adjoining "team delivery track" next that Superintendent Kelly had proposed to extent the passing track to the highway crossing so that I might erect buildings adjoining the last mentioned track and save the expense of building a siding. On May 2<sup>nd</sup> past I paid the railway \$20,00 with ground lease application, if in paying an additional deposit of \$25.00 for plans etc, of Spur Track, the matter is no further advanced then in the past four months, and Mr. Kelly's decision involving \$500 is to prevail, then I am out of the race and barred from establishing the business advertised.

If the aforementioned auto-platform could be authorized why cannot I be permitted to erect a coal shed and save the cost of teaming which is making it impossible to meet competition?

**6 September 1921 from Stewart, KC to Hon J.D. Reid, Minister of Railways**

Encloses file of correspondence with Glassford.

Apparently he thought he had the matter arranged with Devenish but Mr. Kelly takes a different view of the matter. Mr. Glassford would like to have the matter put through on the lines of the proposal of Mr. Devenish and to make use of a siding already partially constructed.

**13 September 1921 from Kelly to Devenish (dictated at Trenton)**

On May 15<sup>th</sup> Glassford made application to our Agent at Lyn for a warehouse site 60'c30' on GTR property, or on the track leading from the main track to Cummings Mill. This request was forwarded to me when, on May 27<sup>th</sup>, the agent at Lyn was instructed to

collect \$20.00 from Glassford to cover the necessary engineering fees. On June 1<sup>st</sup> a cheque was received from Glassford with a communication stating that as the question of the ownership of the property on which the warehouse was to be built was doubtful, he requested to have a siding built off the east end of the passing track and warehouse built adjacent thereto. As Assistant Engineer Logie was in Brockville doing work at that point at that time and was ordered to return to Napanee to lay out new connection at that point, I personally instructed him by telephone to look over ground selected for Mr. Glassford's side track and submit estimates and sketch so that work could be rushed. This was done and A.F.E. submitted, but when application for siding was submitted to Glassford on June 4, he refused to sign it, which accounts for the delay.

To get this matter settled, I met Mr. Glassford in Lyn and, as I had obtained information from the Property Commissioner to the effect that the ground between our main track and Cumming's Mill was owned by the Grand Trunk and has been used by this company as a team track for a number of years, I gave permission for Glassford to erect his warehouse on this team track, which arrangement is perfectly satisfactory so far as he is concerned, and there is no objection, as far as I can see, from the Railway Company's point of view.

Mr. Glassford has not been inconvenienced due to this building not being erected but as he expects to receive a car of coal in a few days, I have instructed him to proceed with the erection of the building, with the understanding that if it does not meet with our requirements and if a lease could not be granted the building would be removed. You may cancel the A.F.E. for the siding.

**23 September 1921 from S.J. Hungerford, VP CM to J.A. Steward Minister of Railways (?)**

had our superintendent personally interview Glassford. A new warehouse site was leased to Glassford on a team track which is already located at that point. Glassford made immediate arrangements for erection of his warehouse. He stated that he had not been placed to any inconvenience due to this building not being erected before.

This location does away entirely with the necessity for an industrial siding.

End of file.

**RG 30 vol 13149 file 6205-2**  
**Abandonment of Lyn Junction to Westport**

**File not reviewed in detail**

Starts November 1948.

**June 5 1951** Application to abandon.

Line opened for traffic 12 July 1888 built under statutory authority of Province of Ontario.

Details of physical characteristics of line to be abandoned.

Train service.

Description of territory served.

Stations - Lyn, Forthton, Athens, Lyndhurst, Delta, Phillipsville, Crosby, Newboro, Westport.

Revenues and Expenses.

Carloads by commodity 1946-7-8-9-50

**18 June 1952 Order 79236 issued.** See data base for details.

**15 July 1952** Decided to postpone abandonment of train service until Aug 30 in response to George Fulford MP.

Much correspondence about relocating the Forfar agency to Elgin.

Sale of some station buildings.

File ends August 1954.

**Abandonment application Lyn Jct (m. 0) to Westport (m. 40.51)**  
**Heard at Brockville June 5, 1952**  
**Judgement June 18, 1952**  
**Order 79236, June 18, 1952**

Built by BW & SSM and opened 1888. Property sold under foreclosure and a new charter was granted the purchasers under the name BW&NW. In 1911 company defaulted on its bond interest and was purchased by CNOR then CNR. Prior to its acquisition it extended from Brockville to Westport.

32 miles of rail 56 pound laid in 1887 in poor condition.

Mixed train operating on certain days of the week. 329 cars in 1951. Loss in 1951 was \$83,035.

Main highway parallels the line and is open throughout the year. There is the possibility of development associated with the St. Lawrence Seaway but this will not extend as far inland as Westport. If there is lead and iron ore development in the Lyndhurst area it would be a simple matter to build a few miles of track from Forfar to the place where the ore is to be found.

The abandonment was allowed.

**RG 46 vol 508 file 39310.58**  
**Abandonment.**

**22 August 1951 Formal application by CN to abandon Lyn Junction to Westport 40.51 miles.**



Objections - South Crosby, Athens, Westport,

**12 October 1951 memorandum from George Scott, Director Transportation Economics.**

Lyn Jct. to Forfar

Originating traffic 183 cars annually, dropped substantially in 1950, livestock accounted for 142 cars or 78%.

Terminating traffic declined from 233 cars in 1946 to 146 in 1950, principally mill products (61 cars or 31%).

Average originating and terminating cars was 12 per mile.

Forfar to Westport

Originating traffic 94 cars, declined from 115 in 1946 to 68 in 1950, principally livestock (45 cars or 48%)

Terminating 96 cars in 1946 to 53 cars in 1950, average 96, principally mill traffic (24 cars or 29%)

Average originating and terminating cars was 20 per mile.

**17 October 1951 joint inspection by District Inspector Bourgault separate report from District Engineer Kydd who went over the line 1 November 1951.**

Meeting with Reeves

Inspection trip by track motor car.

Flag stations:

Seeleys mile 3.91; Glen Elbe mile 10.50; Fairs mile 12.30; Soperton mile 19.98.

Stations:

Lyn - small freight shed in poor state and side track.

Forthton - station building, practically falling part, and side track

Athens - station building, 2 pen stock yard, coal sheds and side track. Buildings in fair condition.

Lyndhurst - station building, good condition, one pen stock yard and side track.

Delta - Station building, poor, water syphon and side track.

Phillipsville - Shelter, fair, two pen stock yard and side track.

Forfar - not affected because on Smiths Falls sub. Diamond crossing and wye track could be dismantled. Movements over diamond governed by two arm semaphore.

Crosby - station building, fair, and side track.

Newboro - Station building, fair, and side track.

Westboro - Station building, good, two pen stock yard, yard tracks and wye.

Line is fatigued and run down. Traffic is rapidly vanishing.

**CNR application includes full traffic details etc.**

**10 May 1952 notice of hearing 5 June 1952 in the Court House, Brockville.**

**18 June 1952 order 79236 is issued along with judgement.**

**15 July 1952 CNR notice - last trains will run Saturday August 30.**

Various complaints after abandonment about weed control etc.

End of file

**RG 46 vol 1530 file 5892**

**Inspection report.**

**28 September 1907 Report of Inspector McCaul**

Inspection made on 27 September 1907

System of operation - timetable and train order through the dispatcher.

Stations

Elgin needs a new floor

Lyn, Elgin and Delta - waiting rooms are very small

Some waiting rooms could be kept neater and cleaner.

Athens - considerable freight lying about the platform which would indicate the freight house is not large enough for the business.

At other stations the freight accommodation appears to be ample.

There are no blackboards at any of the stations on this railway. There does not appear to be any provision for lighting the station platforms.

Train accommodation consists of one passenger and one mixed train in each direction daily except Sunday. This is ample.

Regularity in train time was not good. Goes into details of late running on 26 September. Under ordinary conditions the passenger trains run fairly well on time but the mixed trains are governed largely by the amount of work they are called upon to perform at the stations en route.

Employees are supplied with the required badges. I found some of the station agents were not wearing the official cap and spoke to them. On my return trip, all were wearing their official caps.

The switches, guard rails and frogs are not packed. I do not believe that they ever have been packed.

Fences Many in bad order; and although a good deal of new fencing is in evidence there is at different points along the line a total absence of fence for a distance of half a mile at a stretch. There are miles of fences along the line that require immediate renewals and repairs in some places. I found the lowest wire from 12 to 20 inches above the ground.

Farm gates are in good condition. I found some of the old sliding gates still in use.

Cattleguards There is something like twenty miles of railway without cattleguards at the public road crossings. The balance is principally the pit guard although there are a few of another kind in use.

Public Road Crossing signs are in good order.

The destroying of weeds has been attended to. There appears to have been something done on the southern end but there are 25 or 30 miles that nothing has been done on. The track is rough and requires ballast and tie renewals. Two streaks of iron in the grass will best describe this track. The grass has grown up and over and around the ties. I believe the schedule time should not be exceeded. The switches are of the stub pattern, rigid cast iron stands.

The rolling stock The passenger cars are comfortable and in good order. Of course, they are old equipment bought from larger railways but they answer the purpose on this road alright. The flat and box cars of the company are equipped with the safety hand grab irons on each end, automatic couplers, and Westinghouse air brake. The locomotives are in good order and are equipped with driving wheel brakes and automatic couplers.

There are no level crossings with other railways.

There is some wooden trestle work about one mile north of Brockville; from appearances it requires some repairs.

#### **6 November 1907 referred to railway**

#### **23 November 1907 response from BW&NW (New York)**

While our stations are not equipped with standard order signal indicator, they are furnished with red flag and lamp and stationary brackets fastened to stations for display of such signals.

All of our stations are sufficiently large to more than take care of our traffic, both passenger and freight. The only freight unloaded at station platforms is of a rough nature that does not require to be put into a warehouse.

We have two fence gangs working all summer and have constructed large quantities new fencing and expect early next spring, when frost is out of the ground, to finish up this work which will give us good standard fencing on both sides of right of way.

We have been renewing ties all summer and expect to give the road one lift of ballast during next summer.

The other small matters referred to by your Inspector will receive prompt attention.

#### **20 December 1907 from Cartwright to Mountain, Engineer**

Requests further examination.

End of file.

#### **RG 43 vol. 668 file 21285**

#### **Dangerous crossing half mile west of Lyn.**

#### **10 May 1922 from W.H. McNish to H.A. Stewart MP.**

dangerous crossing half mile west of Lyn village. Already several people have had narrow escape from being killed. The roadbed is about 6 feet below the surface of the ground and when making the excavation the dirt pile was piled up on the banks making a bank about 12 feet above the track which totally obscures the approaching train.

#### **20 July 1922 from CNR to Major Bell**

It appears this crossing was somewhat dangerous and we have arranged to remove the waste material on top of the cut which at present obstructs the view.

**9 October 1922 from W.W. Purvis to Stewart MP.**

Perfect and complete trap just outside corporation limits of village of Lyn. Distressing accident a few days ago, there was loss of property and nearly loss of life and the victim lies in Brockville hospital.

Recorder and Times Press clipping Oct 11 1922 - McReady crossing

Calls for protection at what is known as McCready's crossing on the Lyn - Yonges Mills Road. An unfortunate accident happened at that place last week. We approve of what Mr. W. Billings says. There should be protection afforded at this crossing. With a jitney running over that portion of the CNR there is not much chance for motorists or even pedestrians even to avoid an accident. The matter is worthy of close attention by the authorities. The McCready crossing is a dangerous one - a menace to the public. Something ought to be done to protect the public. As our correspondent suggests, an overhead crossing would be a good thing. With the large traffic over that particular portion of Leeds county no stone should be left unturned to make the McCready crossing safe for the public. All bodies interested in the should go into the matter. The payments for protected level crossings are wisely divided and the burdens, if they may be properly termed such, are equitably adjusted. By all means let the township council and counties council consider the matter and take action to remedy a menace. The level crossing danger is always with us. Now is the opportunate time to eradicate another of such raps. It would be good business to build an overhead bridge at that point.

**16 October 1922 from Hutcheson & Driver, Brockville to Department**

On the morning of Friday 6 October 1922, Mr. Edson Burnham, of Yonges Mills, a client of ours was struck by a motor train at McCready's Crossing. Seriously injured and was taken to the Brockville General Hospital. Cannot advise the full extent of his injuries.. At the time of the accident Mr. Burnham was driving a milk motor truck owned by him which was completely demolished. He will make a claim for damages also.

Attaches copy of editorial article from the Recorder and Times edited by Hon. G.P. Graham, Minister of Militia and acting Minister of Railways and Canals. We have heard that steps have already been taken to reduce the size of the banks at the crossing but have no definite information.

**30 October 1922 from CNR**

Work is now under way and will be completed today.

**2 November 1922 from Reid, Solicitor, CNR to Hutcheson & Driver**

Fail to see any negligence on the part of the railway company. Signals were all given by the train men which appears to be supported by evidence outside of the employees of the road. The speed of the railway car was 5 mph. whereas evidence outside of railway

employees places the speed of the milk truck at about 15 to 20 mph. It cannot be denied that the crossing is dangerous which is why there is a slow order of 5 mph on this particular motor car, which is the speed they were travelling at.

Surely the driver of the milk truck had a duty to perform towards himself as well as the railway; he knew the dangerous crossing equally as well as the railway employees knew it and if he had only been going at the rate of five miles an hour no accident would have occurred.

...the decisions of the court seem to lay it down pretty clearly where the crossing is dangerous that a person using it must exercise greater caution than where it is not so dangerous. Railway cannot entertain a claim.

### **RG 46 vol. 1529 file 21179**

#### **Service complaints**

#### **7 December 1912 from James Mattison, Manager, National Drug & Chemical**

Yesterday morning I started out for Athens on the Brockville & Westport due to leave at 09:30. It did not leave until 11:10, did not arrive at Athens, 12 miles, before 12:15. The train was due to come back at 4:30, would not be there before 8. It is about time someone looked at the B&W because there is a bridge a short distance out of Brockville and if not repaired soon it will go down and probably kill fifteen or twenty people.

Many pages of problems with the GTR - cleaning etc.

#### **20 January 1913 -Report from Inspector**

GTR complaint justified.

#### **20 January 1913 Report from Inspector on B&W**

Made a trip over the B&W on January 16.

The train referred to by Mr. Mattison is No. 1 a mixed train or way freight carrying passengers. It is due to leave at 09:35 but did not get out on the morning in question until 10:40, not 11:10 as stated by Mr. Mattison. This is from the dispatchers sheets. The cause of the delay was a loose tire on #67, causing No. 1 to be held at Brockville until the arrival of No. 2, the morning passenger train from Westport which is due at Brockville at 9:20 but did not arrive until 9:45 and engine 66 which arrived on No. 2, was hurriedly turned around and sent out on No. 1. The cause of the delay to the mixed train No. 4 returning to Brockville on same date, Dec 6 was on account of heavy way freighting and switching at all stations. There were several tons of poultry, eggs and other farm produce handled on this particular trip which was the cause for the delay and could not very well be avoided.

As for the general conditions on the BWW&W Ry. (sic) there is no doubt whatever that there is quite sufficient grounds for complaints as the track is in very bad condition which of course leads to the delay. As neither the passenger nor the mixed train can make their schedule time on account of the condition of the ties and want of ballast. The trestles referred to by Mr. Mattinson are between Brockville and the --- and are in a shaky condition judging from the appearance of the decking. I did not make any inspection of

the bottom or the underneath portion on account of the high waters below, as it was raining very heavily on the date I was there and the ground was flooded with ice and water. The first trestle west from Brockville station is 575 feet long and has an average height of 18 ft. 6 in. The second one, which goes over the GTR is 700 ft. long and has an average height of 21 ft. 3 in. Both of these trestles are in bad condition and should receive early attention. I was informed by Mr. W.J. Curle Supt. at Brockville, that the plans and arrangements are already made to commence as soon as the frost leaves the ground in the spring to fill both of these trestles. They may hold good until that time, but I would strongly recommend that they be filled as soon as the weather will permit, I would also earnestly recommend that the road be properly ballasted from Brockville to Westport (44.3 miles). I think the main cause for the road being in such bad condition at the present time is on account of the steel for the Canadian Northern Ontario Ry. being hauled over the BW&W (sic) from Lynn Jct. to Brockville Jct. a distance of about 30 miles. There has been little or no attention whatever given the BW&W road bed. The ties are out of sight in grass and mud and is hardly fit for any kind of speed. The weeds and grass have not been cut along the right of way in the past season.

I also noticed that there are only a very odd frog or guard rail block. I drew the Superintendent's attention to this while at Brockville and he promised me he would have it attended to at once.

All stations on the Brockville and Westport were repainted and repaired last summer and are in fairly good condition. The blackboards were all properly dated and trains booked up on the date of inspection.

The BW&W has three locomotives, two in service daily except Sunday and one spare. They have two first class coaches, six wheel truck, which runs on No. 2 and No. 3. The other coaches which are handled on mixed train 1 and 4 are of a very old type, but the road is small and I think they will answer the purpose until the road has been properly taken care of by the Canadian Northern. The new coaches are lighted by mineral seal oil lamps and has a fire extinguisher in each car.

I am enclosing for your information the Dispatcher's running sheet for seven days prior to the date of complaint and also a copy of the BW&W present time table, so that you may be able to see how the trains have been running. The cause of the passenger trains No. 2 and No. 3 arriving late at both Brockville and Westport is on account of the poor condition of the track. The delay to the mixed train Nos. 1 and 4 is also poor condition of the track, heavy handling of way freight and switching. (N.B. no attachments on the file).

Further correspondence about condition of lavatories on GTR etc.  
Connections at Brockville between GTR and CPR.