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CIVIL ENGINEERING.

Report of the Commissioners appointed by the Legislature of the State of New York, by the Act of May 11, 1846, to locate certain portions of the New York and Erie Railroad, made to the Legislature, January 14, 1847.

(Continued from page 230.)

Sullivan County or Interior Route.

It has been shown that the train will proceed from Deposit to the mouth of Callicoon Creek with a load due to a level, or a grade descending 15 feet per mile; the load being restricted by the return load to 358 tons freight. The extra power required to carry this load up a grade of 45 feet per mile is 2.34 , or $2\frac{1}{2}$ engines of equal power. We have then $40 \times 2 \times 2.34 \times 1.5 = 280.8$ cents per mile run with a load of 358 tons, $280.8 \div 358 = 0.78$ cents per ton per mile.

The distance on which this grade rules, as before remarked, between the mouth of the Callicoon and Wurtsboro, is 52.58 miles; but, as it is to be compared with the Delaware river line from the mouth of the Callicoon to Port Jervis, it should be taken for extra power for no greater distance than that between the two latter points, or 48.97 miles. The extra power will therefore be taken for this distance.

This route is 2.61 miles longer than the Delaware river route. The extra length will be estimated the same as that for extra length of the Nineveh route, viz: at one cent per ton per mile on freight each way; or, charging wholly on freight moving eastward, $1\frac{1}{2}$ cents per ton per mile.

Summary of extra cost of transportation on Sullivan county route, charging the whole cost on freight moving east:—

48.97 miles, at 0.78 cts. per ton per mile,	38.19 cts. per ton.
2.61 " extra length, at $1\frac{1}{2}$ cts. per ton per mile,	3.48 " "

Total extra cost per ton over the Delaware river route,	41.67 cents.
Extra cost on Nineveh route, as before shown,	22.57 "

Total extra cost on the interior routes,	64.24 "
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Having determined the extra cost of transportation per ton, caused by the heavy grades and extra lengths, it becomes necessary to ascertain what will be the total tonnage annually transported over the road. The calculations are all based on charging the whole expense of extra power on freight moving eastward; that moving westward being provided for by the method adopted to determine the question. It is therefore the tonnage moving eastward that we want to ascertain the amount of.

The officers of the New York and Erie Railroad Company, in presenting their views of this question to the Commissioners, assumed that 500,000 tons per annum would be transported eastward over the railroad. This position was not controverted by any person interested in the Northern or other routes.

It is not possible to arrive at accuracy on this point; and the Commissioners are not willing to say the road will not eventually reach this estimate: but this would be a very large business for a general trade, and much beyond the capacity of a single track road. The question to be determined is, what amount of trade will pass over the section between the Shawangunk ridge and Port Crane, in Broome county.

An estimate of this kind should look to some future period, when the business of the road might reach, not its full capacity, but such as would form an average with the past and the future.

The Baltimore and Ohio railroad, as now, and for several years past, has been worked about 180 miles. For the year ending September 30th, 1846, there was transported on it, to and from the different points, 193,916 tons, (including the trade in both directions,) equivalent to about 84,000 tons carried over the whole road.

The New York and Erie railroad, when completed, will extend about 260 miles beyond Port Crane, in Broome county. Now, if we suppose 3 tons carried to Baltimore, to 1 ton in the opposite direction, there must have been about 145,000 tons moved towards Baltimore. This proportion applied to the New York and Erie railroad, for equal distances, would show about 210,000 tons arriving at the western end of the routes under consideration. Whether the two roads should be

regarded as presenting a fair parallel for amount of trade, is, however, a question which may admit of a difference of opinion.

The tonnage on the western railroad, from Albany to Worcester, 156 miles, for the year 1845, was equal to 93,392 tons carried over the whole road. This includes freight in both directions. On this road the freights in opposite directions are more nearly equal than is usual. Judging from the amount received for freight, it appears to be not far from two to one. This would show a result about 13 per cent. greater for the tonnage towards tide water, comparing the distances, than the Baltimore and Ohio railroad. It is to be considered, however, that a considerable portion of this tonnage is from place to place, and forms no part of the through tonnage.

The route traversed by the New York and Erie railroad is understood to be in general a grazing district, that furnishes freight of greater value but of less tonnage than a grain growing district.

The Commissioners have been much embarrassed in forming a satisfactory estimate on the amount of tonnage. It does not appear practicable, from any data in their possession, to reach any definite accuracy, and their estimate must be considered as in a great measure conjectural.

The amount assumed by the engineer of the Company is regarded as too high to form the basis of comparison between the several routes. The Commissioners have assumed 200,000 tons as the annual amount of freight that may be expected to move eastward over that portion of the road embraced in this question of location; this, they think as high an estimate as they are warranted to make for this comparison.

It has been shown the cost of transportation will be 64·24 cents per ton (computed wholly on freight moving eastward) greater on the interior routes than on the river routes.

This rate on 200,000 tons per annum, is 200,000 tons at 64·24 cents per ton, = \$128,480.

The passenger trade will feel the unfavorable influence of the heavy grades, and will require extra power; or, the train must proceed over them at reduced velocity.

The excess of curvature on the Nineveh, and the Sullivan, or interior routes, over that on the river routes, is 3903 degrees, or equal to 10·84 (nearly 11) entire circles. The excess of curvature is mostly on radii of less than 1000 feet, and frequently occurs on the heavy grades. It will no doubt increase the expense of power. The Commissioners are not aware of any definite data, by which this question can be reduced to computation. Heavy curving on railroads is regarded to be the next unfavorable thing to heavy grades, and great expenses are often incurred to reduce the curves to large radii, or dispense with them altogether.

Not only is more power required to move the train, but the displacement and wear of rails, and the wear of cars and engines is much greater on sharp curves than on a straight line. On the Nineveh and Susquehanna lines, an allowance of 10 feet per mile, or 15 per cent., was made for the curve lines: whether this is sufficient for the extra power is doubtful. On the Sullivan county lines no such allowance

was made. If it had been, it would have increased the maximum grade in the same proportion. If the same rule be applied to this, it will raise the total cost of extra power to nearly 70 cents per ton.

Regarding the extra wear of rails, cars, and engines, this great excess of curvature, though not susceptible of a definite reduction, must be considered as a very serious objection to the interior lines, when viewed only in connexion with the freight business. Its influence on the passenger trade, exposing the cars to leave the track, causing greater wear to the road and machinery, and restricting the speed of traveling, is still more serious.

The interior routes will be more obstructed by heavy snows (especially that in Sullivan county) than the river routes, which will increase the expense of running, and cause delays that will be prejudicial to the business of the road during the winter season.

Heavy grades cause extra wear on the rails, cars, and engines, from the more frequent and severe application of the friction brake, to control the latter in their descent. The cars on the heavy grades would not stand still without being secured, and consequently, any accident by which a car should get loose, would allow it to move off with great velocity, putting at hazard its own safety, and that of others that might be in its way. Any circumstance that should disable an engine in ascending a heavy grade, such as the slipping of the wheels, or the machinery suddenly getting out of order, would put the whole train at hazard.

On a long line, where the passenger traffic will be important, the excess of heavy grades and curvature on the interior routes will have a material influence on the economy and usefulness of the road.

The several points of disadvantage that appertain to the interior routes, as above considered, namely—the influence of the great excess of curvature on the freight traffic, together with that of the heavy grades on the passenger traffic—the greater exposure to heavy and drifting snows—extra wear of rails, cars, and engines, on the excess of heavy grades and curvature—with the greater hazard of accident and consequent damage, are of a character that does not admit of any definite computation. They are, however, of such importance, that heavy expense, where a change of route is practicable, may well be incurred to avoid them. That they materially impair the value of a railroad, is beyond question. After careful consideration, the Commissioners have come to the conclusion that, collectively, they will not be less than half the amount before stated, as the excess on the freight traffic caused by the excess of heavy grades.

The total amount of excess chargeable, as before presented, to the interior routes, is:—

On freight arising from heavy grades,	\$128,480
On items above enumerated, collectively assumed at 50 per cent. of the above,	64,240
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	\$ 192,720

From this, there must be deducted:—

First, The extra cost of constructing and maintaining the Southern line.

Second, The annual tax imposed by the state of Pennsylvania.

In relation to the first, the estimates of the engineers show the extra cost to be \$519,821. To this must be added the interest that will accrue on the expenditure until the road is in operation, and receiving income from its business. This will, of course, depend on the vigor with which the work is prosecuted, and the facility with which its traffic may be advantageously commenced. It is supposed ten per cent. on the whole sum would provide for all the accruing interest, making the capital invested for this item \$571,803. The river routes, more particularly that along the Delaware, from the heavy bridges that must be maintained, and from the exposure of the work to the floods of this river, will be more expensive to keep in repair than the interior routes. This item is estimated at \$15,000 per annum.

The second item, the tax imposed by the State of Pennsylvania, is chargeable when the whole road is completed to Dunkirk, or connected with some road leading to Lake Erie.

This annual bonus will not, therefore, be chargeable until the road is in full operation.

The annual charge will be as follows:—

Interest on \$571,803, at 6 per cent.,	\$ 34,308
Annual repairs—excess, - - -	15,000
Bonus to Pennsylvania, - - -	10,000
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	\$ 59,308
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Summary of excess:—

On the interior routes, - - -	\$ 192,720
On the river “ - - -	59,308
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	\$ 133,412

Showing that the annual expenses on the interior routes will be \$133,412 greater than those on the river routes. This result has been reached, after carefully considering and yielding every advantage to the interior routes which can be regarded as belonging to them. The mode of working on which the calculation is based, is the most favorable to them, involving the most careful attention to the economy of motive power; and the Commissioners feel constrained to say, that they have serious doubts whether a more expensive arrangement in relation to motive power, would not, on account of greater simplicity, be found more expedient in practice.

Herewith are submitted a map and profile, marked A, of the Nineveh and Susquehanna lines; a map and profile, marked B, of the Sullivan county and Delaware river line; a profile, marked C, of the several routes from Binghamton to the Shawangunk summit; and a profile, marked D, of the whole line of the New York and Erie railroad, from Piermont to Dunkirk. These have all been prepared

under the directions of the Commissioners, and from surveys, also under their directions, except the general profile, which is from such surveys only on those portions that have come under the examinations of the Commissioners. From these maps and profiles, a good idea of the general features of the several routes may be obtained.

Tabular statements of the results of the surveys by Henry Tracy and James O. Morse, Esqrs., the engineers employed by the Commissioners, are also herewith submitted.

The Commissioners are required to take into consideration "the terms, conditions," &c., of the Act of Pennsylvania, authorizing the New York and Erie Railroad Company to construct a portion of their road in that State.

There are several conditions in the Act of the Legislature of Pennsylvania that are peculiar, and require the notice of the Commissioners.

First. The railroad, if constructed along the Delaware river, is required to "be so constructed as not to obstruct the rafting navigation, nor contract the natural flow (and expansion) of the said Delaware river, (at high floods,) nor injure the works," &c., of the Delaware and Hudson Canal Company; and in relation to the point of crossing the Delaware river. Similar provisions are contained in the Act of this State which constituted this commission.

On all these points the engineer employed by the Commissioners was instructed to conduct his surveys, and make his estimates with a view to a full compliance with these provisions.

Second. The 3d section of the Act of Pennsylvania requires certain laws to be passed by the Legislature of this State; it also requires from the New York and Erie Railroad Company, conditions in relation to the conduct of their business, which have been considered matters for said Company to look to, before they could legally locate their road in that State; but not requiring the attention of this commission.

Third. The 5th section of said Act requires that after the said railroad is completed to Dunkirk, or connects at its western termination with any improvement extending to Lake Erie, said Company shall pay to the State of Pennsylvania ten thousand dollars per annum. This is presumed to be the main condition to which the attention of the Commissioners was called, and they have placed it as an annual charge against the routes in that State. It is certainly an onerous and extraordinary burden to be imposed on a Company for the privilege of constructing a work that, in its results, must be a great benefit to a large portion of the citizens of that State; but it is a condition, and the Commissioners can do no less than place it to the debit of those routes.

By the Act of May, 1846, the Commissioners are directed to take into consideration "a comparison of the grades or elevations, and depressions and curvatures, in the line or track of said railroad, in the other counties east and west of Sullivan county."

The Commissioners have no means of judging of the curvatures east and west of Sullivan county, except on the routes surveyed under their directions, which present no curvatures so unfavorable in degree,

nor much exceeding half the amount, as compared with equal distances.

There are grades, both east and west, more unfavorable than occur in Sullivan county, and it was contended by the friends of the interior route in that county, that this was sufficient, under the Act, to settle the location on that route. Now, (as stated in the preliminary remarks of this report,) it was a matter of public notoriety, before the Act was passed, that grades equally heavy as those in Sullivan county existed both east and west of it; but as this question has been discussed, and the views of the Commissioners given, in the preliminary part of this report, it is not deemed necessary to enter into further detail here on this point.

If the heavy grades in this county were so situated, in regard to the heavy grades east and west of it, that no material benefit could be obtained by avoiding them, then the construction of the Act above given, by the friends of the Sullivan county route, would, no doubt, be in accordance with the intention of the Legislature. But inasmuch as they are so situated that heavy extra expense would be incurred in conducting the traffic of the road over them, such construction would be equivalent to the position, that serious obstacles on one part of the line were sufficient reason that others of the same kind constitute no impediment to the enterprize, which position is considered as inadmissible, in view of the general object of the Act. It is well known that the heavy grades which occur on several parts of the route of the New York and Erie railroad, have been great impediments in the progress of that enterprize; and, consequently, its friends have endeavored to reduce such obstacles as much as possible. The application for the law establishing this commission had its origin in this effort, and the original law (of which the present is an amendment) had a reference to the same object, namely: to remove some of the impediments (of this character) to the progress of the improvement. The Commissioners are, therefore, fully of the opinion, that the construction they have given to the Act is the proper one, namely: that "this fact is to be candidly considered, and to have its due influence on their decision, but cannot control irrespective of all other facts that bear on the question;" and especially cannot do away with the main object of the Act, which was, to determine whether those grades could be adopted "without great prejudice to the public interest."

The Commissioners are further required to take into consideration, "the several Acts of the Legislature of this State in granting aid to the said Company, and especially the provisions of the Act mentioned in the first section of this Act."

The Act incorporating the New York and Erie Railroad Company was passed in 1832. It authorized the construction of a railroad through the southern tier of counties, and forbids any connexion with railroads in the States of Pennsylvania and New Jersey without the consent of the Legislature of this State. Stock sufficient to organize the Company not being obtained, a subsequent Act was passed, authorizing an organization when one million of dollars was subscribed to the stock. No progress having been made in 1834, the Legislature

authorized a survey of the route for said railroad at the expense of the State. In 1835, an Act was passed authorizing the Company to construct and put in operation such sections of the road as they might deem eligible.

The powers and privileges granted by the several Acts of the Legislature, and prospects of remuneration from the business of the road having failed to command private capital sufficient for the work, "an Act to expedite the construction of a railroad from New York to Lake Erie," was passed in 1836. This Act authorized a loan of the State credit for three millions of dollars, to be advanced in several sums, on the completion of certain sections of the said railroad.

This Act did not secure much progress in the construction of the road. Private capital could not be obtained sufficient to complete the "first section" of road necessary to obtain any portion of the loan of the State credit.

In 1838, the Legislature passed an Act to amend the Act of 1836, above mentioned. This Act authorized the loan of the State credit to be made, in equal sums with, and after the expenditure of, private subscription; to commence after the Company should expend three hundred thousand dollars.

In 1840, an Act was passed to amend previous Acts; authorizing a six per cent. State stock to be loaned to the Company, and the stock to be issued on the expenditure, by the Company, from their own means, of half the amount of the same.

Under this Act, the Company proceeded with the work until the loan on the credit of the State was issued, to the amount of three millions of dollars, as authorized by the several acts above mentioned. Failing to command the requisite means to carry forward the enterprise from subscriptions to the stock of the Company, after the State loan was exhausted they were unable to proceed with the work, and, early in 1842, notified the State authorities that they were unable to pay the interest on the State loan. This circumstance authorized the Comptroller of the State to sell the road and its appurtenances after six months notice. The sale was postponed by the authority of the Legislature. At this time the Company were practically insolvent, and had no more than a nominal existence. But the Legislature did not seem disposed to abandon the project, and, in 1843, passed a law authorizing the said railroad Company to issue bonds to the amount of three millions of dollars, and giving these bonds priority to the State lien. Also providing, that the State may take the road on certain conditions, when finished; and if the State should not elect to take the road on such conditions, then, the said Company to be released from all liability for the payment of the State stock heretofore issued to them, and amounting to three millions of dollars. After the passage of this law, a new Board of Directors were elected, composed of highly intelligent, honorable, and influential citizens, who made vigorous efforts to raise the funds necessary to carry forward and complete the enterprise. Capitalists, however, did not feel sufficient confidence in the success and productiveness of the enterprise to furnish the necessary funds; and the Board who had taken the direction, finding they

were not sustained in their efforts, yielded the administration of the affairs of the Company to others. Nothing, however, in the way of progress was accomplished, and the work remained stationary until 1845. At that time, it became obvious that no further progress could be made by private enterprize, unless inducements could be presented that would secure a large addition of subscriptions to the stock of the Company, under which a new organization could be effected, and a new impulse given to the project. This was the condition of the enterprize when the Act of 1845 was passed—the Act we are called upon particularly to consider.

This Act passed May 14th, 1845, provided, that a new subscription to the stock of the Company should be obtained to the amount of three millions of dollars, and, under certain restrictions, bonds were authorized for a like amount. It provides for a release of the lien of the State on account of the loan of its credit for three millions of dollars, provided a single track road be completed within six years from the passage of the Act. It established a commission of three persons, who were authorized to survey and examine the routes between the summit of the Shawangunk and Deposit, and decide whether a practicable route did exist, and one that could be adopted “without great prejudice to the public interest;” but did not authorize any location out of the State as a substitute for that through Sullivan county.

The same commission was authorized to examine the routes between Deposit and a point one mile westerly of Binghampton, with power, under certain circumstances, to locate on the route by the Great Bend of the Susquehanna, passing so far in the State of Pennsylvania as might be necessary for that route.

At the time this Act was passed, an Act had been passed by the State of Pennsylvania, authorizing the said Company to construct a portion of their road in that State, so far as necessary to occupy the route by the Great Bend of the Susquehanna; but they had not authorized the Company to occupy any portion of that State in the valley of the Delaware river.

To induce the subscription of three millions, and thereby secure the completion of the railroad, the Legislature of 1845, by the Act above mentioned, prospectively gave up the lien of the State for the three million loan, on the conditions above mentioned; they authorized, under certain restrictions, the railroad to pass through a portion of Pennsylvania, and thereby secure a more favorable line; also to consolidate the old stock.

Under this Act, the Company and its friends undertook to revive the affairs of the enterprize. The first proceeding was to obtain the subscription of three millions of dollars to the stock of the Company; without this, nothing could be done. The steps taken to procure it, showed that many persons were more ready to advocate the project than to furnish funds to carry it forward, and (notwithstanding the State prospectively released its lien on the road—the old stockholders submitting to a loss of half their stock—having the prospect of being allowed an improved route for an unfavorable portion of the line) they did not succeed in accomplishing this preliminary step without

great efforts, continued for months together; and their final success may be attributed far more to the general influence the road was expected to produce on the trade of New York than to the dividends that would be made from its earnings.

The Commissioners can regard the law of 1845 in no other light than as emanating from a desire, on the part of the Legislature, to offer such further inducements to private capital as would be sufficient to secure the early accomplishment of this great improvement, and thereby afford to a large district of the State, now very much secluded, the means of easy communication to and from our great commercial centre. Subsequent events have proved that the inducements offered were barely sufficient to obtain the requisite subscription, upon which the new organization has been established. To show the slender hold the new subscription had on the stockholders, it is only necessary to mention that, before and at the time the decision of the Commissioners was made on the question of location, shares of stock, on which 20 dollars had been paid, could be purchased in the market for two dollars. In this state of the affairs of the Company, they were not in a condition to encounter difficulties which they regarded as onerous and unnecessary, and from which they had indulged the hope of being relieved. The Commissioners cannot say the work would have been abandoned if their decision had confined the line to this State; but, under the circumstances that existed, they were of the opinion, that such a decision would have put in jeopardy the progress of the enterprise.

It was clearly the intention of the Legislature to confine the route to this State, unless it should be found there were urgent considerations for carrying some portions of it through Pennsylvania, and the Commissioners were, without exception, extremely desirous of confining the location to this State. It was an unpleasant duty to carry the line into another State, that demanded compensation for the benefits that would be conferred on her citizens; while a portion of our own, that had contributed their exertions to secure its benefits, were thus deprived wholly, or in part, of the anticipated advantages. The law, however, under which this commission was established, contemplated the contingency of such decision. It was doubtless framed in view of the necessity that might be found to exist to abridge the benefits to a comparatively small number, in order to make it more beneficial to the public, and to secure the accomplishment of a great work that would confer its benefits on a large portion of the population of this State.

To illustrate the views of the Commissioners as to the influence the extra cost of conducting the traffic will have on the prosperity of the project, they remark:—

First.—It cannot be expected that an enterprise of this magnitude will be undertaken by private capital without a fair prospect of reasonable remuneration for the outlay required.

Second.—If the road be constructed in such a manner as to involve large expenses in conducting a given traffic, such expenses must be charged to those interested in the traffic, and, consequently, the value

of the improvement to the community who use it, depends on the economy with which its business may be conducted.

Third.—Whatever tends to increase the cost of conducting the traffic of a road, reduces its power of competing with other roads, or other modes of conveyance, and consequently diminishes its prospects of business and the inducements to prosecute the enterprize.

Fourth.—The facts and computations, before presented, show that the interior routes would involve annually a heavy extra expense, materially affecting the prospects of the enterprize, and consequently hazarding its success.

The legislation of this State is a full demonstration of the difficulty that has attended every effort to obtain from private sources the funds necessary to carry forward this work, and the necessity of relieving it from every natural impediment, in order to accomplish the main object for which it has been undertaken; and although in the origin of the enterprize the Legislature was disposed to confine the line strictly to this State, in the progress of the undertaking, subsequent Legislatures have found it expedient, in order to secure to a large portion of the State its benefits, to recognize the possible necessity of some departure from the original design, and hence the establishment of this commission to ascertain the facts, and make such decision as the exigencies of the case should require.

That the river routes, when contrasted with the interior routes, have the decided advantage, cannot admit of a doubt, and with that fact established, the only remaining question which presented itself, was, whether the Commissioners were authorized by the Act to sanction those routes.

The Commissioners were required to adopt the interior routes, provided it can be done “without great prejudice to the public interest,” &c. In arriving at this conclusion, they are required to consider:—

First.—“The public interest of this State.” The public interest is doubtless promoted by the adoption of the route that will be most likely to secure the early construction of the railroad, and render the improvement most beneficial when completed. From the considerations and comparisons presented in the preceding pages, the Commissioners believe the interior routes, if adopted, would be greatly prejudicial “to the public interest of this State.”

Second.—“The interest of the citizens of this State who, in their (the Commissioners’) judgment, will be affected by the construction and location of said railroad, collectively considered.” In examining this branch of the question, the Commissioners do not propose to notice remote interests.

There is, no doubt, a considerable number of citizens of this State that will be affected by the road, beyond the limits that are considered as specifically demanding consideration; but as these will have about the same relative bearing on the question with those more directly interested, it is not considered necessary to refer more particularly to them.

It can hardly be said that any portion of the citizens of the southern tier of counties will be injured by the construction of the railroad on

either route. Some portion will be less benefited by the adoption of one route than by the adoption of the other, and comparatively a very small number on either route may not be benefited at all, except the road be constructed on the particular route in which they may be interested. The latter can only be those who are so situated that they would only use the road in the event of its being constructed on the route nearest to them. The great mass of the citizens in the southern tier of counties must be benefited by the construction of the road on either of the proposed routes, and consequently are interested in such measures as will secure its early completion.

The total number of citizens residing on the routes affected by the question of location, or so near that their trade, after the construction of the railroad, would seek it as their avenue to market, is estimated by the census of 1845 at 294,599. Of this number, 45,592 will be less benefited by the adoption of the river routes than by the adoption of the interior routes, and 249,007 will be more benefited by the adoption of the river routes than by the adoption of the interior routes; or, the ratio is nearly as 16 is to 84. Of those who will be less benefited by the adoption of the river routes, about 72 per cent. will have the benefit of the river route on the Delaware, which will be common to them with citizens west of Binghamton, and will materially lessen their diminution of benefits. The amount of diminution of benefits, compared with equal population, appears on the average to be about the same, whichever route be adopted.

There is another portion of the citizens of this State who are directly interested in this question of location, namely: those resident in the city of New York.

This city has an interest in enlarging and securing the trade of the district that will be affected by the construction of the railroad, and it looks not only to that portion in this State, but also to that which will come from the northern part of Pennsylvania, (numbering about 100,000 people by the census of 1840,) and from Lake Erie. The citizens of New York city cannot be overlooked in considering this question, they are a portion of this State, and have an equal right to be considered under the Act, so far as their interests are involved; they are chargeable in all cases of State tax, in which they contribute about one-third of the total amount collected by the State. That their interest is peculiarly important in this enterprise is manifest from the fact, that almost the entire reliance, so far as individual means are required, must depend on them. Whatever risk of private capital the undertaking involves, must fall on them. The road may be a great benefit to the district through which it may be constructed, and yet afford a very inadequate return to the private capital invested in its construction. A due regard to this interest is not only important and proper in itself, but also as affecting the entire success of the project, as may be inferred from remarks in a preceding part of this report. The interest of the city of New York, whether regard be had to the benefit its trade will derive from the operation of the railroad, or the remuneration the traffic will afford for the capital invested in its construction, will be best promoted by the adoption of those routes that

will secure the best and most expeditious means of communication. This city, therefore, will be most benefitted by the adoption of the river routes.

The adoption of the river routes greatly improves the general prospects of the railroad, and presents very fair prospects for its early completion. The adoption of the interior routes would materially diminish its usefulness and value, if constructed, and, moreover, by the discouragement it would throw on the stockholders, would hazard the success of the enterprise. The latter remark cannot be regarded as unimportant, when it is considered that the new stock of the Company can now be purchased in the market at 20 per cent. discount, though only 25 per cent has yet been paid in.

In view of the facts that have been presented, and the reasoning based on those facts, after careful deliberation, in full Board, a majority of the Commissioners decided that the interior routes, through Sullivan and Broome counties, could not be adopted for that portion of the said railroad, "without great prejudice to the public interest of this State, and the interest of the citizens of this State who, in their judgment, will be affected by the construction and location of said railroad, collectively considered." And, in accordance with the requirements of the Act, they have filed such decision in the office of the Secretary of this State.

JOHN B. JERVIS,
HORATIO ALLEN,
JARED WILSON,
WILLIAM DEWEY.

French Railway Regulations.

The "Moniteur" contains a Royal ordinance issued on a report of the Minister of Public Works, fixing the general regulations that are henceforward to be observed by all railway companies in working their lines. The following are the principal points referred to:

The Way.—The stations are to be considered part of the public domain, and as such, to be regulated by the superior authorities. The entrance, the circulation, and the standing of public or private carriages, are to be subjected to the decisions of the Minister of Public Works. The repairs of the way, and of the works depending on it, though evidently at the discretion of the Companies, are to be made known to the Government authorities, who can interfere when anything is unsatisfactory. The crossings and passages on the line are to be subjected to Government regulations, particularly in what relates to the barriers required for the latter. High embankments, viaducts, and bridges over rivers and streams, are to be defended by strong parapets. All stations, passages on the level, &c., are to be well lit up.

The Working Stock.—Locomotives are, in the first instance, to be subjected to certain proofs of strength, for the boilers, axletrees, wheels, &c. They are to be provided with an apparatus to catch the pieces