

Chatham, Canada West, and the Great Canadian Railroad Disaster

by Robert S. Mitchell

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In the autumn of 1854, Chatham, Canada West, was a prosperous and fast-growing community. Although there were only 3,500 inhabitants, it was a trading and export centre for a large trading area from which it received agricultural and forest products. As a result, the industrial and commercial enterprises located in Chatham were more numerous than would be expected in a town of this size. There were twenty-eight industries (mainly steam-powered), manufacturing a wide variety of goods needed by the residents and the pioneer farmers, as well as twenty dry goods stores, and fifty grocery and provisions shops where barter was the normal medium of trade. It could boast of ten churches, whose good works were somewhat offset by three distilleries, two breweries, and twenty-two taverns and drinking establishments. The many and varied medical needs of the little town and its surrounding areas were looked after by seven physicians and surgeons. These 'medical gentlemen' as they preferred to be called, with their assistants, treated to the best that their abilities and medicines allowed, the accidents and diseases (including malaria, typhoid, diphtheria, and smallpox) that unfortunately were so prevalent. In 1854, they were advising the public through the newspaper, that fresh supplies of cowpox had been received that they would administer to ward off the dreaded smallpox. In a pioneer settlement with a large lumbering industry, serious accidents were far too common and so great was the fear of gangrene that their principle seemed to be "Never hesitate - amputate."

For years, the River Thames had been Chatham's only door to the outside world, and its banks were lined with shipyards, warehouses, and wharves. Shipbuilding had been the reason for the original settlement at Chatham and the yards continued to launch fine steamers and sailing vessels. There were direct weekly sailings to Montreal for connections with the Liverpool steamers. The export trade, valued at 65,000 pounds in 1854, was mainly in lumber. The United States, chiefly through the port of Buffalo, was the market for surplus agricultural products, with the vessels starting out from Chatham and loading additional produce at various wharves downstream. A regular passenger service was maintained to Detroit, Goderich, and Montreal.

The profitability of commerce was being reflected in improvements to the community. Brick buildings, or blocks, as they were called, began slowly to replace the wooden shacks lining King Street, the main street which followed the curving course of the Thames and McGregor's Creek. The finest of these was Colonel Rankin's building at the corner of King and Queen (later Fourth) Streets. Chatham's pride was the new Town Hall where the council chambers also served as a magistrate's court, with the police station and cells in the basement. The volunteer fire department was also stationed here. Behind the Town Hall stretched the market for with Chatham had long been famous with traders regularly coming from as far as Wardsville. Across the creek, beyond the barrack grounds and the clergy or glebe lands, the county had erected an imposing stone courthouse and jail. (Strangely enough, this fine

example of the stonemason's art still stands in Chatham, as the space it occupies has not been wanted yet by developers.)

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The main reason for this upswing in Chatham's economy was the Great Western Railroad Company. In January of 1854, the Company opened the link between London and Windsor and now had 241 miles of track between its terminals at Suspension Bridge in Niagara Falls and Windsor. This was a very important link since it joined the New York and Michigan railroads and tickets could be purchased at Chatham, not only for stations along the Great Western, but for points as distant as New York City, Boston, Albany, Buffalo and Chicago. It brought new markets for the many manufacturing plants in Chatham and opened new easy-to-reach worlds for the citizens. Property values in Chatham rose 100% in 1854 and such was the optimism that the Chatham council promised great improvements over the next two years, during which time Chatham would officially become a town. All town streets would be gravelled and the main ones illuminated by gas lamps. To facilitate trade, fifty-four miles of gravel and plank roads leading into Chatham would be put under construction.

Under the terms of the franchise and the various subsidies granted, the Railroad was under great pressure to complete the line. The first train was run from Niagara to Windsor on January 17, 1854. The Great Western had nothing to learn from modern publicists; the first train, at stops along the way, picked up various politicians and public figures, the mayors and councils of towns on the line, and the publishers and editors of several newspapers who gave the opening ceremonies a good press. This latter group was much favoured and those representing the more important journals were given passes for the line and promises of lucrative printing contracts. During the journey, as liquid and other refreshments were served, the guests were entertained by brass bands at the various stops. On arrival in Windsor, they were ferried to Detroit where a monstrous celebration and reception was held, culminating in a grand banquet which was followed by three hours of toasts and oratory where the wine flowed freely.

The road, however, had been rushed to completion. The track had been laid, the trains were running, but nine months after the opening, the roadbed was still being ballasted with gravel by private contractors. This was forgotten in the great success of the Railroad and the prosperity it brought to the towns along the line.

It is true, however, that there was grumbling about the railroad from some quarters, mainly from newspapers such as Chatham's *Western Planet* whose publisher and editor had not been favoured with printing contracts or free passes. The *Western Planet* continually publicized the Great Western's poor safety record, pointing out that in the nine months since the grand opening, seventeen accidents had occurred on the line and all but one had been accompanied by loss of life. Either the newspaper was not widely read, or the public chose to ignore the danger, since, by the Autumn, the railroad was carrying over 10,000 passengers a week.

On October 27, 1854, an event occurred near Chatham that would turn the citizens' minds from approval of the Great Western Railroad Co., its management, and directors, to contempt.

On October 27th at 5:10 a.m. at Baptiste Creek, about fourteen miles west of Chatham, the westbound Great Western express passenger train collided with a gravel train that had blundered onto the main track. Forty-eight persons were killed on the spot and nine died shortly afterwards from their injuries. Forty-six others were maimed or injured. This accident became known as the Baptiste Creek Disaster, but by the *Chatham Western Planet* as the 'Baptiste Creek Massacre'. The *Planet's* editor, after the shock of viewing the dead and mutilated at the scene of the accident, immediately wrote an almost hysterical account in which he charged that the Great Western and its Directors had slaughtered the innocent victims. He ended his tirade by demanding "that it was high time the Legislature should put a stop to railroads altogether and let the people return to slow coaches and muddy roads, where we are free from the tortures of continued anxiety for present death."

The story of the express train's fateful journey reads as if it had an appointment with disaster. The train was made up at Suspension Bridge and consisted of a locomotive and tender, one express car, a baggage car, three first class and two second class cars. G. F. Nutter of Stratford was the conductor and Thomas Smith of London, the Engineer. (Earlier historians erroneously have claimed that at the time of the accident, the engine was driven by David Walker, who later founded Toronto's famed Walker House.) A full load of passengers was on board and as there was not enough room for all of the second-class passengers in their cars, places had been found for them in the first-class cars. Most of the passengers were Americans from New York State going to Michigan, but also on board was a newly arrived Scottish immigrant family consisting of father, mother, four sons and a daughter from Tullynessel, Aberdeenshire. The train left Niagara on time at 2 P.M., October 26th but had not gone far when it was held up by a gravel train off the track. Another delay occurred when the train found itself following a slow freight as far as Princeton. When it left London at 9:30 P.M., it was two hours behind schedule. (This was nothing unique as it was later stated that the Great Western hadn't run a train on time for three months.) Only three and one-half miles west of London, the cylinder head on the engine burst. The conductor set out red warning lamps, walked back to London and obtained an engine to tow the train back to London where it was coupled to a new engine and continued its journey, after a further three hours delay. The train, with the disgruntled passengers, arrived at Chatham at 4:20 a.m. on the 27th. By now the passengers sat in total darkness, as the candles that had been placed in tubs had burned away. As the train neared the swamps and marshes west of Chatham, it ran into a fog so dense that the engine's large head lamp with its reflector was almost useless. The engineer cut his speed to twenty-two miles per hour and the passengers, many of whom were now fitfully dozing, complained of the driver's unnecessary timidity as the train was already seven hours late.

At Baptiste Creek, meanwhile, the other participants were preparing for their appointment with disaster. Patrick Pine had been hired three weeks previously by the conductor of the gravel train as an engine cleaner, stoker, and call boy. In accordance with his routine, on the morning of the 27th, after firing the boiler of the gravel dredge and the locomotive (which took three or four hours), he awakened the crew at their boarding houses at 3 a.m.

Although the Great Western had been operating over the track for nine months, the work on the roadbed was not complete and ballasting continued. The Railroad had run a spur line from the gravel pit to the main line and then tendered out the work to a private contractor. The Great Western supplied the locomotive, the gravel cars, and the train crew, but these men were paid by and were under the orders of the contractor, whose concern was to move out to

the main line the largest amount of gravel in the shortest time. The contractor's authority and interest had been delegated to his foreman at the pit. In the past it had been customary for the gravel train to go out on the main line at 6 a.m., but recently in an effort to move more ballast, the train had been going at from 4:00 to 5:30 a.m.

The conductor of the gravel train was D.W. Twitchell who was up and already at the gravel dredge when Pine called the rest of the crew. When Pine woke John Kettlewell, the engineer, Kettlewell asked him if a train had passed. He replied that he had heard one train going east about 1:00 a.m. Kettlewell was a frightened man. He had been ordered several times to run the train out on the main line when express trains were due. Recently, they had been on the main track when they saw another train approaching them on the long stretch of straight track. He just had time to get his cars back on the siding before it arrived. But that had been in daylight and not on a dark, foggy morning when his lamps would be useless. His complaints to Twitchell had been laughed off and Kettlewell had gone to his superior, the Chief Engineer, to complain. He was told that responsibility lay with Twitchell and he must obey his orders. If he did not, he would be dismissed immediately. Word of Kettlewell's official complaint passed back to Twitchell and relations between the two men were strained.

Twitchell had no misgivings. Despite the Great Western's horrendous schedule-keeping record, it never occurred to him that there might be another train out in the fog on the main line. He had held his present position for only a month, but the amount of gravel his train had moved had brought him to the favourable notice of the contractor. This morning he saw that his train was made up of 15 fully loaded gravel cars and the engine was positioned to push the train onto the main line. On the farthest car, the lead car, he had placed two red lanterns and had himself climbed aboard with one of the labourers. He signalled the timid Kettlewell to proceed.

The train had been pushed about two miles down the main line when Twitchell, staring idly into the fog, was horrified to see the light of a locomotive bearing down on them only a few feet away. Frantically, he waved his lantern, at the same time screaming to his companion to jump. Twitchell threw himself into the darkness as splinters from the wreckage whistled over his head. Miraculously, he landed uninjured. His companion was dead before his body hit the ground.

A survivor on the express train who had been dozing, said he was awakened by a deep rumbling sound which he compared to a large wave breaking on rocks. This was followed instantly by an ear-shattering crash and the ripping of timbers mingled with screams and the sound of escaping steam. He was crushed into his seat by the roof of the car, which had collapsed. Writhing to escape, he found his foot was trapped between the seat and the broken floor. Finally managing to draw his foot from the trapped boot, he succeeded in getting to the nearby rear door of the carriage, where he stumbled over the body of the brakeman, John Martin. Martin was horribly injured with both arms and both legs broken and deep wounds to his head. Nevertheless, before he died, he whispered "Never mind me - help those who are living - I'm done for."

The dazed survivors and the injured who were able, crawled from the wreckage and were gathered into a group by Grafton Nutter, the conductor of the passenger train, who fortunately had escaped injury. Nutter immediately took charge and started rescue operations with the help of the uninjured passengers. Fires were started along the embankment to enable them

to see to carry out the rescue work. A messenger was sent back to Chatham for help as soon as the enormity of the catastrophe was realized. By the light of the fires, the full scene of horror could be viewed. One of the passengers, who likened the scene to a vision of Hell, gave the following description:

“The passenger engine and tender were lying on their sides, embedded in the marsh and smashed into fragments. The fire had been thrown out and was smoking on the wet grass. Strangely, the first baggage car was undamaged but the second was dashed into the next passenger car and formed an immense mass of splintered wood work, iron, mangled flesh and bones, bodies and dismembered limbs, broken rifles and loaves of bread jumbled together in a mound. The next passenger car had been thrown on the roof of that behind it, crushing it halfway down its length. All this was viewed while continuous screams came from the people trapped in the wreckage. On both sides of the embankment, below the cars, were the wounded and dying. Some had been flung out violently from the wreck, others having crawled there with broken legs, to join those who had been carried near the fire by passengers.”

Nutter arranged for boards to be placed over the backs of seats in the undamaged cars and directed that the horribly mutilated survivors be placed on these, where they were tended by uninjured passengers as well as circumstances allowed. The dead were carried to high ground above the marsh where they were covered with canvas torn from the cars. It was four hours before all the dead and injured were removed from the wreckage as darkness melted to a grey day. The rescue work continued. Dazed survivors limped from the wounded to the dying, searching for members of their families. A man from Iowa found in the rows of the dead, his two uncles, two aunts, and two cousins. Some families had all the members killed while others had both parents so severely injured that they were unable to search for each other or their children.

After Nutter had his rescue parties organized, he walked to the front of the train to survey the damage. Here he met a man helping to remove the dead and injured who was identified to him as Kettlewell, the engineer of the gravel train. He shouted, “For God’s sake - why is your train here?” Kettlewell replied that he had been following orders.

The rescue work was still continuing when the first attempt to cover-up and select a scapegoat was made. Pine, the engine cleaner, had just gone to bed in his boarding house at Baptiste Creek when he was told of the accident. Getting dressed, he started walking down the track toward the scene when about a half mile from the wreckage he met Twitchell hurrying from it. Twitchell charged that Pine should have warned him that the westbound express had not passed. Pine retorted that he had never been hired as a watchman. Twitchell tried unsuccessfully to get to Windsor and finally went to the home of Thomas Mason. Mason was just returning from the accident and Twitchell said to him, “Mason, what shall I do? I have caused the death of forty or fifty poor souls who never did me any harm and for God’s sake, what shall I do, what will they do to me? They will hang me I suppose.” He asked Mason to hide him until he heard how things were. Mason told him to stand his own ground, to act like a man and not to run away under any consideration. Twitchell then asked to stay in the house for two or three hours. There, in an upstairs bedroom, he was visited by D.W. Pollard, the foreman of the ballasting operation, who had been in Windsor at the time of the accident. Afterwards, about 4 PM., Pollard searched out Pine and requested a private conversation. Pollard said, “Pat, you had better clear.” When Pine asked why, he was told that, while he did

not know it, among his other duties, he was also the watchman. Pollard told him he would be held responsible for all the deaths and if caught, would be arrested. Pine stated that he wasn't frightened as he had never been hired as a watchman and had witnesses present at this hiring. At the same time, he said he couldn't go as he had no money. Pollard gave him \$2.00 and promised to mail him the balance of his wages with his clothing. Pine, after changing his shirt, walked to Windsor and later crossed to Detroit.

When the messenger brought the news of the accident and its magnitude to Chatham, a rescue train was organized as quickly as possible and the Managing Director of the Great Western Railroad in Hamilton was advised by the recently installed telegraph. Two of the town's doctors volunteered to go with the rescue train. One of these, Dr. Cross, combined his practice of medicine with his other profession - editor of the **Western Planet**. Officials of the Railroad would later regret this dual role. The other doctors agreed to meet the train on its return to Chatham to render their assistance. Some charitable ladies tore sheets into a large supply of bandages, and the carpenters of the town were told to start making rough coffins for the dead who would be brought back. A Coroner's Jury of twelve citizens was empanelled to investigate the accident.

On the rescue train's arrival at the scene of the disaster, there was some delay in collecting all the wounded. After receiving minimal medical attention at the scene, they were placed in cars and returned to Chatham. For many years, residents of Chatham recalled with horror the arrival of these cars with blood dripping from the floorboards. The injured were carried into the freight house where the town's doctors had assembled, but the wounded were only bandaged at this time, and no effort was made to set the many broken arms and legs. These unfortunate people were then loaded on wagons and carried a mile to the town centre. Some were distributed among the hotels and the army barracks, but by late evening shelter still had not been found for many. Some benevolent citizens opened their homes to the wounded, especially to the injured children. Two of Chatham's councillors, seeing the injured lying on letters in the street, offered the Town Hall as a hospital where the remainder were carried.

While the wounded were thus being tended, the train returned to the scene of the wreck with the Coroner and his jury. The dead were loaded on the cars and brought back to Chatham where the freight house was used as a morgue. The jury listed the money and valuable found on the bodies, identified those they could, and listed the dead by number with a brief description. Even today, this list makes poignant reading:

No.4 A female, about 24 years, black hair, black silk bonnet with artificials, fur cuffs, calico travelling dress, white and pink, unknown.

No. 17 A boy, 10 or 12, light hair, check cotton jacket, black vest, brass buttons, unknown.

No. 20 Charles Robinson, light hair, a Bible with name, dated Oct. 22, 1849, 2 keys, \$58 in gold and 85 in silver, supposed to be English.

No. 42 An old man, sandy hair, \$2, unknown.

No. 43 An old female, grey hair, brass ring on forefinger. Supposed to be wife of No. 42

The coroner adjourned his jury until 10 a.m., the following morning and although they were to meet for eight consecutive days, calling many witnesses, they were to be discharged without reaching a verdict.

When C.J. Brydges, the managing director of the railroad, received the telegram informing him of the accident, he immediately ordered a private train, telegraphed the company's surgeon in London, and left for Chatham. He wisely obtained the company of his solicitor as, unknown to him, a Chatham constable was en route to Hamilton with a warrant for his arrest. The train stopped in London to pick up Dr. Brown, the railroad company's surgeon, later described by his critics as young and inexperienced. He was told to spare no expense in the relief or treatment of the injured. Mr. Brydges was arrested on his arrival in Chatham and taken before the magistrates. He was released on his parole pending the findings of the Grand Jury and the Coroner's Inquest.

Dr. Brown's arrival in Chatham was a catalyst that caused an outbreak of pettiness, spite, and pompous pride among the local doctors that would have been laughable, were it not for the consequences for the severely injured. When he had met with the local doctors, Brown's first orders were that nothing further be done in the way of treatment until all the injured had been moved to the Town Hall and proper bedsteads erected. He indicated that after assessing the wounds, he would be in a position to say how many doctors he would require to assist him. The local practitioners disagreed with this brash, young, out-of-town doctor, but with his arrival on the scene, the injured were now his patients. Piqued by his abrupt manner, they went haughtily to their homes with the vague understanding that they would all convene at the Town Hall in the morning. During the night, some of the wounded with unset broken limbs were moved from other locations to the Town Hall. Screams came from the litters being carried on the rough streets, until complaints by citizens forced a dressing of the wounds before others were moved.

The next morning, Dr. Brown, with notebook in hand, went to the various locations where the wounded lay, making a list of the wounds and treatment required. He ordered the carpenters to stop making coffins for the dead and start making splints for those still living. He was quite critical that this obvious work had not been ordered by any of the Chatham doctors on the previous day. The medical gentlemen of Chatham, after their voluntary services on the arrival of the wounded, stood by all day Saturday with folded arms and refused to treat the wounded, although begged repeatedly by the magistrates and other leading citizens. Dr. Brown finally indicated he would require the services of three of the local doctors whom he designated. He later said the other doctors refused to treat the wounded as he would not guarantee their future care.

It was 5 p.m., on Saturday before the setting of broken limbs and treatment of the wounds began in the Town Hall, thirty-six hours after the accident. The results of the neglect soon became apparent. Bandages that had been put on broken arms and legs in the excitement following the accident, had become tourniquets due to the gross swelling of the injured limbs and gangrene had made its deadly appearance. Treatment now consisted of amputation and in such numbers that the over-worked carpenters were told to make crates in which to bury the severed limbs. When one of the doctors was told by another that the injured were growling about not having their wounds dressed, he replied charitably, "Let them growl and be damned!" Dr. Brown later complimented himself on the relief and comfort afforded the injured on the loosening of the bandages and the application of cold cloths, although why this simple procedure had not been done earlier is not clear. Nine of the wounded died of their injuries shortly following the accident by no record was kept of the number of amputations. The tragedy of the Scottish immigrant, however, was well documented in the inquest and in later charges of neglect raised in the press. He may serve as an example,

A large, robust man of strong constitution, he suffered a simple break in the tibia and a minor wound to the same leg. Before either of these had been treated, gangrene set in because the tightened bandage had cut off the blood supply to the leg. The leg was amputated on Sunday but his constitution had been so weakened he did not survive the operation. It is not known if he learned of his family's fate before his death. Three of his sons, ages fourteen, four and one, were killed in the accident. His six-year-old son had a leg amputated and his wife lost an arm to the knife. Only his two-year-old daughter escaped serious injury.

The wounded who were in private homes had been taken in by leading citizens of the community. In response to their pleas, they were successful in getting their patients treated by the local doctors on their own responsibility. These citizens, at the request of Dr. Cross (who had not been chosen by Dr. Brown to treat the wounded), wrote letters to the newspapers complaining of the lack of treatment by the railroad's doctors. Dr. Cross attacked Dr. Brown in an article, accusing him of "gross and culpable neglect manifested towards the unfortunate sufferers." The two medical gentlemen entered into a mud-slinging match through the press, until Dr. Brown saw the error of quarreling with a colleague who had a newspaper at his disposal.

While these days of tumult wore on, the Coroner's Jury was in daily session. The Grand Jury had been in session at the time of the collision, and the accident was added to its agenda. In addition to the conductors and engineers of both trains and the railroad officials, many other witnesses were called by the Coroner. Patrick Pine, who had run away to Detroit, heard he was wanted as a witness. He crossed back to Windsor, gave himself up to the magistrates, was arrested, and returned to Chatham to testify. The Great Western was allowed the then-usual privilege of being represented at the inquest by its lawyer, who cross-examined those witnesses whose testimony in any way reflected on the management of the railroad. He was successful in showing bias in the testimony of some disgruntled former employees of the company. As the inquest went on, the Grand Jury finished its other business and was adjourned by the Chief Justice until such time as the Coroner's verdict was reached. After seven days of hearings, the Coroner's Jury was locked up to arrive at their decision. They deliberated all day, then announced that it was impossible for them to agree and requested that they be released from further deliberation. It was learned that ten of the jurors had agreed to bring in a verdict of manslaughter in the first degree, due to willful negligence, against Twitchell (the conductor of the gravel train) and culpable negligence on the part of the Directors of the Great Western, which would have rendered them criminally accountable. There were two dissenters to this verdict who insisted on exculpating the Directors from all guilt. The jury was discharged and immediately a new jury of twenty-two persons was empanelled but not before Twitchell, who saw which way the wind was blowing, disappeared.

The comic opera continued. As the second Coroner's Jury was considering its verdict, the Grand Jury, on the advice of the Chief Justice, brought in its verdict. True bills of manslaughter were brought in against Twitchell and his engineer Kettlewell. The Directors were pronounced worthy of censure for the lack of a watchman, but they were not charged. The Coroner, while his jury was still deliberating its verdict, went into the jury room and took the extraordinary step of announcing the verdict of the Grand Jury. Sixteen of the jurors thereupon agreed on the same decision but six held out, as they wanted the Directors

charged as well. They finally signed the majority verdict under protest, after being told by the Coroner that their alternative was being placed in the custody of a constable.

Following the verdict, Twitchell could not be found but Kettlewell was arrested and lodged in the Kent County Jail to await his trial at the next Spring Assizes. Charges against Patrick Pine, the deceived engine cleaner, were dropped as were those against C.J Brydges, the Managing Director. The Government appointed a Commission to investigate this accident and the other fatal accidents that had been so prevalent on the Great Western Railroad.

The **Western Planet** attacked the verdicts. Kettlewell was referred to as “an innocent, unfortunate and basely used man.” The paper’s strongest criticism was reserved for the freeing of the Directors from criminal charges. Dr. Cross wrote scathing articles and he, in turn, was attacked by other newspapers friendly to the railroad. They accused him of political motivation and professional jealousy from being deprived of his share of the medical attendance.

Months passed and Chatham slowly returned to normal. The dead had been buried in potters’ field, the injured and maimed hobbled to their distant homes, orphans were taken in by family, and the **Western Planet** ceased its attacks on the Great Western, as Dr. Cross became a town councillor and found other targets for his virulent pen. The Town of Chatham came close to suing the Great Western. The Town had submitted a charge to the Railroad for fifty pounds for the use of the Town Hall as a hospital. The Railroad refused to pay, expressing shock that the councillors would have charged for what it thought was a freely given charitable gesture. The dispute was finally settled by a payment of twenty-five pounds. During this wrangling, the Coroner made the mistake of appearing before Council to speak on behalf of the Great Western. For his trouble, he had his laundry exposed to public view in the **Planet**.

The Coroner’s fee paid by the County in case of an accidental death was one pound fifty pence. It appears that the Coroner visited the wreck and as no medical examination was necessary, declared all the victims met their deaths as a result of a train collision. For this bit of medical wisdom, he multiplied his fee by forty-eight and submitted a bill for sixty pounds to the County Council, which vowed it “would resist payment to the last.”

The Commissioners’ Report on the various accidents on the Great Western Railroad Co., was released in March 1855 and it completely substantiated the **Planet**’s position. In dealing with the Baptiste Creek accident, it criticized the higher officials of the Great Western in the most severe language for not exercising their supervision or their authority with becoming vigor, for not having a watchman at the site, and for having the ballasting operation and the crew of the gravel train under the control of a private contractor. It also completely exonerated Kettlewell, the engineer, from all blame, stating that he was under the conductor’s orders. The report praised Kettlewell for complaining to the Chief Engineer previously about the conductor’s actions by saying “he showed a degree of moral courage equally rare and commendable in a man of his class.” Kettlewell, who had been imprisoned immediately after the inquest and was later released on bail, had his case heard at the Kent County May Assizes. He was discharged, as the Grand Jury could find no grounds for action.

Several damage actions were brought against the Great Western by survivors of the accident in the following months. The Company was successful in obtaining a change of venue from Kent County, claiming that the **Western Planet** had so inflamed public opinion in Kent against

them that a fair hearing would be impossible. The cases were ordered to be heard at the Lambton County Spring 1855 Assizes and were entered with that court. A search of the Upper Canada Common Pleas Reports and the Upper Canada Queen's Bench Reports fails to show these cases ever coming to trial and it is believed that out-of-court settlements were arranged. As far as can be learned, only the maimed widow of the Scottish immigrant, her daughter, and the son whose leg had been amputated, made their home in Chatham after the accident.

Today in Chatham, this weekend of horror has been forgotten.

Note: The writer of this article is a grandson of the six-year-old Scottish immigrant boy whose leg was amputated.