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The Relation of the Federal and State Governments to the Problem of Internal Improvements, 1810 to 1840

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THE RELATION OF THE FEDERAL AND STATE GOVERNMENTS TO
THE PROBLEM OF INTERNAL IMPROVEMENTS, 1810 TO 1840

BY

DOLORES N. SAVAGE

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INTRODUCTION

The subject of internal improvements has been from the conception of the United States down to the present day one of her greatest concerns. One is probably not so well aware of this fact as he would have been, had he lived during the last half of the eighteenth century or the first half of the nineteenth. Then he would himself have discussed the matter and would have heard it discussed from every viewpoint. At that time improvements were new and very much in demand. There was a great deal of wrangling over the question of the constitutionality of an internal improvements program. Today they are being undertaken at such speed, that the average citizen has lost sight of them, so much so that he is unmindful that they are being undertaken to any startling degree. The country sees no pressing need for them but unemployment has forced the administration in Washington to adopt a gigantic program of public works as an aid in lessening the number of the unemployed. The motive which prompted our first leaders to enter into a system of internal improvements, was not as we shall see, the same as the present impelling force.
We are familiar with the fact, that in the early days of our country, people found themselves cut off from intercourse with their neighbors because they lacked adequate transportation facilities. As a result they felt themselves growing into separate and distinct sections. They were experiencing the disastrous consequences of such a condition. They saw the North, South, East, and the infant West divided against one another and the democracy they had hoped to maintain fast disappearing from sight. It was with the idea of tearing down these sectional barriers, which were slowly but surely looming up before their very eyes, that the Federal and State governments entered upon one of the most exhaustive programs of internal improvements. This program, begun about 1805, became more pronounced about 1810, increased greatly after the close of the War of 1812, and finally reached its height in the late thirties. As we shall see, there were some improvements, none too good, however, previous to the dates just mentioned, but they were within the states, and added little if anything toward union and national security.

What has been said thus far reveals that this question of internal improvements is anything but of recent origin. It rather is evidence that the question is one of long standing and debate. There is hardly an American history which does not refer to one or two phases of it. As far as I am able to discern, however, there is no history devoted entirely to its
consideration, nor is there one which dwells at length on it. The material on the subject is very scattered. The purpose of my particular study is, therefore, to assemble the scattered data obtained into a readable account of the question of internal improvements in so far as the Federal and State governments were concerned during the period 1810 to 1840. I have selected the above dates because the former saw the real start of improvements and the latter witnessed a lull in their progress.

Before it can be realized what was accomplished toward bringing about the desired wish of the American people and leaders—the maintenance of democracy by effective means of communication throughout—the country must necessarily be seen as it was before such means were in existence. In order to understand the arguments put forth by the greatest advocates of the matter, Clay and Calhoun, regarding the question of the constitutionality of the Federal government's giving financial aid to state internal improvements, it must be known to what extent the government had aided the individual states before 1810. To cover the matter of internal improvements in detail, some knowledge is necessary of the part the government played in them after the year 1810 as well as some idea of what the states did along such lines after the above date. As in any other phase of history, its leaders and their efforts towards enforcing their programs cannot be slighted.
It is with these thoughts in mind that I have attempted to present in the opening chapter, some idea of the general status of internal improvements when 1810 dawned. The policies of and the attitudes of Madison, Monroe, Clay, Calhoun, and other leaders toward internal improvements, I have included in a chapter concerning the constitutionality of the question. It was with that phase of the subject that the latter were mostly concerned. In a chapter on state internal improvements, I have given considerable attention to the two greatest enterprises undertaken and accomplished during the period 1810-1825, the Erie Canal and the National Road. Both show the stupendous nature, for the times, of the improvements undertaken. Another account of state improvements covering the years 1825 to 1840 is also given. In these two chapters I have treated only briefly of their internal improvements schemes; to have done otherwise would have involved a work in itself as state records are crowded with legislation on the subject. Improvements under the administrations of John Quincy Adams, Andrew Jackson, and Martin Van Buren are discussed in separate chapters. Under Adams, because it was during his administration that improvements were supposed to have gone on uninterrupted. Under Jackson and Van Buren, because they were credited with having halted the progress of the system. Due to the importance attributed to the Maysville Veto as a means of killing the governmental system of internal improvements, a
chapter is given over to its consideration. The period with which we are concerned saw the beginning of a new type of improvement, the railroad. It is not my intention to go into a lengthy discussion of the matter; I merely wish to present a very brief history of the first road of any importance and then to give some idea of the large scale on which they were built once the people were convinced of their practicability and greatness.

In the compilation of notes for this work I refrained almost entirely from the use of the newspapers of the times. This does not mean, however, that I disregarded them in the preparation of my bibliography. Some of them were not attainable; those which I did consult contained for the most part extracts from the records of Congress regarding the matter. I have made use of the latter in preference to the former. As far as the states are concerned I have resorted to the use of a large number of secondary works. An investigation of the statutes and records of each individual state would have entailed the writing of several works.
CHAPTER ONE

STATUS OF INTERNAL IMPROVEMENTS, 1810

The provisions for adequate transportation facilities from the settlement of America down to the present day have been of paramount interest to her people. Because of the difficulty involved in cutting paths through untouched forests, the first settlers were held to the seacoasts and the river banks. As they pushed westward, the frontiersmen necessarily followed the river basins through the mountain gaps until they came upon the trails of Indians and wild animals. The pioneers in turn traversed the well worn routes.

The commerce of the Colonists was confined to the water routes—simple connections between the rivers and the seaports. The building of roads was delayed by the Colonists, not only because it was possible to journey by water but also because of the high cost of construction and the fact that few wheeled vehicles were then in existence. The people had little surplus time or funds to expend in the building of roads, especially when they were not absolutely necessary.

Not so many years after the close of the Revolutionary War, however, the states began to take an active interest in
internal improvements. This interest was later on to develop into a mania not dissimilar to what we ourselves are witnessing today. The Middle States, with their large back country to develop and their growing frontiers demanding provisions, were among the first to plan an extensive program of internal improvements.

As early as 1785, the legislature of Pennsylvania passed a law providing for the opening of roads to the interior. The inauguration of the "Turnpike Era" took place between 1792-1794, when a macadamized pike known as the Lancaster Pike, was constructed between Philadelphia and Lancaster. Evidently this was not the first pike built in America, for there is reference to one as having been constructed in 1790. An extraordinary amount of road building followed the completion of the Lancaster Pike. The work was done mainly with private capital invested in turnpike companies which constructed roads. We can understand the extent to which these pikes came into existence when we read that there were prior to 1810 more than 135 such companies in the state of New York. In Pennsylvania, there were between 50 and 60. New England had chartered about

4 Faulkner, 101.
180 of them before that year. According to another author, however, she is credited with having had only 120 companies by 1820. The latter is probably the more correct statement of the two, if we consider that the New England States, were not so enthusiastic over internal improvements as were the Middle States. The largest number of turnpike companies would then be expected to have been found in the Middle States. If we accept 180 for New England that number would exceed by 45 the total of such companies in New York.

It was not only road building that occupied an important place on the program of internal improvements advanced by the states. Canal building and the improvement of river navigation were other phases of the movement. A beginning was made toward canal building even before the first road had been completed. As early as 1785 the state of Virginia had granted a charter to the James River Company to connect the Potomac and the Ohio Rivers by a canal. The Dismal Swamp Canal, begun about 1787 under a joint charter from Virginia and North Carolina was opened in 1794, and went on record as the first canal completed in the United States. Many more canals were constructed between 1790-1802, especially in New York, Pennsylvania, and Massachusetts.

5 Lippincott, 248.
6 Faulkner, 102.
8 Ibid., 201.
While the states built roads and constructed canals to a limited extent, we cannot look upon them as highways connecting one state with another, or as great water-ways connecting rivers and lakes. Such would be flattery to the best of them. They were merely roads, the majority of them poor ones at that, starting within and ending within a state. Once built they were in no way improved but were allowed to remain in the deplorable conditions which resulted from the heavy traffic that passed over them.

New commonwealths had been set up beyond the mountains, but they were separated from the eastern seaboard by long dreary stretches of forest joined here and there by rough wagon roads, or by an occasional bridle trail. It was the rapid settling of the West that brought the country and her leaders face to face with the lack of means of communication between the several sections of the country. The need of internal improvements which would extend from state to state was the stressed question of the day. Men arose who set forth the reasons which made improvements imperative. If we consider what they had to say of the matter, we will become convinced that such a dire need was indeed present.

It was pointed out that the Appalachian system formed a natural barrier, cutting off the United States seaboard from the interior. It was feared that there would grow up, an eastern and western empire, unless the two sections were
bound together by roads and canals. The fact was stressed, that the West was developing at a great speed, that she needed an outlet for her markets and that her separatist tendencies were quite evident. There was the possibility that the Middle States left to themselves, would form an alliance with either Spain or England and as a result, disastrous consequences would follow. This was foremost in the minds of those who advocated internal improvements. The disadvantages suffered by the pioneer farmers of the interior were used as further examples to show the need of improvements. As river and road facilities were very scarce, the latter was forced to ship his surplus products by a very round about course. The time and expense involved in such a procedure meant that the farmer in the end received little, if any profit from his crops. On top of this, the price of manufactured goods was to him, extremely high. If new water routes would be opened and connective road systems built, much of this could and would be eliminated, according to those who headed the movement.

According to one reference the importance of internal improvements at the time was established by the following prime considerations, "The physical rudeness of the face of the

10 Bogart, An Economic History of the United States, 197.
country, and the imperfect water-channels...were interposing obstacles to the social communities and commercial operations. As a consequence the removal of these obstacles was necessary to facilitate intercourse and internal trade. As a social and political bond of the union. As a system of national economy in the preparation for war and the advantage to be derived therewith in a time of war." It was preached by others "...that a country of such vast extent could not be held together except by community of interests between the various sections, and that this community of interests could only spring from easy and continuous commercial intercourse." The latter could be made possible only by internal improvements making the vast interior of the continent accessible to the people and connecting it economically and politically with the Atlantic Seaboard. There were also those who advocated a program of improvements as a means of increasing the value of and promoting the settlement of government lands. The facilitating of governmental operations by opening up a more convenient communication with the city of Washington, the safer and faster carrying of the mails, were other reasons given. The majority of the people, however, looked upon internal improvements as a means of strengthening the bonds of the Union by rendering its remotest parts available and known to each other, thus

13 Henry Adams, 322.
Increasing their mutual dependence.

Henry Clay seemingly had the right idea concerning the matter. In discharging his public duties, he had frequently to journey from one section of the country to another. Those long and painful trips must have been one of the most forceful incentives in leading him to advocate a system of internal improvements. A good deal of his life and much of his ability were directed toward the advancement of such works. "He created a spirit of Internal Improvements in the nation that could not be quenched." The following quoted passage expresses his feelings toward the importance and the apparent need of a system of improvements:

He saw that it was vital, to the Union, for its conversation and stability; to commercial intercourse within the Union, and not less to foreign trade; to the social and political welfare of the republic. The policy comprehended not only all the veins and arteries of the body, as one, but also those members and faculties which connect it with foreign bodies. All the outlets of the Union to the highway of the nations, and all the passages to foreign jurisdictions over many a thousand mile inland harbor, came within the scope of this policy. The lakes, the Mississippi, and its tributaries, the Atlantic rivers, bays, inlets, and harbors with all their capabilities of improvement, invoked the wisdom and patriotism of every American statesman to come to their aid for "general welfare." Nature's barrier between the east and the west, was yet

14 Samuel Perkins, Historical Sketches of the United States from the Peace of 1815 to 1830 (S. Converse, New York, 1830), 75.
15 Colton, I, 436.
unsubdued—scarcely an impression was made upon it. The whole country, as compared with what it might be, was, by this means literally bound in chains, and implored relief, relaxation, and freedom. Its vital currents could not circulate as they ought; its limbs had no ample scope for action; its capacities were cramped; and its very intelligence was limited and compressed.\textsuperscript{16}

The history of the federal aid and legislation on the subject of internal improvements, presents an excellent picture of the tendency toward bringing the states together. It illustrates the general process through which a loose confederation of states was gradually bound into a firm Federal Union. As the United States expanded westward, new territories were set up, differing essentially from the coast states. The original thirteen states managed to shift for themselves, to improve their coast and inland means of communication by tonnage duties levied with the consent of Congress. \textsuperscript{17} Under the Articles of Confederation each state maintained the right to control commerce, levy taxes, and to use the proceeds as they saw fit. Such taxes were allowed, however, with the understanding that they would not be levied on the property of the United States, that they would not conflict with the treaties already concluded or provided for, and that they would not prevent the conveyance of imported goods to the other

\textsuperscript{16} Ibid., 436.
\textsuperscript{17} E.C. Nelson, "Presidential Influence on the Policy of Internal Improvements," The Iowa Journal of History and Politics, IV, 3 (January, 1906).
At the Convention of 1787, the Federal Government was given the charge of commerce. A provision was offered to the above, "...no state shall be restrained from levying duties of tonnage for the purpose of clearing harbors and erecting lighthouses." This clause was changed shortly afterwards, and we find in Article I, section 10, paragraph 3, of the Constitution the following, "No State shall without the consent of Congress, lay any duty of tonnage...." The probable reason for requiring the consent of Congress was an attempt to wipe out the possibility of abuses which would have arisen, owing to the fact that all the thirteen states had seacoasts, seaports, or ocean commerce. Whenever a state wished to improve its seaports, its legislature passed an act levying tonnage duties upon the commerce of the site to be improved. This act was submitted to Congress where the taxes were approved for a limited time, and the proceeds were expended under the direction of the state. As the states increased in number, however, it was not sufficient to attempt to provide proper means of communication by the simple method of taxing their people. It seemed unfair that those states which possessed no seaports should not be assisted in the construction of internal improvements by Federal grants, because ultimately the inland consumers whose states were left to make improvements at their own expense largely helped to pay the duties levied by the
coast states. Under such circumstances it became imperative that the Federal Government step in and lend an assisting hand. Thus the nation was moved in the direction of a federal policy of aid and patronage in the promotion of internal improvements.

Previous to 1806, the efforts of Congress in aiding the states were confined entirely to coast wide works. On August 7, 1789, An act establishing and supporting lighthouses, beacons, buoys, and public piers, was passed by that body. An act amending the act providing for the establishment and support of lighthouses etc. was passed July 22, 1790. From March 3, 1791, until March 2 of 1796, Congress extended aid toward the improvement and the building of roads. In that year, it granted aid to one Ebenezer Zone for the purpose of helping to construct a road from Wheeling, Virginia to Maysville, Kentucky. The legislature which legalized the admission of Ohio into the Union on April 30, 1802, made provisions for internal improvements. Congress was to use one-twentieth of the money realized from the sale of public lands in the said state for the building of roads "...from the navigable waters emptying into the Atlantic to the Ohio River.... providing the states through which the roads would pass would not raise any

19 Nelson, 3.
objections. The five percent fund was divided into two parts, the larger, three percent, to be employed in constructing roads within Ohio, the remaining two percent for roads leading to Ohio. Alabama, Indiana, Illinois, Missouri, and Mississippi followed with the establishment of three and two percent funds. On May 1, 1802, Congress granted $6,000 to the Secretary of the Treasury to use toward the opening of roads in the Northwest Territory, probably with the idea of swelling the land sales. Such acts continued on the part of Congress until 1806. From that year until 1810, a good number of appropriations were approved by that body for the construction of additional roads, but especially for the Cumberland Road which we are to discuss in connection with state improvements.

Thus, when the war for commercial independence was about to open, the government had surrendered to the demands of the East and the West, and had begun state internal improvements at her own expense. It was more than likely that not half of the populace was aware of what was going on. What Congress agreed to do was evidently but a small part of what it was called upon to do. As one author put it:

There had been calls for more piers in the Delaware below Philadelphia, for piers in the

Merrimac at Newburyport; for piers in the Burstable Bay; for the removal of sandbogs at the mouth of the Christiana Creek; for a bridge across the Potomac; for a canal around the falls of the Ohio; for a survey of the rivers of Louisiana; for help to finish the Allegheny Turnpike, the Highland Turnpike, the Chesapeake and Delaware Canal; and to publish a map of the coast of Georgia. 21

Many of these requests were easily disposed of, an opposing report or a postponement was sufficient to put an end to them.

As to the views of the three men who occupied the presidency of the United States from 1789 to 1810, we should say a few words before ending this more or less introductory chapter of what is to follow. Washington, as far as we are aware, put forth no set program of internal improvements, yet it cannot be said of him that he was entirely without interest in them. If one will but recall his messages to Congress, he will find therein his ideas on the subject. On January 8, 1790, in his first address to that group he urged the establishment of "post-office and post-roads" as a means of facilitating intercourse between the sections of the country. His second message of October 25, 1791, spoke of the necessity of roads, "The importance of the post-office and post-roads on a plan sufficiently liberal and comprehensive, as they respect the expedition, safety, and facility of communication, is increased by their instrumentality in diffusing a knowledge of

the laws and proceedings of the Government, which, while it contributes to the security of the people, serves to guard them against the effects of misrepresentation and misconception. In addition he pointed out the utility of more roads in the western and northern parts of the Union.

Washington's successor, Adams, did not in any of his messages urge a policy of internal improvements. It is not known that he ever openly declared against them or felt the matter worth commenting about. That he was not against them may be surmised from the fact that some appropriations were made by the government for improvements when he was in office. They were, however, not of such a nature as to arouse comment.

Early in his administration President Jefferson recommended that Congress take steps to expend the revenue remaining after the expenses of the government had been defrayed toward education and internal improvements. In 1808, he again urged that this be done. However, all that resulted from his endeavors was the report of his Secretary of the Treasury, Gallatin, made at the suggestion of a senator from Ohio. This report comprised a plan whereby the public money might be proficiently spent in opening up roads and canals and

bringing the different sections of the Union together. It embraced among many things, "...the union of the waters of the Ohio with the Chesapeake; and the establishment of an inland navigation by canals uniting the waters of the great bays along the Atlantic Coast." The cost of such a plan was estimated at $20,000,000, to be obtained from the treasury at the rate of $2,000,000 per year for twenty years, or by the sale of the public lands. The Gallatin scheme never materialized, other things having arisen to prevent its execution. While the question of the constitutionality of the Federal Government lending aid to state improvements did not really enter into the whole matter before Madison came into office, yet there is some evidence that Jefferson had a doubt in his mind regarding this. He did not say that the Constitution did not grant such a power, but he supposed that since the objects recommended were not among those enumerated in the document to which the money secured from the sale of public lands could be used, an amendment should be proposed and accepted.

We have seen then, the conditions which prompted the beginning of internal improvements. We have enumerated the

24 Perkins, 75.
the improvements undertaken by the Federal and State Governments previous to 1810, and read the opinions of Washington, Adams, and Jefferson in support of the question. We come now to the consideration of that constitutional impediment which from time to time threatened early death to the newly inaugurated system.
CHAPTER TWO

THE QUESTION OF CONSTITUTIONALITY, 1810-1825

The Federal Government had not proceeded very far in its appropriations toward internal improvements when a most important question arose. It was one concerning the relation of the General Government to internal improvements. All generally held that improvements were imperative, but not all regarded the right of the National Government to appropriate funds for aiding the states in building roads and canals, as being constitutional. Before looking at the opinions of Madison, Monroe, Clay, and Calhoun on the subject, we shall consider what was said and done concerning both the constitutionality and the unconstitutionality of the matter.

According to those who upheld the constitutionality of such action on the part of Congress, the power allowing the government to participate in internal improvements was granted by Article I, section 8 of the Constitution:

The Congress shall have the power to establish post-offices and post-roads;
To declare war....
To regulate commerce with foreign nations, and among the several States, and with the Indian tribes;
To pay the debts and provide for the common
defense and the general welfare of the United States; To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all the other powers vested by the Constitution in the government of the United States, or in any other department or office thereof; To provide and maintain a navy; To raise and support armies; To exercise exclusive authority over all places purchased by the consent of the Legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dockyards ....1

The leaders of the commonwealth of Virginia declared that the assumption of such power was retained to the independent branches. They maintained that the right to build roads and canals and to set up other internal improvements within the territories of the several States was given to Congress by right of a Constitutional Compact. The Compact remained, however, to each state among its domestic powers, exercisable within itself and by its domestic authorities alone. For Congress to assume that it was justified in appropriating public funds for state improvements was leading in the direction of a centralized government. They further stated that they were aware that the calamity of a possible separation would be great but not so great as submission to a government of unlimited powers. They therefore favored an amendment to the Constitution to give such power to Congress and contended

1 Wheeler, II, 115.
that such an amendment was necessary before the government could aid the states in setting up internal improvements.

Madison held that internal improvements were imperative, and he also was of the opinion that an amendment was necessary. In 1817 he refused his signature to a bill introduced into Congress by John C. Calhoun. This bill advocated among other things the setting aside of certain sums for the building of roads and canals and the improvement of navigable water courses. In his veto message of March 3 of that same year he said:

I am not unaware of the great importance of roads and canals and the improved navigation of water courses, that a power in the National Legislature to provide for them might be exercised with single advantage to the general prosperity. But seeing that such a power is not expressly given by the Constitution and believing that it cannot be deduced from any part of it without an admissible latitude of construction and reliance on insufficient precedents; believing also that the permanent success of the Constitution depends on a definite partition of powers between the General and State Governments and that no adequate landmarks would be left by the constructive extension of the powers of Congress as proposed in the bill, I have no option but to withhold my signature from it....

Madison's refusal to sign the bill because he considered it unconstitutional is to be wondered at because of his previous statements on the matter of internal improvements. At the time when the Constitution was before the states for

2 Ibid., 149-150.
consideration he wrote a paper entitled, "An Objection Drawn from the Extent of the Country Answered," in which he strongly urged the acceptance of the Constitution on the grounds that it would make internal improvements possible. In 1796 he proposed a road from Maine to Florida. In his minutes of the Constitutional Convention he recorded that when the Constitution was being drawn up that the question of the power of Congress over roads and canals was mentioned and that it was definitely stated and denied, also that Alexander Hamilton himself said that "...the powers of Congress 'could not embrace the case of roads and canals.'" Yet while Madison was supposed to be adhering to this policy he signed away $568,800 for roads. This suggests that the president was evidently somewhat undecided upon the question. At one time he approved the constitutionality of the power, at another he disapproved. He probably never gave the matter his deep consideration. His quoted words certainly do not imply that he made any thorough study of the question. I feel sure that he vetoed the Bonus Bill to his own convenience and advantage. It was not the unconstitutionality of the provisions of the bill but rather some special motive which prompted him to withhold his name from it. If not, how can one account for the fact that he

4 Nelson, 17.
5 Ibid., 18-19.
approved appropriations for some $500,000 for roads? Surely that was fulfilling a part of what the condemned bill outlined.

Monroe, following in the footsteps of Madison, declared in favor of internal improvements but held that the states alone, by an amendment, could grant power to Congress to expend national funds toward internal improvements. In his first message to Congress he gave them notice that unless they were willing and prepared to muster a two-thirds vote to support their proposed internal improvements, they had better employ their time to better purpose or else produce the required amendment. He recommended that a committee be appointed by the House of Representatives to draw up such an amendment. The committee selected at his suggestion reported that as far as they were able to determine, Congress already possessed such power. Such power, they said, was contained in the clause:

To establish post-offices and post-roads. Necessarily this embraces the power providing for the transportation of the mails. If Congress did not have this power it would be in the power of the state authorities to refuse to open necessary highways, to obstruct the transportation of the mail, and defeat one important object of the government. The power of opening and improving military roads in time of war is a national question. If incident during the time of war, it exists in time of peace as a necessary preparation for war. It was impossible for the framers of the Constitution to comprehend all the cases to which the power of Congress ought to extend.7

6 Ibid., 26.
7 Perkins, 77-78.
A short time later Monroe again declared himself on the question stating that he had once more weighed and investigated the matter thoroughly and was convinced that Congress lacked such power. "It was not contained," he said, "in any of the specific powers granted to Congress, nor can I consider it accidental to or a necessary mean viewed on the most liberal scale; for carrying into effect any of the powers which are specifically granted. I cannot refrain from recommending to Congress that the states adopt an amendment which shall give the said right." Monroe attempted to prove the above by taking the enumerated powers, which to many signified the right of Congress to effect state internal improvements, and disposing of them one by one. For instance, regarding the post-office and post-road grant he was of the opinion that to most people the word "establish" meant just what it said and no more. The idea of the right to lay out roads etc. would never occur to them. To him the war power meant that Congress could in time of war call out the army and raise money by taxes. The commercial power related to the goods and vessels employed.

A resolution to the effect that Congress had the power to establish roads and canals necessary for commerce between the states, to build post-roads and military-roads, to construct canals for military purposes, was brought forward in the House.

8 Colton, I, 446.
A debate which turned on the significance of the word "establish" ensued. The following questions arose and were discussed. "Was it fair to apply government funds to purposes which were in one sense local?" "Would not some states be favored at the expense of others?" "Would it not lead to corrupt handling of government funds?" "Would not the necessity of following the construction with maintenance and repair lead to extravagance in the use of the public purse?" "Would it not subvert the doctrine of State-Rights?" "Would it not lead to sectionalism, disaffection and disunion?" After the debate the House decided against the power of Congress to construct roads and canals necessary for the commerce between the states by a vote of 71 to 95; to build post-roads and military-roads by a vote of 81 to 84; and to construct canals for military purposes by a vote of 81 to 83.

On May 4, 1822, Monroe returned a bill authorizing the president to permit the erection of toll-houses and turnpikes on the Cumberland Road for the preservation of the same. He vetoed it because it gave Congress power to set up a complete system of improvements with the right of jurisdiction and sovereignty. For the third time he asserted that no such power existed nor could it be derived from any part of the

10 Turner, 229.
11 Nelson, 6.
12 Turner, 229.
Constitution; an amendment was absolutely necessary. "My idea is," he said, "that Congress have an unlimited power to raise money, and that in its appropriations they have a discretionary power restricted only by the duty to appropriate it to purposes of common defence, and of general, not local, national, not state benefit." In spite of all Monroe had to say against the constitutionality of internal improvements at Federal expense he was, like Madison, guilty of having failed to practice what he preached. His opinions on the subject are to be accepted before those of his predecessor because he gave the question a good deal more consideration than did the latter.

Henry Clay was perhaps the staunchest supporter of the constitutionality of Congress to set up state internal improvements. His speeches were filled with ideas on the subject. There was not a point of the question which he did not debate. It was he who answered Madison's veto denying the power. He accused him of ordering a road to be built from near Plattsburgh to the St. Lawrence on his own authority without the consent of the state of New York. "Wonderful," said Clay, "when one considers the magnitude of state-rights which are said to be violated." He also asked the question as to where the president derived the power to cause public improvements to be made at his own pleasure. To his mind it was a contradiction to say that

13 Poore, Veto Messages of the Presidents of the United States, I, 19.
14 Niles Weekly Register, (Aug.17, 1822), XXII, 394.
the president is clothed with such a power and that Congress is not because as he said, "Congress had paramount powers to the president." Nor did Clay let Monroe's veto of 1822 go unheeded. He denounced the action of the president because he felt that if the government had the power to bring the National Road into existence, it necessarily had the power to keep it in repair.

Clay could not conceive what principle could have justified the building of the National Road by the government and yet at the same time not uphold the power which was being contended for. Regarding the idea that the government aid in internal improvements violated the doctrine of State-Rights he said:

The Constitution was formed for the common and general purposes of the Union, to accomplish such comprehensive objects, the entire Union is the theatre; the range of jurisdiction. It is absurd therefore, to allege a violation or encroachment on state-rights, when the general government passes into their respective bounds to erect national works, or discharge any federal functions such as in its judgement are necessary and proper for carrying into execution "its specific powers." The tenth article of the amendments of the Constitution states and clearly defines joint action of the federal and state authorities on the same ground—the first to use all the powers granted

15 Colton, 448-49.
and the second to use those which are neither resigned or prohibited, by the Compact.17

According to Clay the powers in the Constitution were twofold. "We cannot," he said, "foresee and provide specifically for all contingencies. Man and his language are both imperfect. Hence the existence of construction, and of constructive powers. Hence also the rule, that a grant of the end is a grant of the means." He contended that the power to construct post-roads is expressly granted in the power to establish post-roads. If the above is true, there is an end to the controversy, but if it is not, the next step is to find out if that power can be fairly deduced from any of the specific grants of power, was the gist of his words. To prove that it was granted Clay argued that the word "establish" meant only one thing—the right of making. Furthermore the fact that Congress was allowed to regulate commerce was fully a proof of her power to construct roads and canals for the benefit of commerce and civilization. The power to make war necessarily related to military-roads and canals. The admittance that they might be constructed when emergency demanded was the same as conceding that the Constitution conveyed the power. Clay advised that preparations be made in time of peace for a time of emergency because if the country were to wait for a time of emergency to

17 Colton, I, 444, 442.
18 Ibid., 437, 439.
19 Turner, 234.
arise, she might be prevented from using such power. He was against an amendment to the Constitution and showed that if such an amendment were to be proposed it would be defeated because of the existence of two groups entertaining ideas directly opposed to one another. The first group was of the opinion that the Constitution already gave this power and that an amendment was unnecessary. The other group held that the Constitution did not grant such a power and that it should not. It was quite evident that the two groups would vote against an amendment.

Clay was assisted in his work by no less an advocate of improvements by the Federal Government than John C. Calhoun, who, up to a certain extent, appeared as an affirmative debater in the matter. One has only to read his letters and reports to learn to what degree he approved of internal improvements at federal expense. Several years after the War of 1812, he outlined a complete program of improvements by which the whole Union was to be benefited by a system of roads and canals and the improvement of natural water courses. In 1816 he presented a bill to Congress in which he suggested that the profits of the National Bank be used for internal improvements. He was continually making reports on the state of the improvements which were already in progress. The constitutionality of such

20 Colton, I, 440, 435.
works he more or less took for granted. There was a tendency on his part to ignore any objections which arose against such a point. His speeches contain few references on the same. In one, however, he had this to say on the matter, "I am no advocate for refined arguments on the Constitution. The instrument is not intended as a thesis for the logician to exercise his ingenuity on. It ought to be construed with plain, good sense; and what can be more express than the Constitution on this point?" He continued to say that the provision for the common defense and general welfare conferred sufficient authority for the purpose. The government had already appropriated money for objects other than the Constitution enumerated and the general approval of the public had been manifested. He held that the latter was better evidence of the just and correct interpretation of the Constitution on the question than all the other arguments brought forward. This was rather a weak statement on the part of Calhoun and it leads to the conviction that he was not so strong an advocate of improvements as was Clay. This viewpoint is the more justifiable in that he later changed his mind on the matter, whereas Clay remained steadfast in the stand he had

21 Miller, X, 139-140.
first taken on the matter. In 1831 Calhoun remarked as follows concerning the proposed system, "I have no doubt of its great importance and within proper limits, its constitutionality; but I think experience has abundantly shown, that the system cannot stand on a solid, or satisfactory basis without the insertion of an expressed provision authorizing its exercise, or guarding against abuse." He doubted that the question would ever be settled unless such an amendment be made. He placed a little stricter construction on his interpretation of the Constitution. A doubt as to whether or not the document really conveyed the questionable power seems to have arisen in his mind at the time.

Who was right or who was wrong in his decisions is most difficult to say. The strong arguments offered by Clay are most convincing along side the comparatively weak ones presented by Madison and Monroe. It is not the purpose of the present paper to solve the question of the constitutionality or the unconstitutionality of federal aid in state internal improvements. It seems to be a matter which no one can answer accurately. Today as then, it remains unsolved. As a reference, Joseph Story's, Commentaries on the Constitution of the United States, volume II, is one of the best authorities on the interpretation of the Constitution and may help one to

reach some sort of decision on the subject.

Beginning with the administration of President Jefferson, several attempts were made to put through an amendment to the Constitution specifically stating that Congress had the power to appropriate federal funds toward the building of state internal improvements. Jefferson himself, during the second session of the ninth Congress on December 29, 1806 proposed that an amendment be added to the Constitution conferring the said power on that body. He renewed his proposal in his messages of October 27, 1807, and March 8, 1808. Nothing was done about it, however, and the matter rested until 1813. At that time Mr. Jackson of Virginia introduced two amendments in Congress; one recommended that Congress be given the power to make roads, the other authorized that body to construct canals, with the consent of the states within which any might be made. They were debated upon but never materialized. In 1815 and 1816 Madison suggested that the government undertake internal improvements. "Any defect of constitutional authority," he said, "can be supplied in a mode which the Constitution itself has providently pointed out."

The first annual message of Monroe contained a proposal that such an amendment be adopted. Almost a week later

Senator Barbour of Virginia offered an amendment allowing Congress to make laws sanctioning the appropriation of money for the building of roads, canals, and the improvement of navigable water courses. It stated that no improvement could be made in a state without first having gained the consent of the said state. When funds were appropriated they should be distributed among the states according to representation "...but from each the proportion to the number of Representatives from each State, with its own consent, may be applied to internal improvements in any State." On the following day it was read twice, referred to a committee, reported, considered, and postponed by a vote of 22 to 9.

In his annual message of 1822, Monroe reminded Congress of his past invitation to consider an amendment. In response to his message three amendments were recommended during the second session of the Congress then in progress. On December 2 Mr. Talbot moved that the part of the president's address regarding the improvement amendment be referred to a select committee. On January 15 Mr. Reid of Georgia suggested the following:

Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled, two-thirds of both houses

27 Ibid., 21, 24.
29 Ibid., 27.
concurring, That the following amendment to the Constitution of the United States, which, when ratified by the Legislatures of the several States, shall be valid, to all intents and purposes, as part of the said Constitution, to witness:

Congress shall have the power to establish and construct roads and canals. 30

The third of these resolutions was reported by Mr. Smith of Maryland. After having been given a second reading, his proposal was turned over to a Committee of the Whole for consideration.

Senator Van Buren of New York was the next member of Congress to propose an amendment. On January 22, 1824 he introduced his recommendation which was read twice. The twenty-third saw it referred for consideration to a Committee of the Whole and the twenty-eight saw it ordered to lie on table. In December of the following year he asked that Congress consider the selection of a committee to prepare and report an amendment. Shortly after Van Buren made his suggestion Mr. Bailey of Massachusetts "...presented a very explicit amendment to the Constitution, which besides giving Congress power to appropriate money for the construction of roads and canals, further provided that it might 'construct roads and canals for urgent purposes, of military, commercial, or mail communication.'"

30 Ibid., 627.  
31 Ibid., 200.  
33 Register of Debates in Congress, 19 Cong., 1 sess., 20.
It was not until Jackson's administration that the question of an amendment was again brought forth. Several suggestions were made by him but none of them met with any success. Another proposal was that of Mr. Archer of Virginia, who thought that an amendment was necessary so as to give Congress power to appropriate money derived from the sale of public lands "...in aid of the construction of such works of internal improvement as may be authorized, commenced, or patronized by the States respectively within which the same are to be executed." A final move during the period under consideration was made in 1833, by the Legislature of Georgia, in a series of proposed amendments. They contended that the power to set up improvements should be either explicitly denied or affirmed in the Constitution.

This was apparently the last attempt to put through an amendment up until the year 1840. From then on amendments must have been frequently advocated but like those we have been discussing, they evidently never amounted to much. Then too, it is not improbable that the idea of ever putting through an amendment was done away with entirely. The second is perhaps the more correct of the two statements. Presumably Congress reached such a stage that it no longer considered such an amendment imperative or necessary. This is shown by the fact

34 Ames, II, 262.
that they habitually exercised the power once doubted. The president was left to decide whether a project was to come under the heading of local or national improvements.

Today the administration in Washington does not even take the time to determine whether the appropriations of national funds are toward local or national projects. Money is being spent lavishly with only little reference to its being constitutional or unconstitutional. While the question of the constitutionality of the Federal Government to expend funds in such manner does not interest the administration at present, it is not at all unlikely that after this administration has closed its accounts, its actions in such a matter will most certainly be questioned by many. Should this happen, it is quite probable that their complaints and efforts will be useless in settling the question so long debated. The power of Congress to use the public funds for internal improvements will never be free from uncertainty; otherwise it would most probably have been settled long before this.

We have not time to go into a complete discussion of the action taken by the government toward improvements during the time the arguments we have presented were taking place. Some comment on the matter is, however, necessary to complete the chapter. Therefore we shall resort to a brief resume of what happened. From 1810 to 1816, the government's part in internal improvements was not so great as it might have been had not war
intervened. In 1817 Calhoun's General Appropriations Bill, as we have already seen, while meeting with the approval of both Houses of Congress, failed to arouse the sympathy of the president. A motion to spend $600,000 on general improvements was lost in 1817. In the following year Calhoun reported to the House on the works already in progress. They included mostly military-roads. In February, 1819 Congress passed a law "...providing for a survey of the water courses north and west of the Ohio, and tributary to and west of the Mississippi." However, it was not until April 14, 1820 that, for the purpose of finding the most practical mode of improvement, an act was passed requiring the survey of the Ohio River from Louisville to Cairo, and from the Mississippi to the Gulf. In 1820 Congress voted a $1,000,000 for a canal from Georgetown to Pittsburgh and Washington City. Bonds were issued for an equal amount. Georgetown and the city of Alexandria in Virginia subscribed $250,000 each, Maryland $500,000 and, individuals bought 6084 shares at $100 per share. The total amount collected was $3,854,400, but the canal was not started until years later.

36 Ibid., 248.
37 Cralle, V, 54.
38 Lippincott, 279.
A national board of internal improvements was formed and on January 2, 1822 a committee on roads and canals reported a bill. It recommended, "...(1) a great line of canals from the harbor of Boston South along the Atlantic coast; (2) roads from the City of Washington to New Orleans; (3) a canal around the falls of the Ohio at Louisville, and between the Ohio River and Lake Erie, between the Susquehanna and the Seneca and Genese Rivers, between the Tennessee and the Savannah." The committee asked to have this bill annexed to Calhoun's report of 1819 which they were also referring to the House at the time. The same year a bill was introduced to establish by means of toll gates erected at the will of the president on the National Road, a fund for keeping it in repair. This bill was, as many others were, refused the president's signature on the grounds of its being unconstitutional.

On March 3, 1823 Congress passed the first act for harbor improvement, ordering a survey of the harbors of Gloucester and Squam, Massachusetts, and of Presque Isle Harbor. The cost was estimated, and sums of $6,000 and $150 were appropriated respectively. An act of April 30, 1824, appropriated $30,000 for a survey of such roads and canals as the president should consider of national importance. On March 24, 1824, $75,000 was set aside for the improvement of the Ohio and Mississippi.

40 Nelson, 28.
41 Ibid., 8.
Rivers. According to the appropriation tables collected by Wheeler and cited by the authorities there was expended for internal improvements, under the administration of President Madison, the sum of $250,800. Monroe is credited with having used over $707,621 of the public funds for the improvements set up during his years of office.

42 Johnston, 570.
CHAPTER THREE

RELATIONS OF THE STATES TO THE PROBLEM OF INTERNAL IMPROVEMENTS 1810-1825

Before the Federal Government could enter upon a more general program of internal improvements, as we have seen, doubts as to its constitutionality brought the Federal system to a close; that is in so far as local improvements were concerned. The movement for internal improvements did not, however, cease; the states, feeling the need of better means of transportation, undertook the work of providing them. The chief purpose of this chapter is to point out the improvements in the states between the years 1810-1825.

Perhaps the greatest improvement of the time was the construction of the Erie Canal, which extends from Albany on the Hudson River to Buffalo on Lake Erie. It is not known who first conceived the idea of such a canal. Some attribute it to Washington who is said to have predicted it about 1784. Others hold that Governor Morris prophesied it sometime around 1777, in the following words, "As far as I can judge from observation and

1 Elliott Anthony, Sanitation and Navigation (Chicago Legal News Company, Chicago, 1891), 140.
information the commerce between Lake Ontario and the Hudson is not only practical but easy, though expensive." According to Harlow, the truth of the matter is that no one individual conceived the idea fully formed; it gradually developed. It was inevitable that this canal would be built when the age of canals dawned because: "The Appalachian Mountain chain formed a great barrier to western travel and commerce; and the line of the Hudson River and the Mohawk River was the only place where it was broken so that travel might pass conveniently to and from the western territory without climbing one thousand feet or more above the sea level. From the upper Hudson to the nearest of the Great Lakes was a natural trade route." Yet another author held that from the earliest period of its settlement the citizens of New York had in mind the union of the Hudson with the western lakes. As early as 1768, the provincial legislature had its attention drawn to the measure by the then governor of the province. Nothing was done about the matter because the Revolution interrupted its consideration. After the War it was brought before the legislature frequently. Jefferson was called upon for funds to commence it, but he refused the request made of him. Finally in 1808, legal steps

3 Ibid., 26.
5 Harlow, 46.
were taken to secure its execution. Judge Forman, on February 4 of that year, called up a resolution which had been previously submitted and ordered to lie on table. This resolution called for a joint committee to investigate the best route for the canal and to petition Congress for funds for the building of the great national project. A committee was appointed in 1810, of nine distinguished citizens. A favorable report was made by them, the cost being estimated at about $4,000,000. Governor Morris and De Witt Clinton, having been commissioned, went to Washington and presented a memorial to Congress. Congress refused to give the state of New York any assistance. This action was followed in 1812 by a report requesting the State to assume the burden. The War of 1812 caused the commission to disband and once again the work was delayed. A new commission, appointed in 1815, failed to secure aid from the general or any of the state governments. In 1816 a memorial signed by 100,000 responsible citizens was presented to the legislature. In compliance with the said memorial an act was passed in April for improving the internal navigation of New York State. Five commissioners were selected and given $20,000 for surveying purposes. This act did not, however, give them permission to raise other funds or begin actual work. The latter was begun on July 4, 1817 when ground was

6 Perkins, 357-58.
7 Harlow, 49.
broken by Judge Richardson at the village of Rome on the Mohawk River thirty years after the matter had been urged on the people. In October of 1819 the section of the Canal between Rome and Utica, a distance of fifteen miles, was opened. In 1820, the Erie reached the Seneca River. Trouble arose in 1823; as a consequence work was stopped and was not begun again until the following year. Amid great celebration the Canal was finally opened on July 4, 1825. The success of the Erie Canal was apparent shortly after its completion. The cheapness of the water carriage not only compelled the freighters on the turnpikes to lower the rates, but it also made it probable that canals would supplant land transportation for heavy freight and also for passengers. The Canal was likewise a strong motive in leading the other states to undertake similar projects toward progress.

Another momentous improvement which this time witnessed toward the progress of the West, was the construction of the great National Road from the Potomac River to the Mississippi. This road, known at times as the Cumberland Road, was undertaken by the United States Government. Seven hundred miles in length it wound its way through Maryland, Pennsylvania, Ohio, Indiana, and Illinois toward the Mississippi.

8 Charles Coffin, Building the Nation (Harper & Brothers, New York, 1900), 240.
10 A. Hubert, "The Old National Road." Ohio Archaeological and Historical Quarterly Review, IX, 405-06 (April 1901).
By an act of March 29, 1806, the president was given the power to appoint with the advice of Congress three commissioners at the salary of $4.00 per day. They in turn were authorized to employ one surveyor, two chainmen, and one marker at the salaries of $3.00 and $1.00 per day respectively. The sum of $30,000 was appropriated to defray the expenses of laying out and making the Road. On January 31, 1807 President Jefferson assigned Thomas Moore and Eli Williams of Maryland and Joseph Kerr of Ohio as commissioners. Josias Thompson was taken into service as the surveyor.

Secretary of the Treasury Gallatin reported on March 8, 1808, that $10,000 had been used in laying out the road from Cumberland to Bronsville and that perhaps $5,000 would be needed to complete that section. The contracts for the first ten miles of the Road west of Cumberland were signed on April 16, and May 8, 1811, at an average cost of $7,500 per mile. They were completed in the fall of the next year. Similar contracts let in 1812, 1813, and 1815 were finished in 1817. In the same year the work was let to Uniontown and another contract was given to continue from a point near Washington to the Virginia line. In 1820, Congress appropriated $141,000 for completing

11 Ibid., 420.
12 Thomas Searight, The Old Pike, A History of the National Road (Thomas Searight, Uniontown, 1894), 28-29.
the Road from Washington, Pennsylvania to Wheeling. The sum of $10,000 was also appropriated for laying out the Road between Wheeling, Virginia and a point on the left bank of the Mississippi between St. Louis and the mouth of the Illinois River.

A bill toward the preservation and repair of the Road was passed by Congress in 1822. To secure the necessary funds for the above this bill advocated the establishment of turnpikes with gates and tolls. Monroe vetoed it because to his mind such action was overstepping the bounds of the Constitution. Two years later, however, he granted their request by signing a bill of appropriation with the understanding that from then on the states through which the Road passed would provide for its upkeep. A bill passed in Congress on March 3, 1825 appropriated $150,000 for extending the Road into the state of Ohio. The Road was frequently extended from then on until 1833 when it was completed. The last appropriation made towards its upkeep was dated May 25, 1838.

The cost of the eastern division of the Road was placed at $6,000 per mile. From Cumberland to Uniontown the cost was $9,745. The whole division east of the Ohio was $13,000 per mile. The entire cost of the Road was $7,000,000.

14 Hulbert, "The Old National Road." 425, 434.
15 Ibid., 436.
17 Hulbert, "The Old National Road." 425.
According to the figures listed in this paper the government expended $3,310,000 in appropriations up until the year 1825. This conclusion seems logical although authors are rather hazy on the figures concerning the cost of the National Road and the amount of money the Federal Government appropriated for its building. One thing is certain—the government did not pay the entire cost of the road.

Ohio was one of the states which engaged most actively in internal improvements at the time. In 1806 this state made a treaty with the Indians to allow them to build a road from the Firelands, the western end of the "Western Reserve," to Perrysburg on the Maumee. In 1823 Congress allotted Ohio a large tract of land on each side of the road provided she would have the road finished in four years. The land was accepted and the condition was fulfilled. Other roads were constructed from Columbus and Cincinnati to various points including one to Lake Erie. However, before Ohio was able to devise and carry out a general system of road building, canals began to appear as the best and least expensive means of transportation and inland communication, and she ceased her road building in favor of waterways.

The sudden change on her part was due to the fact that conditions there at the time were deplorable. Because Ohio lacked adequate means of communication she lacked a market for her products and consequently such surplus products produced
little revenue. In 1822 wheat was selling there at $.12½, oats at $.14, corn at $.12, and potatoes at $.18½ per bushel. Pork sold at $.02 a pound, beef at $.03, and butter at $.06. Eggs were $.06 per dozen and chickens sold at $.05 per head. Nearly all exchange was by barter.

The efforts on the part of the people of Ohio to engage in canal building were at first quite discouraging. It was difficult for the leaders of the state to convince a scattered population of poor land owners that a vast system of canals was necessary if conditions were to be in any way improved. The first move toward the construction of canals was in 1806, when Ethan Brown, a Justice of the Supreme Court of Cincinnati, saw the importance of connecting the Ohio River with the Lakes. Enthusiasm for such a project ran high in 1817 and 1818. Newspapers of the State were filled with essays on the subject, societies chose it as their theme and public speakers spoke in behalf of it, endeavoring to impress the people with its importance. Brown urged that surveys be made and submitted for approval. This resulted in an act which provided for three commissioners to locate a route for the canal but because of obstructions which were placed in the way nothing was done for years. At the end of 1821 a committee in the State House was urged to select an engineer to determine the route. A report

was returned on January 3 in which the canal was considered from three points of view. The cost was estimated at less than that of the Erie Canal; the profits were to come from revenue; and it was to be built by means of borrowed money, or as a public undertaking in which Congress would undoubtly donate land or sell it at a low price, or else capitalists would be asked to undertake it. A committee was appointed and $6,000 was appropriated to defray surveying expenses. Examinations and surveys extended over a period of three years. During that time frequent reports were returned as to the progress being made. Further appropriations of $4,000 and $6,000 were made in 1823 and 1824. On February 4, 1825 an act was passed providing for the internal improvements of that State by a system of canals. There was to be a canal constructed from the mouth of the Scioto River to Lake Erie, another was to be built on as much of the Maumee and Miami line as lay between Cincinnati and Dayton. The sum of $400,000 was borrowed and work was begun on July 4, 1825, marking the beginning of the construction of a line of canals in the State. When the above canal was completed it covered a distance of 3,000 miles and opened traffic inland from New York to New Orleans. Pennsylvania became enthusiastic over internal improvements as early as 1792, when she built the first

20 Ernest Bogart, Internal Improvements and the State Debt in Ohio (Longmans, Green & Company, New York, 1924), 16-17.
21 Ryan, III, 346.
22 Perkins, 360.
She became even more so in 1811, when she appropriated $825,000 for roads and bridges. Of that sum, $200,000 was for a pike from the town of Northumber, and $350,000 was to be used in constructing a turnpike between Harrisburg and Pittsburgh.

Besides building roads Pennsylvania did considerable bridge building. In 1810 a chain bridge was constructed over the Merrimac at Newburyport, Massachusetts. In the following year bridges were built over the Neshaminy, and over the Lehigh at Easton, and over the Lehigh at Lehigh Gap. The year 1818 saw the completion of another over the Monangahela at Pittsburgh at Smithfield street. This was followed by the construction of another over the Allegheny at Pittsburgh in 1820. A very notable one over the Conemaugh at Blairsville was completed in 1821.

In 1811, two companies, which had been organized about 1792, were incorporated with practically the same stockholders under the title of the Union Canal Company. By an act of March 29, 1819, the company was allowed to create new stock. Interest was guaranteed and a grant of monopoly was given the company by the commonwealth by an act of March 26, 1821. Operations were started in 1821, on a canal and were completed in 1827. This canal extended from Philadelphia to Pottsville.

23 Babcock, 249.
24 McMaster, VI, 482-83.
Illinois began to take steps toward improvements in 1810, but none of them was accomplished until after 1825. As early as 1810 she projected a canal to connect New Orleans and Buffalo by way of Chicago but that was as far as it went for some time. In order to drain the bottom lands and improve the navigation of the river lotteries were granted in 1819 and 1820. Two acts were passed at the session of the legislature held in 1822. One authorized Governor Edwards to appoint a committee which was to act with commissioners from the state of Indiana, on the improvement of the Wabash River at a certain point. The other act was, "An Act to provide for the improvement of the internal navigation of this state." By this act a committee was selected to consider, advise, and adopt such measures as would be requisite to effect communication by means of a canal between the navigable waters of the Illinois River and Lake Michigan. In addition to the above they were also to determine the most eligible route for the canal, to make all necessary surveys and have maps and drafts made of the same. Appropriations totaling $6,000 were given to the commissioners for expenses. By a law passed January 17, 1825, the Illinois and Michigan Association was incorporated with full power to build the canal.

26 Ibid., 137.
27 Jennings, 324.
Congress granted a strip of land ninety feet wide from the Illinois River to Lake Michigan, stating that she would not be responsible for any of the expense incurred in building the canal.

By an act of Congress on April 19, 1816, five percent of the net proceeds from the sale of land lying within the territory of Indiana, was to be set aside for the making of roads and canals. Twenty-six highways were planned by Indiana in 1820. Five of them were to be great highways which would center at Indianapolis and were to connect the important parts of the State.

Public sentiment especially in the central portion of the state of Indiana was favorable toward a program of internal improvements. Governor Jennings in 1818, in his message to the state legislature urged the need and importance of a system of roads and canals as a means of facilitating commerce and raising the value of the land. "A system of roads and canals, invites," he declared, "to a more general intercourse between the citizens; which never fails, in a great measure, to remove the jealousies of local interests, and the embittered violence of political feuds, which, too often, produce the most indignant results to our republican institutions." His greatest desire was to connect the waters of the Wabash and

29 Ibid., 259.
30 Searight, 20.
Maumee Rivers. Ever since the State had become a member of the Union, the canal had been discussed by the legislature. Funds, however, were not available even for surveying purposes. About 1822, the idea was laid before Congress but efforts to secure an appropriation for surveying met with defeat. In 1824, a sum of $30,000 was finally obtained to undertake the first step in the project which was not to be completed for some years to come.

New York's internal improvements of the period 1810-1825, were confined to the building of canals. In 1816, was begun the construction of the Champlain Canal from Whitehall on Lake Champlain to Albany. Sixty-three miles in length it was opened for navigation in 1819, having cost $179,872. The next improvement of the State was as we have already seen the building of the great Erie Canal completed in 1825. The huge success of the latter was one of the reasons for the authorization of the Seneca and Cayuga Canal and the Oswego Canal in the same year.

Missouri had not as yet accomplished any works of improvement despite the fact that her Constitution of 1820

33 Tanner, 54.
35 Don Sowers, The Financial History of New York State from 1789 to 1912 (Longman's, Green & Company, 1914), 64.
Internal Improvements shall forever be encouraged by the government of this State and it shall be the duty of the general assembly, as soon as possible to make provisions by law for ascertaining the most proper objects of improvement, in relation both to roads and navigable waters; and it shall also be their duty to provide by law for a system of economic application of the funds appropriated for these objects.36

The state of North Carolina was greatly disposed toward improvements. As early as 1790, she took her first step in that direction with the incorporation of the Dismal Swamp Canal Company. In 1792, "A company was formed for the improvement of the Cape-Fear River from Fayetteville to the confluence of the Haw and Beep Rivers,..." It was called the Cape-Fear Company. The subject of the above improvement was introduced into the general assembly in 1815. At that time a committee was appointed to investigate the needs of the State. A plan for improving inland navigation was the result of the work of the committee. It proposed the incorporation of companies to construct canals and improve the navigation of rivers, and appointed three commissioners to supervise the works of the

37 Charles Weaver, "Internal Improvements in North Carolina Previous to 1860" (volume XXI, no.5-4, of The Johns Hopkins University Studies in History and Political Science, Johns Hopkins University Press, Baltimore, 1903), 161, 163.
plan adopted by the legislature. Two navigation companies were chartered and for the next three years the commissioners reported annually on the progress of the surveys being made. All expenses as they were incurred were met by the legislature. Between the years 1817-1821, the State had put into the improvement of her rivers the sum of $113,099. Additional charters were given to companies for the purpose of improving the Primary rivers - the Tar, Neuse, Cape-Fear, Catawha, and the Brand. The State subscribed to the stock of all but the latter. North Carolina's most important improvement of the time was the project to join the Pedee and Cape-Fear Rivers by a canal. Road building was spoken of in connection with the above, "Turnpike Roads across the Mountains from the head natable waters of the Yonkin and Catawha, seem to be essential parts of this Improvement. So also will be a Turnpike Road from the Catawha to the Pedee, should it be found impractical to unite the waters of those rivers." No progress had up to the year 1825, been made toward the draining of swamps and marshes.

Virginia in 1804 levied tonnage duties for the purpose of obtaining funds for improving the navigation of the James.

39 Weaver, 179.
In 1816 she voted funds for river improvements, for the construction of canals, and the building of highways. The main improvement of the State was a plan to join the James and Kanowka Rivers. Additional funds were obtained in 1824 for improving "...the navigation of the Appomatox River from Pocahantas bridge to Broadway."

Of South Carolina's part in improvements during that space of fifteen years, the following is recorded, "South Carolina has within a short period appropriated a million of dollars to internal improvements; and of this sum it has authorized an annual expenditure of $250,000 under the direction of a board of public works and a principal engineer."

Previous to 1810, Alabama had made efforts toward improving her roads which were very inferior in quality. According to an act of March 2, 1819, for the admission of Alabama into the Union, provisions were made for internal improvements. Five percent of the net proceeds of the land sales, after all the expenses had been deducted, was to be reserved for building roads, canals, and improving the navigation of rivers. Two-fifths was to be expended on roads within the State under the direction of the legislature, and three-fifths toward the

41 Poore, Veto Messages of the Presidents of the United States with the Action of Congress Thereon, 200.
42 Turner, 228.
43 Poore, Veto Messages of the Presidents of the United States with the Action of Congress Thereon, 201.
making of roads leading to the State under the direction of Congress. Governor Bibb in 1819 suggested that engineers be appointed to determine the necessity of river improvements, and the junction of the Tennessee and Mobile Rivers. In 1821 Governor Perkins advocated a permanent board of internal improvements, and the need of a canal to connect the Tennessee and Alabama Rivers. Alabama remained behind some of the other states in the development of internal improvements.

In the latter part of the eighteenth century, Maryland first turned her thoughts toward internal improvements. It was not, however, until after 1825, that she produced any of importance. In 1784, a company called "The Proprietors of the Susquehanna Canal" was incorporated to build a canal "...from the Pennsylvania line, along the Susquehanna to tide the water." One of her greatest desires at this time was to make the Potomac navigable. Considerable attention was given to the matter and shortly after a joint charter was obtained by Maryland and Virginia for the formation of the Potomac Company. The plans of the latter, however, failed to materialize, and in time it

45 Memorial Record of Alabama. A Concise Account of the State's Political, Military, Professional and Industrial Progress, Together with the Personal Memoirs of Its People (Brant & Fuller, Madison, 1893), I, 46.
47 James McSherry, History of Maryland; from Its First Settlement, in 1634, to the Year 1848 (John Murphy, Baltimore, 1869), 314-15.
was merged with the Chesapeake and Delaware Canal Company which was formed in 1799. The former company agreed in 1825, to surrender its charter to the Chesapeake and Delaware Canal Company but it did not actually do so until August of 1828. The progress of the latter company moved slowly. It was 1803, before a sufficient number of shares of stock were sold in the company to complete its organization. The year 1820 arrived and the states of Maryland and Virginia were just beginning to make surveys of the project. On March 6, 1825, the Maryland Canal Company was permitted to charter the company for the purpose of building a canal from the Potomac River to the city of Baltimore. Thus we have seen that by the year 1825, this State had just made plans for improvements, nothing had actually been accomplished. Maryland's improvements were to come after 1840.

The remaining states mentioned under chapter three did not embark upon such extensive programs of internal improvements as did the states already accounted for. One or two of them had made a feeble effort toward some improvements. While a few of them engaged more actively in improvements during the years 1825 to 1840, than they did during the years 1810 to 1825, some of them did not begin to undertake improvements until after 1840.

49 Ibid., III, 156, 169.
50 Ibid., III, 169.
CHAPTER FOUR

INTERNAL IMPROVEMENTS UNDER JOHN Q. ADAMS, 1825-1829

During the administration of John Quincy Adams as president, great progress was made in the work of internal improvements. More money was appropriated for them under him than was in the administrations of any of his predecessors. Such an increase of activity in the matter is to be attributed, not only to the great enthusiasm of Adams for improvements, but also to the general state of the condition of the country when he stepped into office. Of the latter we know that things were comparatively calm and peaceful. Monroe did not bequeath to his successor any national crisis when he relinquished the presidency, nor did any follow in the next few years to come. There was no sign of immediate peril from without or serious danger from within. Peace and an overly enthusiastic leader made it possible for the country to turn her thoughts to domestic interests. The Adams administration devoted most of its time to internal improvements with home manufactures running a close second.

Adams' desire to foster internal improvements in the
country was one of long standing. It was not something which
developed over night. He himself took credit as having been
the author of the first resolution ever introduced into Congress
advocating a general system of internal improvements. When he
introduced the said resolution on February 23, 1807, as senator,
he pointed out that he believed that the power to sanction
necessary improvements and appropriate money for their
construction was in Congress, subject however, to the consent of
the state or states through which any of the improvements might
pass. As a candidate for the presidency he received inquiries
as to his opinion on internal improvements. In reply to one of
them he wrote telling of the stand he had taken on the matter
on February 23, 1807 in the Senate. He said that he still held
to what he had said at that time. That while he regarded
highly the intentions of those who objected to improvements on
constitutional grounds, he nevertheless felt with a great deal
of satisfaction that such objections were being overruled by
"...the paramount influence of the general welfare." In
addition he stated that numerous appropriations had been made
toward improvements, and that he felt or at least hoped that the
day was not far off, when the question of statesmen, regarding
the constitutionality of the government to aid projects too huge
for local treasuries, would be how it ever could have even been
doubted.

Adams was one of the staunchest supporters of Clay's
"American System" which advocated as one of its most outstanding features the matter of internal improvements. His inaugural address strongly urged that the matter be given the greatest consideration and his annual messages which followed all reviewed with satisfaction the progress of surveys, the construction of roads and canals, and the proposals for additional works. In his inaugural address delivered on March 4, 1825, Adams spoke of what he intended to accomplish along such lines. He was of the opinion that in the future the citizens of the country could attribute their prosperity to the internal improvements which had been set up by the first leaders to whom they would no doubt express deep gratitude. He pointed to the countries of Europe saying, "The magnificence and splendor of their public works are among the imperishable glories of the ancient republics," Any opposition to the constitutional power of Congress to legislate on matters of such a nature he believed originated "in pure patriotism" and were, "sustained by venerated authority." Once again he made a statement to the effect that he hoped eventually to see all traces of constitutional objections forever removed. It was in this same address that he advocated a new form of improvement; one which was not to receive much aid from the government for a number of years—the establishment of institutions of learning.

1 William Seward, Life and Public Services of John Q. Adams Sixth President of the United States with the Eulogy Delivered before the Legislature of New York (Derby, Miller & Company, Auburn, 1849), 142, 159-60.
He had in mind particularly a national university. In this respect though he conceded that the Constitution was as he said, "a charter of unlimited powers," he felt that such powers might be effectually brought into action by laws promoting the improvement of agriculture, commerce, and manufactures, the cultivation and encouragement of the mechanic and of the elegant arts, the advance of literature, and the progress of the sciences ornamental and profound; to neglect exercising such powers for the sake of the populace would result in a loss of the talent of the earth, and would be, 'a treachery to the most sacred of trusts.' 2 The truth and soundness of Adams' contention cannot be overlooked. All the powers of the Constitution are more or less limited. There is no explicit power granting outright the power to set up such an institution as the president suggested, though some of the clauses of the Constitution, such as the one relating to providing for the common welfare, implicitly grant the government such power. Such power when put into action would produce a group of cultured people who would more readily sense the needs of the country and act accordingly to promote the welfare of all its citizens.

A great portion of the president's first annual message to Congress presented on December 6, 1825 was like his inaugural

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message given over to the consideration of internal improvements. "The great object of the institution of the general government is," he said, "the improvement of the condition of those who are parties to the social compact; and no government, in whatever form constituted, can accomplish the ends of its institution but in proportion as it improves the condition of those over whom it is established. Roads and canals, by multiplying and facilitating the communication and intercourse between distant regions and multitudes of men, are among the most important means of production." He stressed the fact that the improvement of her people gave great power and prestige to a nation, and pointed out that if the United States did not undertake internal improvements, she was on the road toward "perpetual inferiority." As far as aiding the state internal improvements, he held that as a representative of the whole Union, the government would be found to be faithless to the trust placed in her if she neglected to lend her support.

We can gather from the above that Adams placed internal improvements on a national basis. He seemed to think that the General Government had unlimited powers regarding the construction of roads and canals and the establishment of a national institution of learning. To be more specific, he implied that Congress had the power to do anything which would lead to the improvement of the people regardless of whether or

3 Richardson, II, 316.
not such power was implicitly or explicitly drawn from the Constitution.

His subsequent messages refrain from any lengthy discussion of the question. This may have been due to the fact that he received a great deal of opposition after having taken such a liberal stand on the question as he did in his first message to Congress. His message of December 1827 reported the progress of the surveys of over a dozen improvements as well as the progress of the construction of improvements already commenced. He also added that the improvements which were finished had added to the prestige of the country and that they had not increased the debt or made additional taxes necessary.

Adams' last annual message contained a report from the Department of Engineers concerning the progress made in the great system of public works and the effects derived from them by the nation. The report showed the amount appropriated at the last two previous sessions of Congress for improvements and the manner in which it was applied on the improvements under construction, together with the amounts necessary to complete these projects.

So much for what the presidential messages had to say on the matter of internal improvements. Our next step is to consider what Adams' opinions were with reference to the power

4 Wheeler, II, 194.
5 Richardson, II, 389.
of Congress toward the same subject. We have already seen that his views were most liberal. We have stated in another part of this chapter that he claimed to have been the originator of the whole system. As far as can be ascertained Adams voted only once against an internal improvement measure. This negative vote was recorded by him against a bill offered previous to his proposal providing for the appointment of commissioners who were to have determined the need and practicability of constructing a canal around the Rapids of the Ohio River. No reasons are given for his action in the matter. His vote is merely registered on the Senate Journal. At all other times his votes on improvements were in the affirmative. There was not a doubt then in Adams' mind that the Constitution conferred the contested power on the members of Congress. His exact words on the subject are as follows:

The question of the power of Congress to authorize the making of internal improvements, is, in other words, a question whether the people of this Union, in forming their common social compact, as avowedly for the purpose of promoting their work in a manner so ineffably stupid as to deny themselves the means of bettering their own conditions, I have too much respect for the intellect of my country to believe it. The first object of human association is the improvement of the condition of the associated. Roads and canals are the most essential means of improving the condition of the nation. And a people which should deliberately, by organization of its authorized power, deprive itself of the faculty of multiplying its own blessings, would be as wise as a creator who should undertake to constitute a human being without a heart.6

6 Seward, 142-43.
Adams in the above was not declaring outright that the Constitution implicitly gave Congress power to set up internal improvements. He was asserting that he believed that it was more than reasonable to say that the power could be drawn out of some of the enumerated powers such as we have already mentioned in the chapter concerning the constitutionality of the question. It was more than reasonable on his part to have felt that the framers of the Constitution, realizing the importance of roads and canals as a means of bettering the welfare of the people, would have made some provision for them in that document. As Clay contended, those men felt at the time that they were drawing up the Constitution, that it was unnecessary to list every single power in so many words. They trusted to the intelligence of the American people to interpret the document wisely. They were of the opinion that out of the clauses of which the Constitution was constructed, others could be drawn without overstepping the limits of the power they were desirous of maintaining. In other words Adams held that while such power was not actually granted it could and should be implied.

It must be admitted that internal improvements made progress under Adams. Very early in his administration he had numerous surveys made under the direction of a Board of Engineers established by law. Among them may be mentioned the one to determine the practicability of constructing a canal from the Chesapeake Bay to the Ohio River. Another concerned
the building of a national road from the seat of the Federal
Government to New Orleans; another referred to a canal to unite
the waters of the Connecticut River and Lake Memphremagog.
Others related to the continuation of the Cumberland Road
farther west and the practicability of building roads from
Missouri to Mexico and in the territories of Florida, Arkansas,
and Michigan.

It was during this administration that land was given for
the first time toward the promotion of the building of roads and
canals and the improvement of navigable rivers. A road from
Columbus to Sandusky, a canal in Illinois, and one in Indiana,
together with river improvements in Alabama, were a few of the
objects thus aided. Appropriations to the amount of $643,920
were spent on the Cumberland Road. About $100,000 was
subscribed to the stock of the Louisville and Portland Canal
Company, and $150,000 to that of the Dismal Swamp Company. In
addition 10,000 and 750 shares of stock were taken in the
Chesapeake & Ohio and the Chesapeake and Delaware Canal
Companies respectively, mostly at the request of the state
legislatures and the leaders of the corporations who presented
memorials to Congress. River and harbor improvements were
undertaken on a larger scale than ever before, $1,200,000 being

7 Alden Bradford, History of the Federal Government, for Fifty
Years; from March 1789, to March 1839 (Samuel Simpkins, Boston,
1840), 323.
The total amount appropriated under Adams for improvements has been exaggerated by some authors. Seward lists appropriations for about $5,000,000. Another author places them at $14,000,000. Lalor and Nelson both cite Wheeler who seems to record the most logical figure of $2,310,475. Among the states receiving aid from the above sum were Maine, Rhode Island, Connecticut, Massachusetts, New York, Pennsylvania, Delaware, Maryland, North Carolina, Georgia, Florida, Louisiana, Tennessee, and Arkansas. It is not possible here to list the amount of the appropriation to each state listed above. This can, however, be determined by consulting the charts contained in Wheeler's work.

Adams' administration is pointed out by many as one during which internal improvements were carried to an extreme and surpassed those of all preceding administrations. The improvements under him were extreme only in the sense of what he was ambitious to do, not in what he was actually allowed to do. Had no opposition blocked his path, there is little doubt but that the administrations within the years to follow would have had to proceed at terrific speed in order to have

8 Nelson, 35-36.
9 229.
10 William Snelling, A Brief and Impartial History of the Life and Actions of Andrew Jackson, President of the United States (Stimpson & Clapp, Boston, 1831), 160.
11 II, 191.
12 Ibid., II, 124-40.
surpassed the works he would have established. The amounts appropriated during his four years of office were it is true above those of the previous administrations, but they could not even compare with the figures of the next few which followed.

So great was his desire to throw the country into an unlimited system of improvements that it is pointed to as having been the cause of his overthrow at the election of 1828. The state of mind of the people concerning the constitutionality of the question was at the time Adams took office unsettled. Monroe's messages had no doubt decided the matter for some few, yet the majority of the people remained undecided. Adams saw an opportunity to sway the people en masse and to convince them of the existence of the much contended power. However, his ideas appeared to be dangerous and too decided to a populace who had to a certain extent, accustomed itself to the comparatively mild ways of Monroe. Evidently they were afraid of what Adams might have done had he been given a second term. Had he advanced at a slower pace and with a little tact he might have fared differently. It was quite obvious that the West was more than desirous of making any and all improvements suggested, and the South would sooner or later have taken a similiar attitude had not Adams shown such utter disregard for their pet doctrine-state-rights.

13 Johnston, 570.
In 1837 Adams referring to what he would have done had he been permitted, wrote the following to a friend:

The great effort of my administration was to mature into a permanent and regular system the application of all surplus revenue of the Union to internal improvement-improvement which, at this day, would have afforded high wages and constant employment to hundreds of thousands of laborers, in which every dollar expended would have repaid itself fourfold in the enhanced system, in ten years from this day, the surface of the whole Union would have been checkered over with rail-roads and canals. It may still be done, half a century later, and with the limping gait of state legislature and private adventure I would have done it in the administration of the affairs of the nation. 14

Had it not been, as has been recorded elsewhere, for the opposition he received there would have been no end to the improvements which Adams would have sanctioned. Whether he actually made a study of the Constitution in regard to them, or whether he ever stopped to consider the effects of such of his acts on the people is not evident. One is inclined to believe that he had at one time formed an opinion on the subject and determined that he would stand by his decision. He was going to have internal improvements in spite of the fact that some looked upon them as outside the limits of the Constitution. He was going to, if he had anything to say about it, go down in history as the leader of a movement in which others had failed.

14 Wheeler, II, 152.
CHAPTER FIVE

JACKSON AND INTERNAL IMPROVEMENTS

In 1822, prompted by the veto of Monroe, Andrew Jackson, in correspondence with the latter, wrote concerning internal improvements, "My opinion has always been that the Federal Government did not possess the constitutional right; that it is retained to the states, and that during time of war only the general government has the right to repair and control roads but must return them to the states when peace is declared." How Jackson could reconcile his actions of about three years later with the above statement, we are unable to determine. While serving as senator from Florida, he repeatedly voted in favor of internal improvements. His name is on record as having voted in the affirmative for the following bills. 1. A bill providing for the building of a road from Memphis to Little Rock. 2. A bill authorizing certain roads to Florida. 3. A bill to improve the navigation of the Mississippi, Ohio, and Missouri Rivers. 4. A bill to subscribe for the stock in the

Delaware and Chesapeake Canal Companies. 5. A bill for the extension of the Cumberland Road. 6. A bill voting a subscription of stock in the Louisville Canal Company. From the years 1825 to 1829 Jackson again changed his views on the subject. He became a strict constructionist once more. Just what caused him to do so cannot be said with any certainty. It might have been because of his dislike of Adams and Clay, both of whom upheld the constitutionality of state internal improvements at the expense of the Federal Government. One thing which seems quite certain is that the change did not result from any deep study or interpretation of the Constitution on Jackson's part. The arguments he put forth in his discourses upholding his stand on the question are not forceful enough to convince one that he made any such study or that what he said was what he believed. They seem to be the arguments of his predecessors rearranged to serve his purpose.

In his inaugural address Jackson had this to say of the subject, "Internal improvements and the diffusion of knowledge so far as they can be promoted by the Constitutional acts of the Federal Government are of high importance." On October 18, 1829, however, in writing to Van Buren concerning an act of a previous session of Congress having to do with appropriations

2 Wheeler, II, 231.
for seacoast improvements and river surveys he said:

The most objectionable objects of surveys, in the bill, are those for ascertaining the expediency and expense of improving the navigation of rivers running from navigable streams into a country or neighborhood or even a state. These cannot be so considered, but those great leading and navigable streams from the ocean, and passing through two or more states; and an obstruction that prevents commerce from passing through other states, which when removed will give uninterrupted passage to those other states, can be viewed as coming within the constitutional power of Congress.4

Both of the above statements on the part of Jackson are quite pointless. It is difficult to determine just what he was driving at. He may have been endeavoring to distinguish between ocean and fresh water commerce. He may have meant that Congress had power over only ocean commerce and that all improvements effecting internal commerce were not to be supported by national funds. The latter, however, is only probable. As yet Jackson had failed to make himself clear on his attitude toward internal improvements. It was not until his first annual message that his ideas on the subject seem to approach clearness. In his message, delivered in December of 1829, he began by admitting that every member of the Union would be benefited by internal improvements; continuing he pointed out that a large part of the national debt had been paid during the course of the year and that it would not be long before the

whole would be paid off. When this would be accomplished he recommended that the surplus revenue be distributed among the states for the purpose of setting up internal improvements. Should the people look upon this as being contrary to the letter of the Constitution, Jackson advised that an amendment be adopted to authorize the scheme. He neither admitted or denied the power of Congress to make appropriations for improvements. He did, however, hope that the suggestion would end the matter once and for all, but if doubts still existed in the minds of the people, he asked, that they be removed by a constitutional amendment. In conclusion he remarked that he had always the highest regard for state-rights and wished to take the opportunity to caution Congress less they use their powers in too liberal a manner.

Almost immediately there arose those who contested the inconsistency and impossibility of Jackson's suggestion of apportioning the surplus revenue and securing the much desired amendment. Regarding the former, it was held by some that the funds divided as Jackson advised, the parts could do no good in the "ratio to the whole." The several states would not think of uniting to promote one great project. It would be too much to expect the North to aid the South in building a canal and likewise for the South to do the same for the North. Should it so happen that by any chance the several states would unite

5 Snelling, 176.
their appropriations, the result would be the same as if Congress already possessed the power so often disputed. "In short," they said, "it appears to us that the measure proposed by the president was calculated to paralyze, if not to annihilate public improvements." While their arguments are very logical, their conclusion is a little too strong. It seems that Jackson was very anxious to put a check on internal improvements for all time, but it is not apparent that he planned to do so by the distribution of the surplus revenue. His vetoes were to attempt that for him. Others held that if the states were able to secure funds so easily they would become demoralized and be reduced to a condition of dependence on the national treasury; that it would lead to the corruption of state legislatures, and that once in the coffers of the states such funds would be employed in promoting internal improvements beyond the means and needs of the states. As a result taxation would have to be increased to make good the deficits which would be incurred under such circumstances.

There were others who felt that the states in which improvements had already been taken care of would probably receive the largest sums of money and that such states as Indiana and Illinois where improvements were imperative would draw but a

6 Ibid., 179.
7 McMaster, VI, 319.
small portion of the funds. As far as securing an amendment to the Constitution was concerned, it had been tried several times only to meet with failure. Jackson, however, was of the opinion that it would be an easy matter. "The difficulty and the supposed impracticability," he said, "of obtaining an amendment to the Constitution in this respect is, I firmly believe, in a great degree unfounded. The time has never yet been when the patriotism and the intelligence of the American people were not fully equal to the greatest emergency; and it never will when interposition is plainly presented to them." The fact that previous attempts to amend the Constitution met with difficulties ought to be sufficient proof that Jackson was wrong in his contention.

On May 27, 1830 President Jackson vetoed the Maysville Road Bill which we are to consider in detail in the next chapter. On the same day he approved an appropriation of $30,000 for surveys, $100,000 to extend the Cumberland Road and smaller sums for various other roads. Next followed a vetoed bill calling for a subscription of stock in the Washington Turnpike Company and one for the construction of lighthouses. These were rejected on May 31 and December 6 respectively, on the grounds that they were local in character.

8 Perkins, 431.
9 Wheeler, II, 204.
10 MacDonald, 142.
Very interesting debates, which we have not time to discuss here, took place in Congress over the proposed road to be built by the Washington Turnpike Company. They may be found in the debates of Congress, the first session of the twenty-first Congress. Having read them makes one feel even more certain that as will be stated later on that Jackson vetoed bills mainly to his own advantage or to the benefit of those with whom he was directly associated. The arguments presented therein both for and against the matter point to the fact that Jackson never really gave the subject much of his time. It is most probable that some member of his cabinet put the thoughts he presented into his mind.

In his second annual message Jackson explained additional reasons for the vetoes mentioned above. He refused his signature to the Washington Turnpike Bill because he did not approve of subscriptions to stocks in private concerns. "The practice," he said, "of thus mingling the concerns of the government with those of the states or individuals is inconsistent with the object of its institution and highly impolitic." As far as he was concerned, he said, "I cannot see how bills authorizing such subscriptions can be otherwise regarded than as bills for revenue." He felt that the government would hold too much interest in private companies and would thus disregard the interests of individual citizens.

11 Richardson, II, 509-10.
He feared that it would change the character of the Federal government "...by consolidating into one the general and state governments." The bill concerning rivers and harbors was refused because it contained local items and provisions for surveys and the removal of obstructions which canals already projected were to take care of.

In his third annual message delivered to Congress in December of 1831, Jackson again renewed his suggestion to appropriate the surplus revenue for internal improvements and to apportion such funds among the several states according to their representation. He discussed the constitutionality of the Federal Government to aid the states in such a matter. His conclusion was that the said power was not directly granted by the Constitution. If it existed at all it was purely accidental. Any action on such an assumption would be overstepping the limits of the Constitution because it would be directed toward consolidation.

In February of 1831, a committee in the House of Representatives returned a report on internal improvements. They approved of the subscription of the stock of canal and railroad companies on the grounds that their projects would eventually be connected one with the other for the general welfare of the country. In addition they upheld the Maysville

13 McMaster, VI, 61.
Road Bill as being national in scope.

In his message of December 4, 1832, he summed up what he had said in his previous messages on the subject of improvements. For the fourth time he recommended the distribution of the surplus revenue. He also urged the sale of all stocks held by the United States in canal and turnpike companies. Two days later he returned his fifth veto to Congress. It was a refusal to approve an act providing for the improvement of certain harbors and the navigation of certain rivers. The president withheld his signature because it contained clauses providing for the internal improvement of mere streams and not, "channels of commerce." On December 4, 1833, Jackson vetoed the distribution bill. This bill which set aside 12½ percent of the public land fund for improvements and educational purposes was enacted by the Senate in April of 1832 and passed the House on March 4, 1833. Jackson claimed that the bill was contrary to the "Compact Theory." He issued his seventh and last veto on December 1, 1834. It was against a bill providing for the improvement of the Wabash River. His sixth annual message gave as his reason the fact that it was a
local bill. At this time he discussed his ideas on the matter of improvements. While he approved of them, he felt that the Constitution did not give Congress the power to set up roads and canals at the expense of the government within the boundaries of a state. As far as he was concerned no bill of such a nature would ever receive his official sanction. It was in this message that Jackson became quite boastful and assumed a little too much credit for having checked internal improvements.

"Nearly four years have elapsed," he said, "and several sessions of Congress have intervened, and no attempt within my recollection has been made to induce Congress to exercise this power. The applications for the construction of roads, which were formerly multiplied upon your files, are no longer present; and we have good reason to infer that the current of public sentiment has become so decided against the pretension as effectually to discourage its reassertion." What Jackson had to say was not altogether the truth of the matter. Appropriations were put through by means of riders which escaped the veto. In addition there was no evidence that the public opinion had changed to any marked degree. He also took the opportunity to explain that he had distinguished appropriations

19 MacDonald, 145.
for the improvement of harbors from other improvements. He signed bills for harbor improvements because of a law passed on August 15, 1789, which said that the expense for the repairing and maintenance of such should be defrayed out of the treasury with the approval of the president.

The national debt to which Jackson gave so much thought was finally wiped out in 1835. On January 1, 1836, a surplus of $32,000,000 was in the treasury. In his annual message of that year, Jackson calculated that January 1837 would find a balance of $41,723,959 in the treasury. All but five millions of which would be turned over to the states for improvements.

There is record that only about $4,000,000 was expended after 1829 on improvements, but this same record fails to make mention of the fact that harbor and river improvements increased in number as the days wore on, thus increasing greatly the appropriations. As nearly as can be determined a sum of $7,000,000 was appropriated out of the United States Treasury by Jackson for internal improvements. However, a more reliable source gives $10,582,822. It is true that he checked to some extent the progress of improvements at federal expense but he did not do all that he took credit for or for which he was given credit. It has been claimed by many authorities that, "The

22 Wheeler, II, 229.
23 McMaster, VI, 307.
24 Richardson, III, 239.
25 MacDonald, 147.
administration of Mr. Adams was the period during which the system was carried to an extent which was sowing the seeds of corruption in the councils of the nation, and of disease in the whole political organization, and which was at length 'strangled' as it is termed by the giant arm of General Jackson." It is correct that appropriations under Adams were high, but only higher than they were under the preceding administrations. There is quite a difference between the $2,310,475 expended by Adams and the $10,582,382 by Jackson. What is more, the average expenditure per year for Adams amounted to $577,868.81 while under Jackson it was $1,322,860.02. It also should be noted that while appropriations amounted to $3,599,278.12 in the first term of Jackson's administration in the second term when they were supposed to have diminished, they reached $6,599,604.07. Of the $17,000,000 appropriated from the years 1806 to 1841, over one half of that sum was used during Jackson's terms of office.

The following remarks of one author explain the situation of internal improvements under Jackson:

It cannot be said that Jackson's action achieved consistency. His contention that only works of a national character should receive federal aid was in practice, little more than a rough general rule to be honored in the breach as well as in the observance. There was force in Clay's slur that constitutional scruples did not avail to prevent appropriations for favorite objects. What

27 Ibid., 192.
Jackson did, in short, was to put a stop to the development, at federal expense, of interstate communication by means of roads and canals. The larger field of internal improvement of river communication, in his day as now a prolific source of extravagance and waste he left practically untouched.28

It is difficult for one to form an accurate and fair opinion as to what Jackson's real attitude toward the relation of the Federal Government to internal improvements was. One is inclined to feel that he was rather hypocritical in the matter. In any of his addresses there is nothing which would lead one to believe that he actually made a thorough study of the Constitution or that he really was concerned over the constitutionality or the unconstitutionality of improvements. If he did not desire a certain measure to be put through Congress he would bring forth well worn arguments. The latter had never failed to serve the purpose in the past and Jackson believed that they would do the trick for him.

28 MacDonald, 147.
CHAPTER SIX

THE MAYSVILLE VETO

During the first session of the twenty-first Congress a bill authorizing a subscription to the stock of the Maysville Turnpike Company was introduced into the House. The Kentucky Legislature incorporated the above company "...to build a section of a road planned to run from the Cumberland Road at Zanesville, Ohio to Florence, Alabama on the Tennessee River...." Maysville was an important trade center between Kentucky and the East. The road already in existence was in poor shape because of the constant use it received. The bill in question asked that the United States subscribe stock to the amount of $150,000. This was not to be paid until an equivalent sum had been received from the state of Kentucky and individuals.

On April 26, 1830, the bill was brought before the House for consideration. It so happened that on that day a South Carolinian was in the midst of a lengthy discourse having to do with the tariff. Evidently exhausted at the end of two hours, he explained that he had presented the most tedious and boring

1 MacDonald, 139.
2 Register of Debates in Congress, 21 Cong., 1 sess., 820.
part of his speech, that what was to follow was more interesting and that if he might be permitted he would prefer to leave off and conclude the next day. This request being granted, Mr. Fletcher of Kentucky proposed that the rest of the time be given over to the consideration of some measure of minor importance which could easily be disposed of in a short time. He then reported the Maysville Road Bill and gave his reasons for supporting the measure. Mr. Fletcher pointed out that the national government would be greatly benefited if the road were constructed. As many contended it was entirely within a state (Kentucky) but it was not a local improvement because it was intended to eventually become a part of the great National Road. He further pointed out the fact that on an average of 351 persons, 33 carriages, and 50 wagons passed over the road daily on the way to business. As far as he knew Kentucky had always been willing to support appropriation bills for similar projects but had never received a penny from the government. To him the expense to the government would be little compared to the benefits it would derive from such a road.

Mr. Fletcher was followed by a Georgian who expressed considerable surprise that the former considered the said bill of minor importance and felt that it would receive little if any opposition. The latter was correct in his contention for the bill was debated in the House for three days before it was

3 Bassett, II, 485.
4 Register of Debates in Congress, 21 Cong., 1 sess., 821.
finally passed by a vote of 102 to 86 and then sent to the Senate for concurrence.

Fletcher was answered on April 28 by Polk who was decidedly against the measure because he believed that it was not a national road for the reason that it began and ended within a state. "The gentleman," said Polk, "did not inform us how often the same person passed and repassed the point at which the enumeration was taken, on his neighborhood business. He did not tell us how many were going to mill, to church or to blacksmith shop." Mr. Fletcher retaliated by saying that he could not reconcile Mr. Polk's attitude because he had not always been against internal improvements; he had voted for an appropriation of $600,000 for a great canal in the state of Alabama. Mr. Polk's arguments as to the character of the road seem to be rather unsupported and weak. Where and when a road begins does not necessarily determine its character. The proposed Maysville Road probably was local but it seems reasonable to believe that it would have been added to and thus have assumed a national character.

A debate on the subject ensued in the Senate. There John Tyler gave one of the strongest speeches against the bill. As far as he could see, the subscription was urged by those whose fortunes would be increased were it to materialize. He felt

5 Ibid., 842.
6 Ibid., 832-34.
that if aid were extended to this cause, the government would not know where to stop. Justice would demand that they aid all companies in the future regardless of whether or not their projects were national or local. "Pass this bill," he said, "and no man can set bounds to the applications which shall be made to us at the next session. We shall have a perfect hotchpotch." Where it would all end he had his doubts. "We have now got to surveying creeks which have not enough water to keep at work a common gist mill," he concluded. Nor was he wrong in his contention. One need only glance at the items concerning water commerce for which appropriations were made, to see the truth of his remark. Neither was he inaccurate in his previous remarks on the subject. It is quite apparent that there were many who saw opportunities of increasing their wealth through abuses; that danger is always present. That the government would be swamped with all manner of requests could not be denied. It had happened before and this would have been no exception. In spite of what was said against it, however, it passed the Senate and from there was sent to the president for his signature.

Outside the legislative bodies of the government the bill arouse considerable popular interest and it was wondered by many whether Jackson would accept or reject the measure. Van

7 Thomas Benton, Abridgement of Debates in Congress, 21 Cong., 1 sess., 576-68.
Buren, at the time Secretary of State, was to play an important part in the outcome of the bill after it left the Senate chamber. He and Jackson, had decided early in the latter's administration that improvements must be checked. It was agreed to by Jackson that his Secretary of State should report to him any bill being debated in Congress which he thought should receive a veto. Van Buren looked upon the Maysville Road as such because he took it as a challenge from Clay. (The road was in the state in which Clay lived). He presented his suspicions to the president and agreed to draw up a list of reasons why the bill should be defeated. Jackson permitted him to do so and requested him to draw up a statement upholding the constitutionality of such a veto. Besides the above the secretary also prepared a statement showing that there was not sufficient money in the treasury to pay the national debt, provide for governmental expenses, and in addition support internal improvements.

Contrary to the public opinion that he would not do so, Jackson on May 27, 1830 vetoed the Maysville Road Bill. The veto was addressed to the House of Representatives where the bill had originated. Jackson refused his concurrence because he believed the road to be local and not national as some held. His own words on the subject explain his interpretation. "It

8 Bassett, II, 484.
9 Ibid., II, 486.
has no connection with an established system of internal improvements; is exclusively within the limits of a state, starting at a point on the Ohio River and running sixteen miles to an interior town, and even as far as the State is interested in conferring partial instead of general advantages." He stressed the importance of paying the national debt before engaging in such projects as the Maysville Road. He desired to reduce the taxes and not be obliged to increase them as he would have to do if the government came to the aid of Kentucky. It was the laborers and the less prosperous classes of the communities who would feel the weight of any additional taxation. As Jackson himself pointed out in his veto message:

They were cheerfully borne because they were thought to be necessary to the support of the Government and the payment of the debts unavoidably incurred in the acquisition and the maintenance of our national rights and liberties. They would not be so cheerfully borne if it became known that the necessity for their continuance would cease were it not for the irregular etc. appropriation of the public funds: therefore it was their duty to put into effect such a system of expenditures as will pay the debts of the country and authorize the reduction of every tax as low as they could and still afford protection for manufactures etc. Therefore national should be the character of internal improvements. ...if it is expected that the people of this country, reckless of their constitutional obligations, will prefer their local interest to the principles of the Union, such expectations will in the end be disappointed; or if it be not so, then indeed has the world but little

10 MacDonald, 140.
hope from the example of free government. 11

After the veto the bill was again debated in the House. Some of the representatives, while disappointed at the presidential action, believed that the latter should be supported unless of course public opinion proved to be openly hostile to what he had done. Others denounced Jackson's message, feeling that he had been guided a little too much by the Secretary of State. They were unwilling to believe that it was Jackson's plan but that it had "...every appearance of a low and electioneering document. The voice was that of Jackson but the hands were those of the 'little magician,' Van Buren." While the bill secured a majority in the House it did not receive the necessary two-thirds vote and as a consequence the measure was lost and the Maysville Road Bill was never passed.

Outside the House the ideas on the veto were numerous. The "old republicans" rejoiced over its defeat. At a banquet in Virginia, one of the many toasts was, The Rejection of the Maysville Road Bill. It falls upon the ear like the music of other days. Pennsylvania did not receive the defeat so enthusiastically. The governor of that State bitterly opposed the rejection of the bill. In referring to an appropriation of $200,000 made by Jackson for the improvement of the waters of the Mississippi and the Ohio Rivers, he said, "...it will

11 Richardson, III, 489-91.
12 MacDonald, 140-41.
13 Bassett, II, 489.
require a great deal more acumen than we possess, to separate these two things in principle. There is no difference in their principle." The veto was said by another to have increased the strength of the administration in Maine, New Hampshire, and New York and that in the South it had occasioned little opposition. Henry Clay believed the contrary. To him it was a means of strengthening the opposition as the proposed road ran through a section of Kentucky favorable to Jackson. Van Buren looked upon it as the blow which killed the party of internal improvements, a party which he accused of being composed of able young statesmen eyeing the Presidency, and conniving with cheap politicians who had in mind similar designs, and who in turn were in conjunction with crafty contractors. After the veto Jackson was given a great deal of credit. The reject of the measure was claimed to have been the beginning of the end of federal aid to internal improvements. One of the closest friends of the president's had the following to say on the matter, "It was a killing blow to the system, which has shown but little, and only occasional vitality since." To him the fact that the bill was not passed over the presidential veto justified Jackson's action.

To say that the Maysville veto was a forceful check on

14 Niles Weekly Register, (April 30, 1831), XL, 148.
15 MacDonald, 144.
16 Bassett, II, 490.
internal improvements seems hardly consistent when one considers the appropriations made after the veto. On the other hand, however, it can be admitted that it was a decided help toward checking them. Had Jackson approved the bill it might have been disastrous. It would have been the contention on which his successors might have justified the signing of future bills for internal improvements. However, it seems to have been a step more to defeat Clay and Calhoun than the matter of internal improvements. Van Buren's statement concerning the veto and his suspicions about Clay's having been the author of the bill are sufficient proof of the above. After having read several lives of Van Buren one is almost convinced that the veto was the outgrowth of connivence on his part. Jackson's approval of appropriations for similar improvements fail to support his supposedly strong desire to uphold the Constitution. It was reported shortly after the veto in one of the current papers that, "Appropriations are sanctioned by the president, which are so near kin to the provisions of the Maysville bill, that it is impossible to deny the identity of the parentage." When it was to his own and to party advantage, Jackson approved improvements, but when not necessary for gain, he was against them.

18 Niles Weekly Register, (Sept. 4, 1830), XXIX, 25.
CHAPTER SEVEN

EARLY RAILROAD BUILDING

While the country was engaged extensively in the building of artificial waterways, experiments were being made in a new type of transportation which before many decades was to take the place of the canal. The railroad was born in England where Stephenson, after many years of labor finally proved the practicability of the new means of locomotion. The success of John Stevens and Oliver Evans in this country was almost simultaneous with that of Stephenson in England.

It was not a simple task to convince the people that railroads must supersede the canal. All manner of arguments were used to win over the opponents of the new method of transportation. It was pointed out that railroads would be cheaper to build, probably costing about two-thirds as much as the canal. They would not be affected to such an extent by the change in seasons as were the canals. What was more they could be more easily constructed over the mountains. In addition it was shown that railroads would provide for faster

1 Ernest Bogart, Readings in the Economic History of the United States (Longman's, Green & Company, New York, 1929), 399.
transportation, an important element in a country of such vast extent. Once having been convinced, however, "...the nation embarked upon a career of railroad building which lasted with but little interim from the early thirties until the first decade of the twentieth century."

In 1826 the seaboard states which had lost in the race for the western trade because they lacked canal connections saw an opportunity to regain their lost prestige by the building of railroads. Massachusetts with the building of the Granite Railroad, a road of three miles, started this mania for rail construction which soon possessed the whole country. The Granite Railroad estimated at about a cost of $34,000 was in reality nothing more than what had been operating in England for many years under the name of tram-way. It was constructed by those who were interested in the building of the Bunker Hill Monument for the purpose of shipping stone from the quarries at Quincy to a wharf on the Neponset River. Adams said of it, "There was nothing in its construction which partook of the character of a modern railroad. The tracks were five feet apart, and laid on stone sleepers eight feet apart. On this stone substruction wooden rails were laid, and upon these another rail

of strap iron. Down this road two horses could draw a load of forty tons..." Massachusetts was followed in turn by Pennsylvania in 1827, and by Maryland and South Carolina in 1828. These first railroads, however, could hardly have been called such at the time. They were merely specimens of what was yet to come.

About the first real and the largest railroad to be built during the decades we are considering was the Baltimore and Ohio. Before the nineteenth century the city of Baltimore had been one of the leading ports of America. After the building of the Erie Canal and other public works by the state of New York and the neighboring states, she gradually felt a large portion of her trade with the West being drawn to such cities as Philadelphia and New York. It was mainly through the efforts of two of her leading citizens that Baltimore turned to railroads as a means of attempting to regain her declining prestige in the commercial world.

The president of the Mechanics Bank of Baltimore, P.E. Thomas and an associate, George Brown, had frequently discussed the plight of Baltimore and had come to the conclusion that something would have to be done immediately. Both of these men had brothers living in England. These brothers had from time to time written letters to Baltimore exclaiming over the success of

the English railroads. As a result of such letters, Brown and Thomas became convinced that the future prosperity of Baltimore rested on an early beginning of railroads between Baltimore and the Western Waters. On February 12, 1827, Mr. Brown held a meeting at his home, of the important citizens of that city; "To take into consideration the best means of restoring to the city of Baltimore that portion of the Western Trade which has lately been diverted from it by the introduction of steam navigation and other causes." At this meeting a committee was appointed to investigate the idea of a railroad. Their report made on February 19, was unanimously adopted and another committee was chosen to apply to the legislature for a charter. Such a charter was granted to Maryland on February 28, 1827, and by Virginia on March 8, 1827 "...with authority to construct a railroad from Baltimore to some suitable point on the Ohio River, with a capital of $5,000,000 and the right of organizing on the subscription of one-fifth of the amount." "By charter, 10,000 shares were reserved to the State of Maryland and 5,000 to the city of Baltimore, for one year, after which, if not subscribed by the state and city respectively, the shares might be sold. The State and City were allowed to appoint one director for every 2,500 shares held but were not permitted to

5 By a Citizen of Baltimore, A History and Description of the Baltimore and Ohio Rail Road (John Murphy & Company, Baltimore, 1853), 11.
6 John Starr, One Hundred Years of American Railroading (Dodd, Mead & Company, New York, 1928), 40.
vote their stock at shareholders elections." The stock was easily disposed of. Inside of twelve days the available 15,000 shares were subscribed to three times over. The formal organization was accomplished on April 24, 1827, with Philip Thomas as president.

Ground was broken on July 4, 1828 by Charles Carroll of Carrollton, then an old man of ninety-one years. He said on the occasion, "I consider this among the most important acts of my life, second only to my signing of the Declaration of Independence, if even it be second to that." Both Maryland and Virginia had taken their whole subscriptions of $500,000 each by the end of 1828. An appeal for aid was made to Congress but the most she would do was to send government engineers to assist in surveying.

Surveying and grading of the road westward were begun at a cost of $17,000 per mile. As the road pushed farther west the cost increased because of the mountains and streams. Had it not been for the $200,000 raised by Alexander Brown, the road building would have been abandoned. The first division from Baltimore to Ellicotts Mills, a distance of thirteen miles, was opened on May 24, 1830. Three trips were made every day, each

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8 Starr, 42-43.
9 MacGill, 398.
10 A History and Description of the Baltimore and Ohio Rail Road, 23.
taking approximately two hours, at a cost of $.75 per round trip. An interesting description of the journey has been recorded:

There are now in daily use on the road six elegant carriages made by Imlay, besides a number of others of less costly construction. Visitors, therefore, have a full choice of carriages, and may engage any favorite seat or seats, or a whole carriage, according to the number of the party. The rate of travel is usually ten miles an hour, and frequently, indeed, greater, so that the transition from the heat and dust of the city to the pure air of the country is expected in a few minutes, and without fatigue. Nor is it to be wondered at that those who once made this truly delightful trip should desire to repeat it for the novelty, ease and perfection of the whole mode of conveyance, the gigantic character of the work itself with its granite viaducts, deep excavations and high embankments, and the diversified and romantic scenery which constantly presents itself, all combine to render the excursion one of the most attractive and delightful anywhere met with. 11

In 1830 a branch road from Baltimore to Washington was authorized and contracts for surveys were let in 1831. It was estimated that it would be finished inside of two years, as they intended to undertake the work with every speed possible. Its completion would make the trip from Washington to Baltimore only 12 a matter of a morning or evening excursion. In 1831, sixty-one additional miles were opened to the city of Frederick in Maryland. By April 1, 1832 another sixty-nine miles having

11 Niles Weekly Register, (August 28, 1830), XXIX, 12. 12 Niles Weekly Register, (March 26, 1831), XL, 55. 13 Starr, 47.
been added, the road reached Point of Rocks. It was not extended further until almost three years had passed because of differences with the Chesapeake and Ohio Canal Company.

Very early in its history the Railroad Company had experienced trouble with the above mentioned Canal Company. The latter refused to allow the Baltimore and Ohio Company to appropriate or use land for the road until she had located her work between the Point of Rocks and Harpers Ferry, claiming that she had a prior right of way through that region. In January of 1832 the Court of Appeals decided the case in favor of the Canal Company and work was consequently stopped on the building of the railroad. After refusing all manner of combination, a committee of the House and Senate was appointed to come to some conclusion on the matter. A decision was reached on March 22, 1833, whereby the Canal Company agreed to the joint construction of the railroad and the canal through the passes of the Point of Rocks to Harpers Ferry. They completed their work of eighty-one miles, on December 1, 1834.

Incidently, at this place, was accomplished one of the greatest engineering triumphs of the time—the building of the Potomac Bridge.

The Washington branch of thirty-five miles, begun in 1831, was completed on August 25, 1835. In the spring of 1836 plans

14 A Hist. and Descript. of the Baltimore & Ohio Railrd. 98.  
15 Ibid., 35-40.  
16 Starr, 49.  
17 Tanner, 155.
were made toward extending the road westward from Harpers Ferry. The idea being to extend the road to Pittsburgh and Wheeling. The legislatures of Maryland and Baltimore subscribed $6,000,000 to the capital stock of the Company for such a purpose. Surveys were completed in 1838. In 1840, Tanner wrote, "...the entire length of the line from Harpers Ferry to Wheeling is about 200 miles and 280.50 from Baltimore." Thirty-three viaducts were constructed between Baltimore and the Potomac at a great expense. The cost of the road from Baltimore to Harpers Ferry is given at $4,000,000 and from Harpers Ferry to Cumberland at $3,623,606.28. The above estimate does not include the cost of the branch road or the locomotives. During the difficulties of 1837-1840, the Baltimore and Ohio Company was one of the few companies to continue in existence and discharge its obligations.

It is impossible here to list every railroad chartered by the states. We will, however, refer to them in the chapter on state internal improvements which is to follow. A few statistics will enable one to see how great was the enthusiasm over the new mode of transportation. It is hard to believe that the railroad companies were as numerous and popular as they were in the thirties. Companies opened and closed their books

18 A Hist. and Descript. of the Baltimore & Ohio Railrd. 62.
19 150-151.
20 A Hist. and Descript. of the Baltimore & Ohio Railrd. 62.
almost at the same time. For example the stock of the Paterson and Hudson was subscribed for three times over and sold at $126.

The Catskill Railroad stock sold in a few minutes. As a whole the railroads of this time were built by corporations or chartered companies or individuals. These companies, however, did not subscribe the whole amount of money necessary to accomplish their enterprises. Capital was obtained from private investors at home and abroad, from state loans of money and gifts of land. The year 1830 saw twenty-three miles of road opened. The following year recorded a total of ninety-four. In 1836, according to Bogart, 200 companies had been formed and 1,003 \( \frac{1}{2} \) miles of road had been opened in eleven states. One thousand two hundred and seventy-three miles were completed by 1838. By the year 1840, 2,818 miles of road had been opened in the United States, "...consisting of lines radiating from the cities on the Atlantic coast." In addition there were a few isolated western lines. While the builders of these railroads are to be commended, it cannot be denied that they, in haste, very often, foolishly, and with great losses to themselves and the states, used capital for roads in sparsely settled parts of the country.

21 McMaster, VI, 92-93.
22 Faulkner, An Econ. Hist. of the United States, 115.
23 Shepard, 290.
24 Readings in the Econ. Hist. of the United States, 394-95.
25 Shepard, 290.
26 MacGill, 551.
CHAPTER EIGHT

RELATIONS OF THE STATES TO INTERNAL IMPROVEMENTS, 1825-1840

We have seen in a previous chapter that even before 1825, it became practically impossible to get Congress to support what works it had begun or to undertake additional public works. After 1825, however, the idea of state internal improvements at federal expense had been, generally speaking, settled. The states growing more conscious of this fact daily increased the execution of internal improvements at their own expense. From 1825 to 1840 there was no end to local projects. The states rushed headlong into elaborate systems of works designed for every portion of their lands, and, while their efforts were confined mostly to railroad building, they did build some roads and canals. Especially was this true of the new frontier states of Illinois, Indiana, and Michigan, "...not one of which had a population of 500,000 souls, where millions of acres were still owned by the Federal Government, where the farms were not yet half cleared, and where the mass of the people still living in log cabins of their own construction, rushed widely into schemes of improvements that quickly ended in failure and debt."
such action was folly on their part when we consider that the older and more populous states were meeting with only little success in their enterprises. Ohio, Pennsylvania, New York, and Maryland were also leaders in this hectic movement. Some of the other states while they planned improvements had not as yet undertaken them.

While the people of Illinois began to talk of internal improvements as early as 1810, they did not begin construction of any until after 1825. Surveys were made in the late twenties for the Illinois-Michigan Canal but little of it was built until the forties. At the start of the thirties, Illinois, greatly in debt due to the fact that her revenues were not sufficient for the upkeep of the government, was forced to borrow. She conceived the idea that the only way to meet her debt was to develop her resources through a system of roads and canals. The money for such projects was to be borrowed but Illinois was confident that the income from them would be more than enough to pay her creditors. From then until 1836 numerous local improvements especially railroads were broached and discussed. None of the suggestions, however, materialized as all of the plans remained unorganized.

Toward the close of 1836 delegates were sent to a state

1 MaMaster, VI, 347.
convention at Vandalia, then the capital of Illinois. It was this convention that devised a general system of improvements which they recommended to the legislature for adoption. The governor and council of revision returned the bill in 1837, but the legislature passed over their veto on February 27.

This law authorized the construction of railroads from Galena to Cairo, from Alton to Shawneetown, from Alton to Mt. Carmel, from Alton to the east boundary of the State near Terre Haute, from Quincy to the Wabash, from Bloomington to Pekin, and from Peoria to Warsaw. It was planned also to build 3,000 miles of roads, and to improve the Kaskaskia, Illinois, Great and Little Wabash and Rock Rivers, and $200,000 was to be distributed as compensating bounties to those counties which were not to be directly benefited.

The total amount to be expended was about $12,000,000 and the largest single appropriation of $3,500,000 was to go to the Illinois Central Railroad. Altogether $8,000,000 was to go to railroads and $4,000,000 for roads. According to Nicolay and Hay in their biography of Lincoln:

These sums monstrous as they were, were still ridiculously inadequate to the purpose in view. But while the frenzy lasted there was no consideration of cost or of possibilities. These vast works were voted without estimates, without surveys, without any rational consideration of their necessity. The voice of reason seemed to be silent in the Assembly only the utterances of fervid prophecy found listeners....The process of reasoning or rather predicting, was easy and natural. The roads would

3 McMaster, VI, 348.
4 Starr, 170-71.
raise the price of land; the State could enter large tracts and sell them at a profit; foreign capital would be invested in land, and could be heavily taxed to pay the bonded interest, and the roads, as fast as they were built, could be operated at a great profit to pay for their own construction.5

In 1837 a panic seized the nation and very shortly afterwards the people of Illinois were as bitter against internal improvements as they had once been enthusiastic over them. They wanted complete abandonment of the system. In 1839 a law was passed doing away with the program of improvements as far as possible. Finally in 1840 two acts were passed which ended all works of internal improvement. Out of the 300 miles of proposed railroad only 26 were completed, and only 105 miles of canals had been constructed. Bridges and embankments were left to fall away and loads of timber were left to rot. Some $10,000,000 had been invested but no revenue was realized by the State.

Indiana after 1825 took somewhat the same course as had Illinois. In 1832 ground was broken for the Wabash Canal at Fort Wayne. Railroad building was first mentioned in this State in 1834, when the legislature debated the question of appropriating $1,400,000 for the construction of a railroad between the principal cities of the State. In the early part of

5 MacGill, 600.
6 Ibid., 172.
7 McMaster, VI, 531-32.
1836 Indiana contemplated a complete system of internal improvements. Canals, railroads, and turnpikes were to connect one section of the State with another and the entire State with the other states. Of the improvements listed in the $10,000,000 appropriations bill six were outstanding; the Wabash and Erie Canal, the Whitehall Canal, the Madison and LaFayette Railroad, the Central Canal, a road from New Orleans to Vincennes and another canal from Terre Haute to Ell Run. The State was obliged to borrow $10,000,000 on a credit of twenty-five years at a rate of interest not to exceed five percent. Like Illinois and many of the other states, Indiana was sure that the tolls and tariffs collected from such undertakings would pay not only the interest but the debt as well. Work was begun almost immediately on the above works, but was slowed up by the panic of 1837, and finally abandoned in 1839, because of the failure of the Morris Canal and Banking Company. The latter owed the State on bonds purchased on credit the sum of $2,112,200. The failure of other companies cost the State over $1,000,000 in addition to the above amount. The total loss on the sale of bonds on credit was $3,183,461 or twenty-five percent of their value. It was to such losses as these that the proposed system of improvements owed its failure. The

9 Tanner, 198.
10 Elbert Benton, 55.
works remained unfinished; there was no way of securing capital needed to complete them. The Board of Internal Improvements was completely abandoned as were a majority of the works of improvement. Some few of them, however, were turned over to private companies. Of a debt of $13,000,000 in 1840, $9,464,531 may be attributed to internal improvements. All the State had to show for this expenditure was 200 miles of canals, two railroads, some unfinished aqueducts, bridges, and embankments.

Michigan impressed by the success of the Erie Canal, had inserted in her Constitution of 1835 a provision concerning internal improvements. Article XII, section 3, of that document, dealing with miscellaneous provisions, stated that it would be the duty of the State to encourage internal improvements; that the legislature should as soon as possible provide by law for a complete system of roads and canals in relation to the needs of the State. In addition that body was to determine economically and systematically the expenditure of any appropriation on such projects. At the suggestion of the first governor, the first legislature passed an act for costly works. Three railroads were planned; one from the city of Detroit to the mouth of the St. Joseph, another from Monroe to New

11 Ibid., 60-62.
Buffalo, and a third from the mouth of the Beach River to Lake Michigan. Two canals were to be constructed, the Clinton and Kalamazoo from Mt. Clements to the mouth of the Kalamazoo River, and another, the St. Marys Canal, around the Falls of St. Marys. To obtain money for these last projects the government was authorized to borrow $5,000,000 on bonds at an interest of not over five and one half percent. The bonds were not to be sold at less than par, and were to be paid for together with the interest from a sinking fund made up of the proceeds to be realized from railroads, canals, dividends on bank stock, and any loans which might be made by the State.

In his message of 1838 the governor pointed out that the works already undertaken were progressing satisfactorily. He felt, however, that the State should continue only the major projects and turn the minor ones over to individuals, because the funds were not sufficient to allow the State to carry the whole burden. This suggestion was not carried out due to the fact that the different localities were unwilling to relinquish their claims. In 1839 both the Morris Canal & Banking Company and the Pennsylvania United States Bank which held the bonds failed, and without any authority to do so, pledged the bonds as security for their debts. The railroads were continued through an issue of script payable in lands. The Federal Government had

given Michigan 5,000,000 acres of land to use toward internal improvements. Others of the projects were realized to be "wild and chimerical" and were never finished. Only two of the proposed railroads, quite well under way at the time, were continued, and the State felt she had made a mistake in that she had not abandoned them also. One well acquainted with the history of Michigan at the time wrote shortly after 1839, "Here virtually ceased to exist all our works of internal improvements. Nothing but the debris of airy castles remained, and that only to plague our recollections." In 1846 the two roads already mentioned were sold by the State to a corporation for $2,000,000. Michigan later inserted in her new Constitution that the legislature could not involve the State in extravagant systems of internal improvements.

While it is true that the greatest improvements in Ohio were undertaken before 1830, it is just as true that some headway was made in this matter after 1830. In the summer of 1827 the Ohio Canal begun in 1825 was opened for a distance of thirty miles. Congress in an act of May 24, 1828, gave Ohio 500,000 acres of land to use in the construction of canals. An additional 464,106.53 acres were given to extend the Miami Canal, undertaken about the same time as the Ohio Canal, north of Dayton. In 1829 forty-four miles of the above canal were

14 Ibid., 285-92.
completed. The first railroad charter was granted to Ohio in 1830 to the Steubenville Road and the Warren County Canal Company was incorporated in the same year. The former was never constructed; the latter, because it showed promise of benefiting the Miami State Canal, was exempt from taxes. It was not finished until 1836, and was then taken over by the State and made a part of the Miami Canal. In that same year 176 miles of the Ohio Canal were completed and in successful operation. The legislature of 1831-1832 incorporated twelve railroads; but one of these roads was ever constructed. The Pennsylvania & Ohio and the Sandy & Beaver Canals were chartered by the same legislature but neither was begun until some years later. The Ohio Canal was finished from Cleveland to Portsmouth in 1833. The canal aggregated a total mileage of 333 miles including feeders. The legislature of 1837 made provision for loans of State credit to railroad companies and for State subscriptions to the stock of canal and railroad companies. Six great works of improvement which eventually lead to the financial ruin of the State were devised in the same year. They had to do with the improving and building of canals. Their cost was estimated at $8,577,300.64 or 1.6 times the whole State debt at the end of 1837. Of the debt of 1839, $8,101,000

15 Charles Morris, "Internal Improvements in Ohio, 1825-1850" (American Historical Association Papers for 1888, III, no. II), 362.
16 Niles Weekly Register, (November 27, 1830), XXIX, 218.
17 MacGill, 495.
was due to the cost of canals. Some 500 miles of canal and
about 200 miles of railroad were all Ohio had to show for the
money expended up until 1840.

Pennsylvania's greatest enterprise of the time was the
Pennsylvania Railroad built with the aid of State funds. This
road chartered around the year 1828 was finished to its entire
length in 1834. It is impossible to go into detail concerning
the other railroads built by the State. Suffice it to say that
they were perhaps more numerous than in any of the other states.
Canal building was also engaged in to a great extent. From
about 1825-1835 the State had incurred a debt of nearly
$24,000,000, the most of it for internal improvements.
Practically all of this sum must have been with one or two
exceptions due to improvements in view of the fact, that of a
debt of $37,937,788.24 contracted by the State by 1843,
$31,813,629.15 was paid for such purposes. By 1835 the State
owned 120 miles of railroad and 600 miles of canal. By 1840 she
had nearly 1000 miles of artificial waterway. In the same
year her railroad mileage totaled 900 miles. Shortly after
1840 the canals were sold to private companies and only a few of
the railroads were maintained because they failed to pay for

19 Starr, 113.
20 "Debts of the States." North American Review, LVIII,
(January, 1844), 122.
21 E.R. Van Metre, Principles of Railroad Transportation(D.
22 MacGill, 573.
themselves and the few that did ran along the same route as did the canals.

New York was no exception to the rule and like the other states borrowed money in huge quantities, plunged herself into debt beyond her means, and squandered the borrowed sums on canals and railroads which it was unable to support. In 1828 the legislature passed a bill incorporating the Black River Canal Company. This canal was not actually begun until 1838. In 1830 the building of the Chemung Canal was authorized by law 23 and was completed in 1833 at a cost of $314,395.51. The Delaware and Hudson Canal was opened on April 27, 1830. In 1835 a portion of the representation secured the passage of a bill entitled, "An Act relating to the Erie Canal," providing for its enlargement and the construction of a double set of lift locks. The cost was estimated at $12,415,150 and the time limit was placed at twelve years. It is interesting to note that this improvement was not completed until twenty-seven years later at a cost of $30,000,000. The Black River and Genessee Valley Canals were authorized in 1836. At this time the State was going deeper and deeper into debt but an increase in commerce demanded improvements. Many were of the opinion that a tax should be levied to secure funds for the purpose but the State

23 Ibid., 200-201.
24 Niles Weekly Register, (January 22, 1831), XXIX, 384.
25 Sowers, 66.
preferred to increase the debt. The Ways and Means Committee in
the Assembly of 1838 sought to speed up improvements for canals
by borrowing $30,000,000 or $40,000,000. They were not able to
accomplish this though they were able to authorize a loan of
26
$4,000,000.

Railroad building was commenced in 1826, and between that
time and 1831, New York chartered thirteen roads, most of them
small and of little importance. It was difficult to secure
capital to subscribe to stock. In 1831, however, public opinion
changed due to the success of the Mohawk and Hudson Road. It
was the beginning of a "railroad mania" in New York. Buffalo
and Rochester were the leading cities in the field. This craze
can be better realized if one but considers the following facts.
In 1833 six roads were chartered; three of them were
constructed. In 1834 ten roads were chartered; five of them
were never undertaken. In 1825 thirty-five charters were asked
for but none was granted. In 1836 forty-three were chartered;
seven of them became realities. In 1837 fourteen were chartered
but none of them was ever built. As early as 1827 New York
made loans of State stock to both canal and railroad companies.
As very frequently happened, the companies failed and the State
was the loser. By 1842 the total amount issued to the companies

26 Ibid., 69.
27 Starr, 52.
28 MacGill, 374.
equalled $5,235,700.

We have already seen that before 1835 Maryland realized that to keep up with the other states she must engage in an extensive system of internal improvements. Such a system was imperative as far as Baltimore was concerned, since the western trade was tending toward Philadelphia. In March of 1826 the state legislature passed an act for the promotion of internal improvements. Under certain enumerated conditions this act authorized the subscription to the stock of both the Chesapeake & Ohio Canal Company and the Maryland Canal Company. It recommended the draining of swamps and that the Pokomoke, Monokin, Wicomico, Great Choptank, Chester, Elk and North East Rivers be made navigable. Any number of improvements were projected during the year 1827. They consisted of a railroad from Baltimore to York, for which purpose a company was incorporated under the name of the Baltimore and Susquehanna Rail Road Company, a branch road from the Baltimore & Ohio to Washington, and also a lateral road to Annapolis. In addition they included plans for improving and building canals on the eastern and western shores, "...the rendering of the Monocracy navigable, a lateral canal to Baltimore, and another to Annapolis, were dreamed of as things soon to be accomplished." Some of the schemes were never undertaken, but those which were

29 Sowers, 83-85.
30 United States Statutes at Large, Appendix, IV, 804.
The State had not proceeded very far in the work on the Chesapeake & Ohio Canal when the resources of that company failed. To make matters worse the Federal Government withdrew any further assistance as did the state of Virginia, and Maryland was forced to abandon or complete the Canal at her own expense. In 1834 the State called a convention at Baltimore to consider what was to be done. Delegates from all the states interested gave estimates of the amount which would be necessary to carry on that work and the work of the York Railroad to completion. It was decided that $2,000,000 would be needed to complete the Canal and $1,000,000 to finish the Railroad. The legislature was accordingly instructed to issue the necessary subscription of state bonds at an interest of six per cent. These bonds were not to be sold at less than fifteen per cent above par; the premium was to be invested in good stocks, the profits realized from such were to go towards payment of the bonds when due. The tolls realized from the finished works were to go towards the payment of the interest on the loan. Unfortunately the amounts estimated did not prove to be sufficient and it was necessary to secure another loan. The legislature was again petitioned in 1835, and the result was a second loan of $8,000,000. Three millions were to be subscribed to the Chesapeake & Ohio and three millions to the Baltimore &
Ohio, half a million to the Maryland Cross-Cut Canal and to the Annapolis and Potomac, and one million to the East Shore Railroad. The bonds to the amount of $3,000,000 which were given to the Chesapeake & Ohio were later disposed of at a great loss. The State made a further subscription in 1839 to the amount of $1,375,000 in bonds, at five percent. The latter being eaten up in a very short time another request for a loan was made but it was never answered. The State by 1839 had invested $7,197,000 in the Canal. State bonds were loaned to other companies as well and the total amount of them issued by the State equalled $16,050,000. The majority of the companies failed to even meet the interest on the loans and by 1844 a total State debt of $15,000,000 existed. Of that amount all but $215,947 was to be attributed to internal improvements. At the end of 1840 Maryland had constructed six railroads with an aggregate length of 344.10 miles. She had also completed both the Alexandria and the Maryland Canals. The Chesapeake & Ohio was carried only to Cumberland, a distance of 180 miles.

As early as 1829, under the Board of Directors of Internal Improvements for the State of Massachusetts, her program of improvements began with a devised system of railroads for the

32 Ibid., 368.
34 Tanner, 159.
35 Bogart, Readings in the Econ. Hist. of the U.S. 392.
entire State. It was not until about 1838, however, that this state entered zealously into the building of internal improvements. At that time the following report was given, "Already four lines of railroad have been commenced, which radiate from the capital of the State, and the aggregate portions which have been completed, exceed one hundred and eighty miles in length."

As far as improvements in Maine went, it can be said that by 1838, her contributions amounted to surveys of various routes for canals and railroads. By 1840 the only works completed were the Bangor & Orono Railroad and the Cumberland & Oxford Canal. Two other railroads were under construction and five other roads and one canal had been proposed.

New Jersey's improvements, as did those of Kentucky, leaned toward railroad building. Both Connecticut and Rhode Island by 1838 had constructed several lines of canals and railroads and were undertaking others.

Improvements in Virginia became pronounced about 1830, when she first undertook the building of railroads. By 1837 over $4,500,000 had been appropriated toward the building of nine roads. In the legislature of 1838 the committee on roads and internal navigation proposed an extensive program of

36 Starr, 81.
37 Henry Dearborn, Letters on the Internal Improvements and Commerce of the West (Henry Lewis, Boston, 1839), 46-47.
38 Ibid., 56.
39 Tanner, 29, 31.
40 Dearborn, 57.
improvements for the consideration of the legislature. The cost of their liberal system was estimated at $8,000,000. The states of Texas, Mississippi, Louisiana, Georgia, and New Hampshire had as yet not undertaken any large program of improvements. They were, however, affected by railroad discussions and while they planned various roads, they did little if any building until after 1840. Florida had up until 1840, completed only two railroads, though five additional roads were proposed as were two canals.

The movement for internal improvements in North Carolina was caused by local conditions. In the beginning the State merely encouraged the improvements of private companies, later she gave them aid and eventually she established a fund for improvements. In 1832 the legislature passed a resolution denying the power of the General Government to set up improvements within the limits of the states. In 1833 a convention held at Wilington the chief city of the State, passed a resolution, "...that a liberal system of internal improvements should be immediately organized and vigorously prosecuted; that the general assembly ought to provide 'by law or otherwise' a fund for the purpose of internal improvements, that this fund

41 Niles Weekly Register, (January 27, 1838), LIII, 352.  
42 MacGill, 458.  
43 Tanner, 179.  
44 Weaver, 95.  
45 Niles Weekly Register, (February 12, 1831), XXIX, 426.
ought to be applied in the first instance, exclusively to creating and improving markets within the state and that provisions should be made by law that the state should subscribe for two-fifths of the stock of every company chartered for internal improvements, and that every company so chartered ought to have power to connect with all other public works." In the same year delegates were sent to a convention at Raleigh, where a committee on internal improvements showed the need of improvements in the State. The plan they proposed could according to their estimate be carried out with the sum of $5,000,000. More meetings and conventions were held and organizations were formed for the promotion of the interests of internal improvements. The governor pointed out that a more liberal and extensive system must be put into operation. This State did more talking than building at the time. The western and eastern sections of the State were divided against one another. The latter was well supplied with navigable rivers while the former remained closed to eastern trade because she lacked adequate transportation facilities. The East was not willing to aid the West in her endeavor to set up improvements to overcome her handicap. Consequently it remained for private corporations to undertake such vital improvements. They in turn, denied the support of the State, met with nothing but

46 MacGill, 464.
Therefore this State had not contributed much to the field of internal improvements by 1840.

South Carolina's greatest contribution to internal improvements was the building of the Charleston & Hamburg Railroad of 136 miles. This road, chartered in 1828, was completed in September of 1833 at a cost of $1,000,000. A petition to the General Government for aid toward this enterprise was refused as far as finances were concerned though the government did promise and send military engineers to do the surveying. South Carolina was severely criticized by her sister states of the South for daring to ask the Federal Government for aid. In spite of the criticism the government's offer was willingly accepted.

Tennessee held a meeting at Mobile to discuss a proposal for joining the waters of the Tennessee and Alabama Rivers by means of a canal. It was decided at the meeting to ask Congress for a sum of $300,000 towards the project which was thought would, "provide for the general welfare" and, "regulate commerce among the several states." One of the newspapers of the times said, "We heartily wish success to this contemplated improvement—but suppose that, if it depends upon the aid of the general government, it will be nullified, and on several accounts, for the present. The right to assist by subscription

47 Weaver, 141.
48 Starr, 153-54.
of money cannot be less constitutional, than by gifts of land, equally the property of the nation." A logical conclusion at that. Tennessee while she did considerable talking about railroads did little building of them. In 1836 she chartered the Memphis & Charleston and gave to that company the sum of $650,000 to aid in its construction. The New Orleans & Nashville Road was chartered in 1837. In 1842 the State was forced to abandon it and it was sold to Louisiana.

The Missouri legislature in 1837 authorized the construction of seventeen railroads with a total capital of $7,000,000. According to Tanner writing in 1840, Missouri had not as yet accomplished any work of internal improvement. Several works chiefly railroads were projected. The legislature in 1839 approved the formation of a Board of Internal Improvements whose duties were related to the improvement of navigation throughout the State and "...for a survey of a railroad from St. Louis to the Iron Mountain in Madison County." In the same year three other railroads were proposed.

We have seen that Alabama up to 1825 had accomplished very little along the line of improvements. Practically all her improvements after that year were constructed with the assistance of loans from the Federal Government. It is true,

49 Niles Weekly Register, (January 1, 1831), XXIX, 29.
50 MacGill, 471.
51 Paxson, 313.
52 214.
however, that some improvements were undertaken solely under State supervision and finance. In 1828 Congress granted 400,000 acres of land; the proceeds from the sale of which were to go towards the improvement of the navigation of Muscle Shoals and several other harbor and river improvements. Appropriations for a post-road and a military-road were made in 1833 and in 1838. After 1825 the State itself planned to build several canals. In January 1830 an act was passed which provided for a "...President and Directors of the Board of Internal Improvements." The following year the first railroad from Decatur to Tuscumbia was begun. It was completed in 1834, covering a distance of 44 miles. By 1832 the Board of Internal Improvements had accomplished nothing, and the act which had brought that body into existence was repealed on January 21, 1832. In 1834 the State incorporated the Western Railroad Company. The project of this organization met with little success, only twelve miles of the road were completed by 1840. From December 19 of 1837 until February 7 of 1839 about $135,000 had been expended from the three per cent fund for certain canal and harbor improvements. No permanent improvements resulted due to the fact that the amounts appropriated were entirely too small to accomplish the huge works proposed. It is quite true then that this State did not keep pace with the improvements of

53 Martin, 45, 21, 38.
54 Memorial Record of Alabama, I, 321.
55 Martin, 41, 40.
some of its sister states. Such cannot be attributed to the fact that enthusiasm was lacking on her part but rather to the fact that the financial condition of the State was in so chaotic a condition that the projects could not be supported by her at the time. The Bank of Alabama had failed and she was forced to assume a debt of $7,000,000. While Alabama lacked the means of communication enjoyed by some of the other states, she was at least free from the huge debts contracted by them for internal improvements. It was not until about a decade after 1840 that this State started in earnest on works of improvement.

Arkansas had not within the period under consideration done anything in the way of building canals, roads, or railroads. Article VII, section 6 of the general provisions of her Constitution, adopted on January 4, 1836, pointed out that internal improvements were to be encouraged by the legislature, whose obligation it would be to determine as soon as possible by law, the necessary improvements both on land and water. In addition that body was to distribute justly and economically any appropriations which might be made for such. Vermont had no improvements worthy of notice. The few she had were small canals built to improve the navigation of the Connecticut River. The White River Canal, her largest, was only 880 yards. The legislature of 1835 incorporated companies for five railroads

56 Ibid., 29,30.
57 Tanner, 214.
but their plans never materialized.

In Iowa there was no work of internal improvement. Several railroads were spoken of, but due to the unsettled state of the country they were not undertaken at the time. Wisconsin had no canals or railroads. Her plans for internal improvements included in 1840, four railroads and one canal.

The magnitude of internal improvements undertaken by the states may be best shown by the increase in state indebtedness. State debts in 1830 totaled $13,000,000. This figure rose to $50,000,000 in 1836, and reached $100,000,000 by 1838. The last amount is exorbitant but becomes even more so when one considers that some ten of the states in the Union at the time had contracted no debts. Most of the money used for enterprises was borrowed, some at home but the greater part of it abroad. The majority of the states after the crisis of 1837 were forced to sell their finished and unfinished works of improvement. Ohio and New York were the only ones which kept all their improvements. Some of the states repudiated their internal improvement debts in whole or in part. It was not unusual thereafter to find inserted in their Constitutions, clauses prohibiting the use of funds for works of internal improvement.

59 Tanner, 33.
60 Ibid., 220.
61 Johnston, 572.
62 Bogart, An Economic History of the United States, 208.
CHAPTER NINE

VAN BUREN AND INTERNAL IMPROVEMENTS, 1837-1841

The entrance of Martin Van Buren into the field of internal improvements began very early in his public career when he was elected to the membership of the legislature of New York State. From that time on until the end of his presidency, he continually came forth as an advocate of improvements in themselves, but as a defender of the Constitution, when they to his estimation seemed to overstep the powers of that document. Not for an instant may one doubt the plausibility of his remarks on the latter phase of the subject, except perhaps in one or two cases which will be mentioned later on. One must certainly believe that Van Buren realized the advantages to be derived by the Union in setting up internal improvements; and that he, generally speaking, opposed improvements because he maintained their unconstitutionality, even though there were instances in his life when he used the constitutional argument to cover up his real motive for objecting to certain improvement measures. Van Buren was a schemer; if he desired an improvement bill to be lost, he refused his support by the elaboration of any number of reasons why it should be considered unconstitutional; his real
reason remaining concealed. In the instances referred to above he generally opposed projects of improvement because of a personal grudge he bore against their originators. On the other hand he approved or supported an improvement because it was to his own advantage. In instances where he was not desirous of injuring others or where there was no question of gain or loss he supported or voted against improvements accordingly as they were constitutional or unconstitutional.

In order that one may understand my conclusion of the relation of Van Buren to the matter of improvements, it is imperative that one consider the actions of the man in the matter from the time he entered the New York Legislature until he closed his term of office as president of the United States. Van Buren gave more consideration to improvements before 1837 than he ever did. What he did along this line from 1837 to 1841 was really nothing more than a repetition of what he had done earlier.

Van Buren took his seat as senator in the New York Legislature in 1812 and immediately began his scheming in the matter of internal improvements. The part he played in the passing of bills regarding the Erie Canal is a good example of his cleverness in covering up his real motive for wishing to defeat certain bills for improvements. About 1810 New York appointed a board of commissioners to make surveys of a possible route for a canal to connect the waters of the Hudson River with those of Lakes Erie and Champlain. It was not, however, until
1816 that this body, under the leadership of De Witt Clinton, was able to present its surveys and estimate before the legislature. In their report they recommended, "...such preliminary measures as might be necessary for the accomplishment of this important object." A bill was introduced on March 21 of the same year advising the immediate undertaking of the canal. As adopted on April 13 it authorized that a portion of the work be commenced at once. Van Buren was one of the first to state his objections, saying that as far as he could determine the State legislature did not possess all necessary information to warrant the commencement of the work. He became a sworn enemy of the project. Just about a year later another bill passed the House and Senate authorizing the beginning of the Canal. This time instead of opposing the measure Van Buren gave it his whole-hearted support. His remarks on why he approved the one measure and disapproved the other are quite lengthy. He stated that his approval of the new bill was due to the fact that the new commissioners who had been appointed had turned in such a minute report that all objections to immediate commencement were removed. Now that all the necessary information was in the possession of the legislature it would be disastrous to delay the work any longer. To put it off would probably mean that the idea would be set aside for

1 Holland, The Life of Martin Van Buren (n.p. Hartford, 1836), 112.
many years. He pointed to his vote as one of the most important ones of his life. He said that the canal would add to the grandeur and financial status of the State, that the people had wanted it; for many years they had given their assent, and had they disapproved of it they had had sufficient time to have expressed their disapproval.

We have seen then, that Van Buren spoke against a bill for the commencement of the Erie Canal in 1816, and that in 1817 he cast his vote in favor of a similar bill. We can admit that the reasons he gave for voting thus in both instances were perfectly reasonable, but we can also deny that they were the real reasons which prompted him to such action. It may have been that in the first instance the information given was insufficient whereas in the second it may have been sufficient. Regardless of the fact we may believe that Van Buren acted as he did in the first case because he wished to get even with an enemy, and in the second for his own advantage. It will be recalled that the leader of the Board of Commissioners who made the report in 1816 was none other than De Witt Clinton, the greatest advocate of the Erie Canal. It was no secret that the latter was at the time abhorred by Van Buren. In 1813 he had supported Clinton against Madison. For the three years following Clinton showed no interest in Van Buren. Then in 1817 the latter suggested that the election of Clinton be made unanimous. After the victory was won Clinton totally ignored

\[2\text{ Ibid., 112-115.}\]
Van Buren. Feeling that he was responsible for having placed Clinton in his high office, he resented the fact that he himself made no progress in gaining additional political power and he made it a point to oppose every act of the administration; the matter of the Erie Canal being no exception. For a time Van Buren exerted all his efforts toward preventing that and any following measures from gaining headway. Finally when he saw the project gaining new strength daily in the legislature and with the people, and fearing that it would spell destruction to the political careers of all who would be found on the opposing side, he decided to cast his vote in the affirmative. He not only did that but he also became one of the most devoted supporters of the internal improvement system, not because he felt that improvements were just or important, but because he knew that to have done otherwise would have made of him a political outcast. One of Van Buren's biographers said of him, that even after such a vote on his part he continued in an underhanded manner to block the system "...until the certainty of success drove all its opponents from the field, covering them with shame and confusion. When this period arrived, Van Buren became a fiery supporter of the system, and was willing to vote large appropriations in favor of it, than even its just and fast

3 David Crockett, The Life of Martin Van Buren, Heir-Apparent to the "Government" and the Appointed Successor of General Andrew Jackson (U.P. James, Cincinnati, 1839), 61, 70.
friends required."

The two incidents just related are a good example of what was pointed out in the beginning of the chapter. In so far as an object lead to or detracted from his advancement, Van Buren was for or against it in spite of the reasons he pretended prompted his actions. So much for his connections with improvements as a member of that legislative body. We shall find similar instances of deceit on his part as a senator and as president of the United States.

As United States Senator from New York, Van Buren in 1822 voted in favor of a bill providing for an appropriation toward repairing the Cumberland Road. Six years later when he voted against bills of improvement he was called to order for words spoken in debate. In regard to his vote of '22, he said that he had no explanation to offer except it be that it was his first session and that he had wanted to aid the West and had evidently voted for the bill before he had given it due consideration. He said in addition, that if the question were submitted again to him he most certainly would vote against it. Again we may suspect Van Buren of having tried to conceal his real motive. For him to have said that he had not given the measure due consideration was not exactly the truth. Shepard relates a

4 Ibid., 60.
5 Denis Lynch, An Epoch and a Man Martin Van Buren and His Times (Horace Liveright, New York, 1929), 299.
speech he gave in support of the vote at the time the question was being considered. The fact that he was able to give reasons why the bill should have been supported leads one to think that in order to have reached any conclusions he must have made a study of the bill etc.

In 1824 Van Buren cautioned the Federal Government that it was overstepping its powers with reference to internal improvements, and he proposed an amendment to settle the question once and for all. His resolution suggested that Congress should have the power to make roads and canals. The money appropriated, however, was to be distributed among the several states according to population. If a state wished to consent to the appropriation by Congress of its portion of such an appropriation toward the making of roads and canals in other states it might do so. No such improvement, however, was to be undertaken without the consent of a state legislature, and such money was to be expended under its direction. Lynch viewed this as a move against Clay whom Van Buren disliked. He said, "In his efforts to injure Clay by holding him up as an anti-rights man, Van Buren overlooked that his proposal was in essence a negation of State sovereignty, as the States not benefited by the improvements would have to share the cost. The

7 Shepard, 96.

proposed resolution was more crafty politics than statesmanship."

In 1825 Van Buren made another effort to put through an amendment. Two resolutions were offered by him. The first said that Congress had the power to make roads and canals. The second provided for a selection of a committee to draw up an amendment to the Constitution determining the power Congress should have regarding the subject of internal improvements. The amendment was to be such that in addition it would place such limitations as would be necessary to protect the supreme power of each state and provide for each of them a just distribution of any benefits which might result from an appropriation made for that purpose. These resolutions in spite of Van Buren's efforts were of no account. They evidently died with the session, having been proposed they were discarded.

In the following year of 1826 the Senator opposed an appropriation to the Louisville Canal Company. In addition he opposed the topographical surveys in works under consideration by the government. He also was against an appropriation of $150,000 for the extension of the Cumberland Road. In a debate on the subject he is quoted as having said, "The aid of this Government can only be afforded to these objects of

9 299-300.
10 Moses Dawson, Sketches of the Life of Martin Van Buren, President of the United States (J.W. Ely, Cincinnati, 1840), 156.
11 Shepard, 117.
improvement in three ways; by making a road or canal and assuming jurisdiction; by leaving jurisdiction to the respective States; or by making an appropriation without doing either. In my opinion the General Government has no right to do either."

That was in April, and in May he voted against a subscription to the stock of the Dismal Swamp Canal Company on the grounds that the Federal Government lacked power to build such a canal or give money to aid in its building. Even if Van Buren did admit the above, he said that he would still have opposed the appropriation because of the method prescribed. If any money was to be given for such a purpose, it should be given directly. Under such conditions as the bill proposed, abuses were bound to creep in. Partnerships between the government and private companies were bad business as far as he was concerned. In most cases he felt that deception would be the outcome. He pointed to his own state as an example. He also took this opportunity to say that the question of the constitutionality of internal improvements was still unsettled. He was unwilling to agree with and heartily denounced the idea that repeated action in favor of such had decided the issue. "Repeated action," he said, "can never sanctify a wrong interpretation of an instrument which Congress has no power to change even a word."

12 Holland, 117-18.
13 Dawson, 156-57.
14 George Bancroft, Martin Van Buren To the End of His Public Career (Harper & Brothers, New York, 1889), 119.
again was another instance where what Van Buren had to say on
the subject was all very reasonable and true. For the
government to have entered into partnerships with private
corporations would necessarily have resulted in abuses. One may
doubt that Van Buren was, at the time he uttered the above
words, thinking of what he was saying. It seems probable that
if he had had any interest in the two companies under
consideration, he would not have been so forceful in his
condemnations. It is doubtful too, if he practiced what he
preached in his remarks regarding "repeated action." Had he
thus far, and would he, during the remainder of his public
career, adhere to what he had said? There must have been times
when he evidently forgot that he had ever pronounced such words.
He was a clever politician ever practicing deception.

How can one account for Van Buren's vote of 1827, opposing
the abolition of the tax on salt? New York used such a tax for
the purpose of furthering the cause of internal improvements, a
tax which, if salt were to have been admitted free, the State
would have been unable to maintain. The only explanation Van
Buren offered, was that the canals of that State were of
national importance though the entire expense rested on her
shoulders. Maybe the canals of New York were as he said, but
were not other state canals of equal importance? Yet he was for
the one and against the others in which he was not directly

15 Shepard, 140.
concerned or interested. In 1828 Van Buren followed up this vote with similar ones against the Cumberland Road and other improvements.

We have already seen the part played by Van Buren in 1830, when through his efforts and to his own advantage, he convinced President Jackson to veto the Maysville Road Bill. In October of 1832, when he was a candidate for the vice-presidency, he conveyed his ideas on the constitutionality of internal improvements in the following words:

Internal improvements are so diversified in their nature, and the public agency, of the general government in their construction so variable in its character and degree as to render it not a little difficult to lay down any precise rule that will embrace the whole subject. The broadest and best defined division is that which distinguishes between the direct connotation of works of internal improvement by the general government and pecuniary assistance given it to such as are undertaken by others. In the former are included the right to make establish roads and canals within the states and the assumption of as much jurisdiction over the territory they may occupy as is necessary to their preservation and use; the latter is restricted to simple grants of money in aid of such when made under state authority.\(^{17}\)

He was of the opinion that the Federal Government did not possess the first power, and that it could not be derived from the fact that the states in which appropriations were to be made gave their consent. Holland contended that his words referred

\(^{16}\) Ibid., 142.
\(^{17}\) Holland, 266.
even to national works. An amendment was necessary before either could be considered within the scope of the powers of the Constitution.

The biographies of Van Buren do not speak of him as having given the matter of improvements a great deal of consideration during his administration as president. Most of his talking and actions were evidently done before he entered office. During his years in office he did sign some internal improvement bills. Appropriations for such purposes under him totaled $2,222,544. The largest single appropriation was signed by him on July 8, 1838. It provided for a fund of about $1,500,000 for river and harbor improvements. In the same year the Cumberland Road received an appropriation of $459,000. Van Buren's messages reviewed with great satisfaction and approval the surveys of New York harbors then being undertaken.

One should be willing to admit that all the arguments offered by Van Buren on various bills regarding improvements and their construction were in themselves very authentic, though feeling at the same time that they were not what the man was really thinking. He was clever and crafty enough to say one thing and then act contrary to it without having the people suspect it. He and Jackson were similar in so far as this matter was concerned. Van Buren, however, was more successful

18 Ibid., 268.
20 Nelson, 45.
than was Jackson. Both of them kept shifting from one side to
the other accordingly as the offerings were greater. To say as
many have, that Van Buren may be credited with having dealt a
death blow to the system of internal improvements, is making a
statement for which they have no foundation. While Van Buren
posed as an enemy of improvements, the fact that many bills were
signed by him makes his stand questionable. The administration
of Adams, as we have remarked before, was looked upon as one in
which a huge and costly system of improvements was entered into
by the government; yet the administration we have just been
considering expended about an equal amount of money, despite the
fact that it has always been viewed in just the opposite light.
True, the cost of improvements under Van Buren was considerably
less than it was under his predecessors, yet we may say, such
state of affairs rested not upon his shoulders. It was the
times not the man who made the appropriation figure for his
administration. A panic had taken hold of the country and
internal improvements were greatly effected by the condition.
Even the states, realizing the disastrous results of their
eagerness for improvements, had abandoned them if not entirely
then practically. Had Van Buren been able, and had there been
any profit in the system for him, he would have given his
whole-hearted support to the matter, and there is no doubt but
that under such circumstances, the amount mentioned would have
equalled if not exceeded the amount spent during the
administrations of Jackson for internal improvements.
CONCLUSION

Today we ourselves are witnessing one of the most extensive systems of internal improvements ever conceived. These improvements, however, are in no way in the same setting as were those which we have just been considering. As a matter of fact the two are extreme opposites. The conditions under which internal improvements flourished during the period 1810 to 1840 are not the conditions under which they are flourishing today. Then there was really a need for improvements due to the fact that the welfare of the country was at stake. Now improvements are not really vital. The program is a means of creating much needed employment. During those thirty years there was no such demand for jobs. The country was still young and her people lived by the soil. We have seen in our study that the Federal Government at a certain date refused to aid state internal improvements because it regarded such action as being against the Constitution. Today it is chiefly the Central Government who is their sponsor, and there is no question about whether or not such support is constitutional. Enthusiasm back in 1810 ran high in favor of improvements but today there is rather an
attempt to block them. There is a feeling that too much money is being spent and nothing apparently being accomplished. Already the amount expended by the present administration has passed well over the billion mark. During the period covered in this paper the figure remained in the low millions.

Whether the internal improvements being undertaken today will do as much for the country as did those set up in that early period seems a little unlikely. Excluding one or two major projects which were either conceived or under way before financial distress hit the country, the improvements of today are of minor importance. What seemingly is being done is the improvement at a huge cost of what already exists. The cost has far exceeded the effects, whereas the effects of those undertaken from 1810 to 1840 far exceeded the cost.

Congressional Globe, 1834-1873. Blair & Rives (et al.), editors and publishers. Washington, 1835, I, II. Used for the debates etc. of the Twenty-third Congress, 1st. and 2nd. sessions.


Register of Debates in Congress, 1825-1837. Gales and Seaton, Washington, 1826, 1830. Used mostly for the Maysville Veto and Van Buren's proposed amendments.


II. NEWSPAPERS

National Intelligencer, XXXI, (April 1, 1830), (July 3, 1830). Not of much use as a reference, merely repeats what is contained in the Government publications.
III. BIOGRAPHIES, MEMOIRS, AND WRITINGS OF PUBLIC MEN


Lifed of John C. Calhoun Presenting a Condensed History of Political Events from 1811-1843. Harper & Brothers, New York, 1843. Would consider as source material, contains a little information on Calhoun's attitude toward the constitutionality of the question. No author is given.


Campbell, William, The Life and Writings of De Witt Clinton. Baker & Scribner, New York, 1849. Not a very good reference, told by one whose grandfather was a personal friend of Clinton.


Snelling, William, A Brief and Impartial History of the Life and Actions of Andrew Jackson, President of the United States. Stimpson & Clapp, Boston, 1831. Good for information but rather bitter toward Jackson.

Sumner, William, Andrew Jackson. Houghton, Mifflin Company, New York, 1899. Fairly detailed and good, adopts a different
attitude from most of the writers. Gives a little too much credit to Jackson in the matter of improvements.


Crockett, David, The Life of Martin Van Buren, Heir-Apparent to the "Government" and the Appointed Successor of General Andrew Jackson. U.P.James, Cincinnati, 1839. Gives information on the attitude of Van Buren toward improvements, also a look into his real life, does not include his administration.

Dawson, Moses, Sketches of the Life of Martin Van Buren, President of the United States. J.W.Ely, Cincinnati, 1840. Contains his ideas on the subject, presents extracts from his speeches.

Biography of Martin Van Buren, Vice President of the United States, edited and compiled by William Emmons, Jacob Gideon, Washington, 1835. Fair reference, not so much on internal improvements.


Lynch, Denis, An Epoch and a Man Martin Van Buren and His Times. Horace Liveright, New York, 1929. Not a very good reference, contains only general statements of Van Buren on internal improvements.


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IV. GENERAL HISTORIES

Putnam's Sons, New York, 1878. Not so good as the title would lead one to believe. Gives a few details on the early railroads.


Burgess, John, The Middle Period 1817-1858. Charles Scribner's Sons, New York, c1897. Very good for the account on the various vetoes regarding internal improvements.

By a Citizen of Baltimore, A History and Description of the Baltimore and Ohio Railroad. John Murphy & Company, Baltimore, 1853. Very detailed account, has reports from papers published during the time of the building of the road.


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at the end of each chapter also good footnotes but has not much on the subject of improvements.

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Hulbert, Archer, Pioneer Roads and Experiences of Travelers (volume XI of Historical Highways of America). The Arthur Clark Company, Cleveland, 1904. Very fine account of history of roads also has a very good bibliography.


Searight, Thomas, *The Old Pike: A History of the National Road*. Thomas Searight, Unlontown, Penn., 1894. Author lived during the building of the road. Not enough of the history of the actual building of the road, more of the taverns and men who had to do with it. What the book has on the subject is good.


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V. STATE HISTORIES

Bogart, Ernest, Internal Improvements and the State Debt in Ohio. Loramans, Green & Company, New York, 1924. Fairly good
but deals more with later improvements.

Cooley, Thomas, Michigan. Houghton Mifflin Company, Boston,
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Life and Times of Ninian Edwards. The Century History Company,
New York, 1912. Contains letters of the latter on legislation
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Levering, Julia, Historic Indiana, G.P.Putnam's Sons, New York,
1909. Not a very good reference, contains little information.

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Military Professional Industrial Progress, Together with the
Personal Memoirs of Its People. 2 vols. Brant & Fuller,
Madison, Wis., 1893. Not much on the subject.

McSherry, James, History of Maryland; from Its First Settlement
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Gives internal improvement plan in a brief form.

Ryan, Daniel, History of Ohio, The Rise and Progress of an
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Scharf, J. History of Maryland from the Earliest Period to the
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Watson, Elkanah, History of the Rise and Progress and Existing
Conditions of the Western Canals in the State of New York.
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kept by the author.

VI. ARTICLES AND ESSAYS IN PERIODICALS, ANNUALS, AND
PUBLICATIONS OF LEARNED SOCIETIES
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Benton, Elbert, "The Wabash Trade Route in the Development of the Old Northwest" (Johns Hopkins Studies in History and Political Science, XXXI, No. 1-2). Johns Hopkins University, Baltimore, 1885. Gives thorough account of internal improvements in Indiana. Also of the Wabash and Erie Railroad. Mostly sources were used according to the footnotes.


Hulbert, Archer, "The Old National Road." Ohio Archaeological and Historical Quarterly Review, IX, 405-519 (April, 1901). Fairly good report, detailed but too disconnected, good footnotes.


Weaver, Charles, "Internal Improvements in North Carolina Previous to 1860" (Johns Hopkins University Studies in History and Political Science, XXI, No. 3-4). Johns Hopkins University, Baltimore, 1903. Very good account, thorough etc.
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Paul Kiniery, Ph.D. 
June 3, 1935

Rev. Jerome V. Jacobsem, S.J. 
June 6, 1935