STRUGGLES OVER RAILROADS IN THE WEST
BEFORE THE CIVIL WAR.

by

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TABLE OF CONTENTS.

Introduction ........................................... 1-3
I. The Railroad War in the West from
   1849 to 1857. ........................................... 4-27
II. Beginning of the Local and Sectional
    Struggle over a Route of Communication with the Pacific. . 28-46
III. Land Grants in Aid of Railways from
    1848 to 1853. .......................................... 47-73
IV. The Sectional Conflict over the Pacific Railroad in the Thirty Second Congress. .... 74-93.
INTRODUCTORY.

The history of the period from the close of the Mexican War in 1848 to the beginning of the Civil War has been written chiefly from the viewpoint of the sectional struggle over slavery and its extension. Every political movement or event of that time has been interpreted with reference to it. So much emphasis has been placed upon this struggle that we are inclined to overlook the facts that the people of the period in question had other interests and problems and that other events of the time than those connected with the slavery question had scarcely less significance both for that time and for this. Too, it may be possible that accounts of the struggle over slavery have lost somewhat by treating it as an isolated subject. This study deals in a very incomplete and superficial manner with one of the semi-neglected subjects of the pre-Civil War period.

During the period extending from 1848 to the Civil War the chief interest of the States west of the Alleghanies was in railroad building. A railroad mania seized upon the region. In 1848 there were but a few miles of railroads in the whole West---by 1860 the then Northwest had acquired a complete railroad system; and it was not due to a lack of interest in railroads or to a failure to realize their importance that the Southwest had not done so. The outlines of the railroad system of the Northwest and of the partial system in the Southwest were not marked out beforehand, but were determined very largely by a struggle of cities and States over routes and termini--a railroad war, or rather a war for railroads, it might be called.

The results of this war for railroads are significant. The main outlines of the present railroad system in the States that then composed the West are the same as those laid down in the fifties. The cities that are now of most commercial importance in those States owe their standing largely to the railroads that they were able to acquire in that decade. When the war for railroads began the larger part of the Northwest was bound commercially to the South; before it ended the whole of that section was bound to the East. It has been found that sections which are associated commercially have similar political interests. In 1848
the portion of the Northwest whose trade went down the Ohio and Mississippi was allied politically with the South while the portion along the Lakes was Eastern in its affiliation. By 1860 the whole was bound together as a unit and was politically bound to the East. Had the South seceded in the forties, the West must have followed her; in 1861 it was impossible. The advantage that superior railroad facilities gave the North over the South in the Civil War needs not be mentioned.

Communication with the Pacific was an object that interested the entire country and intensely interested the West throughout this entire period. A desire for connection with the Pacific was not the least of the reasons for desiring to annex California and New Mexico. The local and sectional struggle that arose after the acquisition of those territories over the location of a proposed railroad or other means of communication with the Pacific was not only in itself an important episode in our history, but had also a very close relation to the sectional conflict over slavery in the territories. In that day it was thought possible to build only one road to the Pacific. The North and South each wanted the eastern terminus of the road not only for commercial reasons but because the rising commonwealths on the Pacific coast would be bound politically to the section to which the road should run. The Gadsden Purchase was added to our domain in the interests of a southern route to the Pacific. One of the chief reasons why the organization of Nebraska was demanded was that a railroad to the Pacific along a northern or a central route might be built with greater facility. It might also be said that one of the reasons why the North desired a railroad to the Pacific along a Northern route was that it would aid in the settlement of the region west of the Missouri river. As the sectional conflict over the extension of slavery increased in bitterness, so also did the conflict over the route of the Pacific railroad; for it was realized that in case of the separation of the North and the South the Pacific Coast would in all probability go with the section with which it had the closest connection.

During the sixth decade each of the Western States except Kentucky and Tennessee had within its borders large areas of unsettled lands belonging to the United States, which could much more readily be sold and settled if a
railroad were first built through them. There was nothing that the land States desired more than the rapid sale and settlement of these unoccupied lands. They demanded of Congress that the lands be given to the States in which they lay for the purpose of aiding in the construction of railroads. This carried the railroad war into Congress. Other methods of disposing of the public lands than grants to railroads were proposed. In fact the question of how to deal with the public lands was one of the big questions of the time, and became, like nearly every other, bound up with the question of slavery extension. A discussion of the war for railroads in the West can hardly steer clear of some reference to the public lands question.

It will be the purpose of this study to develop some of the points enumerated so hastily in the preceding paragraphs. The limits of the paper have not permitted a treatment of all of them. I realize that only the barest beginning has been made towards the treatment of any. I fear that the relative space given each has been dictated more by the adequacy or inadequacy of my source material than by its relative importance.
CHAPTER I.

The Railroad War in the West from 1849 to 1857.

In my introductory chapter I mentioned the struggle of the sixth decade that was fought in the United States and especially in the West among cities, states, and sections for trade routes and termini. In this chapter I wish to give a general view of this struggle, the field, the issues involved, the grand strategy, the weapons of conflict, the chief determining factors, and the chief movements. I hope also to show the intensity of the struggle.

When the railroad entered upon the stage, the commerce of the West was carried on on the lakes and rivers and their adjuncts, the canals, lately built by state enterprise. The location of these water bodies determined the location of the commercial centers. New Orleans at the mouth of the Mississippi was naturally the chief commercial city of the West. Through it must pass all the commerce that came down that mighty river. St. Louis was the center of a large region drained by the upper Mississippi, the Des Moines, the Illinois, and the Missouri rivers. It had every advantage over Chicago on Lake Michigan. In fact, it was only the completion in 1848 of the Illinois and Michigan canal, connecting Lake Michigan and the Illinois river and thus diverting a portion of St. Louis's trade to the lake city, that made Chicago a rival of St. Louis at all. Wheeling, Cincinnati, and Louisville threw on the commerce of the Ohio. Cincinnati, "the Queen City of the West", was at the foot of a canal connecting the Ohio and Lake Erie. Toledo, Cleveland, and Erie on the lake were at the head of canals. Detroit and Sandusky were other lake ports. Terre Haute and Columbus in the interior were situated on canals. Nashville on the Cumberland, and Chattanooga on the Tennessee owed what importance they had to their location on those rivers. Memphis, Vicksburg, Mobile, and Montgomery were located on water bodies.

Before the canals were dug the commerce that went east to the sea was insignificant in comparison with that which went south to the Gulf. The digging of the Erie and other canals had largely changed this condition; but yet a far larger portion went south. The supremacy of St. Louis and New Orleans was not seriously threatened. But for the entrance of the railroad, these cities would without doubt have become with the exception of New York the greatest commercial centers of the United States. The railroad introduced a new element. It made it possible to divert commerce from its wonted channels; it made it possible to open up fields yet untouched.
It is to be noted as most significant that the West was an open field at the coming of the railroads. The physical character of its surface made it possible for roads to run in any and all directions. From the Alleghanies to the Rockies there are no mountain ranges to determine the courses railroads are to follow. Bridging the rivers was the chief physical obstacle to the building of roads in the Mississippi valley. The resources of this vast region were comparatively undeveloped. No city or town had such a well defined subsidiary territory that it need not fear its loss to a rival, until it had pierced that territory in every direction with roads. The West offered a choice of routes. The future commercial importance of a city depended upon its choosing first. Delay meant defeat. It was a case of "first come, first served", so to speak. No city could afford to wait for roads to build to it: it must build out. And it mattered not that a road would not be self supporting for many years; it must only give promise for the future. The western road was a pioneer: Population and wealth more often followed than preceded the roads. The task of an interior city aspiring to commercial greatness was to make as large a portion of the surrounding territory tributary to itself as possible; the goal of a seacoast city was to extend its lines to as many of these interior centers as possible.

The cities of the Atlantic coast early saw in the railroad a means of diverting the trade of the West from the Gulf. Boston, New York, Philadelphia, Baltimore, Richmond, Charleston, and Savannah entered upon a mighty rivalry with each other which should first grasp and appropriate the treasures beyond the mountains. The location of these cities partially determined the courses their roads must take, and the region tributary to each. New York and Boston could reach Ohio only by following the lake shore via Buffalo and Erie; and along this line they pushed their roads as rapidly as possible. The interests of Pennsylvania dictated that her first road to the West should pass from Philadelphia through Harrisburg, the capital of the State, and Pittsburg at the head of navigation on the Ohio. There was only one possible route by which Baltimore might extend her line. It must pass up the Potomac, through the Cumberland Gap, and reach the Ohio at Wheeling, thus following the route of the old Cumberland national road. Once entered Ohio, the problem became more complex. Of first importance to the New York and Boston interests was the extension of a line along the lake shore through Cleveland, Sandusky, Toledo, and Detroit and thence across to the head of Lake Michigan at Chicago. These cities once reached, their interests became identical with those of New York and Boston—that is, to project roads southwestward into the interior cities as Columbus and Dayton, Ohio, Indianapolis, Indiana, and Springfield, Illinois, and then push on to the cities of the Ohio and Mississippi.
The most logical first extension of the Philadelphia road after crossing the mountains was a line to connect with the systems of the interior cities I have mentioned, Dayton, Columbus, Indianapolis, etc., whose interest it was, in turn, to reach the Lakes by northwest lines, the Ohio by southwest lines, and the Mississippi by east and west extensions. Of the Ohio river towns, it was of prime necessity to reach Cincinnati.

It was Cincinnati that was the first objective of the Baltimore and Ohio. If this connection could be secured, Cincinnati's interests became Baltimore's. It was the interest of Cincinnati and other Ohio river points to extend lines south into the heart of Kentucky, west and northwest into the interior of Ohio, Indiana, and Illinois, and to the chief towns on the Mississippi.

Of the Mississippi river centers by far the most important was St. Louis and the race for the point was most bitterly contested. The Mississippi river towns sought to build east and west lines into a rich region awaiting development west of the river. Every such road was projected as a possible link in the much discussed road to the Pacific.

This in brief outlines the railway problem as it presented itself to the cities of the northern seaboard and to the cities and towns of the Northwest at the period when railroads came to that section. The railroad problem of the southern seaboard and of the Southwest may be even more briefly stated. For Richmond, Virginia, there was possible only one route into the heart of the West, along which a road would not play into the hands of her rivals. That extended westwardly up the James river, across the Blue Ridge mountains via Lynchburg, and thence southwestward between the Cumberland and Great Smoky mountains to Knoxville, Tennessee, from which point lines could be extended in several directions into Tennessee, Kentucky, northern Alabama, and on to the Mississippi. Charleston and Savannah sought to extend lines westwardly across Georgia, Alabama, and Mississippi to the river at Vicksburg and Memphis, and northwesternly, around the southern spur of the mountains, across Tennessee and Kentucky by way of Chattanooga and Nashville to Cairo, Louisville, and Cincinnati on the Ohio. Their purpose was, of course, to divert to themselves the trade that now went down the great southern rivers to the Gulf, and in the case of Kentucky and Tennessee at least, to save it from going to their Northern rivals. The problem of the Gulf ports, chief of which were New Orleans and Mobile, was to hold what they had by extending lines northward through Mississippi, Alabama, Tennessee, and Kentucky. But in order that north and south lines and Gulf ports might compete with east and west lines and seaports on even terms, it was necessary that the distance from New Orleans and Mobile to New York and other
northern seaports be lessened. To accomplish this roads were projected across the peninsula of Florida and across Georgia from the Gulf. The Mississippi river cities, Memphis, Vicksburg, Natchez, and New Orleans projected radiating systems into Louisiana, Arkansas, and Texas with an eye not only to securing tribute from those regions but also to forming links in the future Southern Pacific railroad.

I have already shown that the cities of the West at the coming of the railroads were located with reference to waterways natural or artificial. Many early railroads were regarded as adjuncts to canal and river transportation systems. They could go where the river did not and the canal could not. It did not dawn upon the public instantly that the railroad was largely to supersede the river and canal. It was often argued that the railroads would find employment only in the winter months when the water-ways were ice bound. I believe, however, that the people of that day grasped the possibilities of railroads in this respect much earlier and clearer than we have given them credit for. New York built her first road parallel to the Erie canal. As I have already stated, the purpose of the Atlantic cities in their race to reach the Ohio and Mississippi by railroads, was the same for which they dug canals at an earlier date, namely, to divert to themselves the trade that formerly went down river. Governor Bebb of Ohio said nothing new when he said in an address delivered in 1850: "Oceans are no longer the great highways of nations. The railroad has made the land as subservient to commerce as the water. Railroads are to be the artificial rivers of these latter days and woe to the commercial city that suffers these rivers to be diverted from it".

To one other fact, which I shall discuss at some length later, it is necessary for clearness to allude here. I refer to the fact that railroads were not projected solely to meet the needs and aspirations of individual commercial centers; but that in many cases a State sought to secure such railroad systems as would best serve its commercial interests and bind it together as a unit. In each of many of the western States at the coming of the railroads, there were one or two cities of outstanding importance commercially in fact and in location. The State conceived it to be its interest to make its agricultural and mining districts tributary primarily to that center or centers. It was considered highly undesirable that any considerable portion of a State should feed a city outside its borders. Railroads before the Civil War were, for the most part, chartered by special acts of the legislatures, a practice which rendered it possible to exercise some control over their location. Some of the southern States extended aid to the roads and thus were able to exercise a yet larger degree of control over choice of routes. This

*pDeBow's Vol. VIII, p. 444.*
attempt on the part of States during this early period to secure State systems, although it did not exercise nearly the influence over the location of trade routes that the rivalry of great or aspiring commercial centers did, can by no means be neglected as a determining factor.

In this great game of cities, states, and even sections, in which wealth, population, commercial supremacy, and, in the case of some cities, even existence were at stake, nothing was neglected which would turn the scale of advantage or disadvantage. The rivalry was intense. Private capital was eagerly urged to invest in a road along this route or that route, whose advantages were discussed and praised and explained without restraint from every conceivable viewpoint. Conventions were held by the hundreds in the interests of projected roads of every sort, possible and impossible, from the great transcontinental line down to the road between the smallest hamlets. There was a flood of railway literature. Railroad madness had seized every community at the first coming of the railroads; but in the West from 1847 to the financial crash of 1857, the whole section was railroad mad. In this decade the Northwest provided herself with a railroad system; and if the Southwest failed to do likewise it was not because of a paucity of railway projects or to a failure to realize the significance of the railway struggle. But the efforts were not confined to urging the organization of companies, bringing out private capital, and securing subscriptions from patriotic individuals: cities, towns, and counties subscribed in their corporate capacity to the limit of the law, and the legislatures were urged and generally consented to extend the limits. State aid was demanded. Governors urged the claims of rival routes in their messages. Legislatures struggled over charters. Congress was petitioned for land grants and subsidies for carrying the mails and supplies.

Railroads could not be built without money. Capital was the prime necessity and fortunate was the road that could find it. Since the miserable failure of the state improvement enterprises in the later thirties and early forties, state aid had been largely discredited and many states had amended their constitutions to prohibit it.* The Laissez faire theory had come to prevail. The "eagle eye of business" it was often said could be trusted to select the best routes and build roads as they were needed by the commercial interests of the country. Any attempt to foster these enterprises artificially would prove ruinous, it was urged. Though as we have seen, this theory broke down constantly under the fierce railway competition, yet it is true that the chiefest single factor determining the location of early roads and thus commercial supremacy, was the location of private capital and the judgment of capitalists as to where that capital could best be invested.

*DeBows XX, p.386.
Capital in the fifties was concentrated even more than to-day. The West was poor compared to the East; the South was poor in comparison with the North. The West was a new region and its resources yet undeveloped. In the South capital was tied up in slaves and could not be utilized. Of southern cities only New Orleans, Charleston, and Baltimore could be said to have capitalists; and they were poor in comparison with their Northern rivals. Baltimore, by far the richest of the three, was commercially a Northern city, just as Philadelphia, and was interested in extending roads into the Ohio valley. In the Northern states, New York and Boston were the chief centers of capital. The capital of New York and New England was more easily obtained for roads connecting those States with the West, and gave them a distinct advantage over Pennsylvania and Maryland in their race for Ohio and the Lakes. Western roads were built very largely with Northern capital, which was far more available north of the Ohio than south of it. Without Northern capital the South could do little; and to the Northern capitalist, Southern railroad stock or bonds did not seem to be the best investment. The South felt keenly its dependence on the North for means to carry out its improvement projects. It watched, with ever increasing bitterness, the North rapidly outstripping her in railroad building. Men of the South saw clearly the consequences of falling behind. J. D. B. DeBow in an address to the people of the Southern and Western States in August of 1851 says: "Are the millions of the Northwest more naturally allied to those of the North than to us, who occupy a part of the same great valley and are nearer of approach, and must we forever abandon the idea of controlling or sharing their commerce? .... Dense population, great and growing cities, wealth, power, and influence, and political strength on one hand or scattering villages, decayed cities, stagnant life and comparative poverty and imbecility, are the alternatives that seem to be presented!"* But plainly as they saw the situation, and keenly as they felt their loss in the race, they were helpless without Northern capital. The fact may be vividly illustrated by quoting a few sentences from a speech of Albert Pike of Arkansas, made at the Southern Commercial Convention, held in New Orleans in 1855. He was speaking to a series of resolutions on a Southern Pacific railroad, especially one resolution which read, "That such a road ought not to belong to the General Government nor to foreign capitalists or speculators, but should be built by a corporation chartered by a Southern State and as far as practicable with Southern capital; and in the opinion of this convention all of the Southern States that can constitutionally do so, should give aid and encouragement to this great enterprise by becoming stockholders of the company to be created". Mr. Pike said, "My convictions are that such a company can be formed and the stock taken. If one half the stock is taken in the South, the other half will be

*DeBow's XI, 142 ff.
taken in the city of New York".* One city to match dollar for dollar with the whole South! The South attempted in many cases to make up for their deficiency in capital by State aid; but in spite of all such efforts the North rapidly forged ahead until at the beginning of the Civil War, it had 18,000 miles of railway compared with a total of 9,000 miles in the South.** Georgia was the only Southern State to compare favorably with their Northern sisters.

But cities and localities in their struggle for roads and first roads by no means waited solely on the willingness of capital to invest in their projects: they contributed liberally in their corporate capacity. A few examples taken at random will illustrate the point. In 1850 St. Louis voted nine to one to subscribe $100,000 to the "Pacific Railroad" then projected southwest from that city(1). In 1851 it subscribed $500,000 to the St. Louis and Cincinnati railway.(2) Opelousas, a village in Louisiana, voted a bonus of $100,000 to the New Orleans, Opelousas, and Great Western, a road whose cost was estimated at $350,000.(3) In 1851, Mobile gave $300,000 to the Mobile and Ohio.(4) Savannah, in 1853, voted $500,000 to a road to the Gulf(5). A public meeting in Paducah, Kentucky, thought the city should offer $200,000 and the county in which it was situated $100,00 to the Mobile and Ohio as an inducement to shift its terminus from Cairo to Paducah.(6) Louisville was willing to contribute $1,000,000 toward connection with Nashville.(7) Baltimore subscribed $3,000,000 to the Baltimore and Ohio.(8) What cities did, counties did, where the laws of the State in which they were located permitted.

But the contributions of cities and counties in their corporate capacities by no means measures what they gave to railroads. Immense sums were raised from the subscriptions of patriotic citizens, who desired the growth of their city and its victory over a rival, of business men who looked for a return in the increased business that the road would bring to their city, and of farmers who contributed with the expectation that the increased value of their land would compensate them for their outlay. Ringwalt in his "Transportation Systems in the United States" describes the manner in which

*DeBow's XVIII, 520.
money was raised for building the Pennsylvania road: "At the outset of this enterprise few persons expected it to become a remunerative undertaking. The city of Philadelphia was canvassed by committees, going from house to house and block to block, earnestly endeavoring to secure subscription to the stock, on the ground that the road was necessary to promote the growth and prosperity of the city, and that even if no dividends were ever paid the indirect benefits conferred upon all whose industrial or commercial welfare was identified with the municipality would fully compensate them for the loss of the capital paid for the stock. Under the pressure of such appeals many persons subscribed for five shares, par value $50. each, to be paid for in a number of instalments, with the expectation that the entire amount, or $250, would be unremunerative and, perhaps, worthless as an investment, but they could afford to lose that sum if the prospective benefits could be conferred upon the city. In a number of instances subscriptions for a single share of stock were also solicited and obtained".* No doubt similar methods were used in financing practically every railroad built during this period. It would be impossible to form any estimate of the portion of the cost of railroads defrayed by these methods; but we are safe in saying that it was a very large per cent. I need not call attention to the fact that in raising funds in these ways, the wealthy city or locality had an advantage over its less fortunate neighbors, an advantage doubly great by reason of the fact that it was often necessary that a large part of the cost of the road be contributed in these ways before the bonds of the company could be sold. The advantage the North had over the South in this respect was considerable.

I have already mentioned the fact that the experience of states with state owned internal improvement enterprises during the thirties and early forties resulted in discrediting all such projects and in the passage in many of the states of constitutional amendments prohibiting state aid or ownership; but that with the return of prosperity in the latter forties and early fifties, and owing to the universal demand for railroads and to the fierce rivalry that sprang up among cities and States for commercial basins, this opposition to State aid often broke down and States contributed liberally to railroads within their borders. Especially was this true in the South where private capital was wofully inadequate to meet the demand made for means for building railroads. "While", says DeBow's, "it is the policy of most of the States to ignore all connection with railroad enterprises, there are a number that have identified themselves with them. Of the latter all are in the southern part of the country. In these the population is not sufficiently dense, nor accumulated capital sufficiently abundant to provide means for

*Page 124.
Georgia, Tennessee, Virginia, South Carolina, North Carolina, Louisiana, and Missouri contributed more or less liberally to railroads during the period preceding the war. Maryland also made contributions and, to a less extent, Delaware. It will be noted that fewer western states than eastern granted aid.

The policy of chartering railroads by special acts of the legislatures began to break down in 1850 when New York passed the first free railroad law and Ohio soon followed suit. Other states followed within a few years; but in the main the policy prevailed during the period under consideration. Under this policy the legislature often became the scene of struggles among different interests in the State. Older roads sought to kill projected lines that might conflict with their interests. The larger cities by reason of their large representation in the legislature were able to exercise a disproportionate influence in locating the roads of the State. Often the railroad system of a State was planned to center in some city which was marked out by its location to become the commercial center of the State or which by reason of its size had acquired a large influence in the State's councils. Detroit, Indianapolis, Milwaukee, Chicago, St. Louis, Vicksburg, New Orleans, Mobile, Memphis, and Nashville were such centers. But the legislature was called upon not only to decide between rival projects within the State but also to exclude lines that were likely to afford facilities for diverting trade to the cities of adjacent commonwealths. Georgia refused the right of way to a South Carolina line in order to force western trade to pass through Savannah. (1) Mississippi refused to allow the Memphis and Chattanooga road to pass through her northern counties. (2) The best illustration of this policy is the action of the State of Illinois. Illinois desired to build up Chicago as her commercial center. Radiating lines were projected from Chicago to connect with other lines projected from the Mississippi westward through Iowa and Missouri, while for a number of years the legislature refused to charter lines across the State, passing by Chicago. The St. Louis and Cincinnati road especially was delayed a couple of years in this way. (3)

In the search for means to build the universally demanded railroad, it is not strange that the possibility of using the public domain for the purpose was early seen. The importance of railroads in making possible the rapid sale and settlement of the public lands through which they passed was clearly recognized. There was nothing that the new States

* DeBow's XX, 386.
** This subject is treated in Million: State Aid to Railroads in Missouri, Chapter VI.
*** Ringwalt, p.148.
(1) DeBow's XIII, 84.
(2) Ibid XIII, 83.
(3) Ibid VIII, 364.
desired more than rapid growth in population and importance. The West had long urged a more liberal system of disposing of the public lands. Why not, it was asked, settle the land question, secure the rapid growth of the population of the new States, and at the same time insure the building of the much desired railroad by granting the lands to the States for the purpose of aiding in the construction of railroads? Precedent for the donation of land for internal improvements had been established in the thirties, when grants had been made to aid in digging certain canals. During the same decade grants for railroads had been asked but Congress had refused to make them. In 1846 the demand was renewed and pressed so vigorously that in 1850 a combination of strong interests was able to secure a grant of alternate sections for six miles on each side of a line of road to be built from Chicago to Mobile. Encouraged by this success, the friends of land grants increased the number of their petitions to an enormous degree. State legislatures petitioned for lands for their chief roads. Every Western congressman had charge of bills for one or more roads in his district. In the first session of the 32d Congress so many railroad bills were introduced that three pages of the index of the Congressional Globe are required to enumerate them. It seems that every road projected in the West asked for a grant.

It was extremely difficult to secure the passage of any of these bills, however. The most serious difficulty was the Old States' opposition to giving the lands away in this manner. The old States felt that the lands belonged to the Union; and that this great fund should be used for the common benefit. The lands should be sold and the money used to defray the expenses of the government. Furthermore, the old States looked with concern upon the drift of population westward, which diminished their labor supply and consequently increased its price. They feared that their lands would be abandoned (as indeed they often were) for the cheaper and more fertile Western lands, and thus land values in the East be decreased. It had always been good Democratic doctrine that the Government could not constitutionally aid improvements within the States; and party shibboleths were still strong. It was attempted to meet the opposition of those who insisted that the public domain should yield a revenue and those who interposed constitutional objections, by providing that the railroad should receive only alternate sections along the route; that the reserved sections should not be sold for less than double the minimum price at which public lands were sold; and that the road should transport the troops and property of the United States free of cost and carry the mails at a price fixed by Congress. Many Democrats pretended to believe that they were voting to give away alternate sections in order to increase the price and promote the sale of the adjacent lands. This dispute between the advocates
and opponents of land grants, I shall have occasion to refer to later. The issues are very similar to those in the dispute over homestead, distribution, and graduation.

There were other difficulties to be surmounted in securing the passage of the land grant bills that were nearly as material as those mentioned in the preceding paragraph. A land grant bill was necessarily local legislation. Only a few congressman at most could be interested in any one road. In the House, where the representation of the more populous Eastern States was proportionally much larger than in the Senate, and the division between the friends and opponents of a liberal land policy much closer, it was well nigh impossible to get a land grant bill passed (no matter how deserving the road it sought to provide for), because of the difficulty of getting it and keeping it before the House. A bill upon its introduction invariably went to the Committee on Public Lands. The majority of the committee were generally Westerners, and a bill was sure of receiving a favorable report unless rival roads were seeking for conflicting grants. In such a case the rivals fought before the committee. Favorably reported, its troubles only began. Perkins of Louisiana told of the difficulties of securing action upon railroad bills. "What was to be done?" he asked, "Report them for passage and they would be killed; send them to the Committee of the Whole, they could never be reached; give up the floor and retain them for report at a more favorable time, should the Public Lands Committee ever be again called was the only course left. This was done, and I think wisely done. But who can say when that committee will again be called? Will it be before the last month in the session? Will it be at all?"*

Land grant bills were constantly being laid aside for measures of less importance but of more general interest. Even the members from the land States found it difficult to hang together for the purpose of forcing action. Opponents insisted on postponing the bills for the purpose of examining into the merits of the road, a thing which no one but the members of the committee could find time to do. Time and again, a railroad bill being before the House, it would be charged that a rival project had been unjustly discriminated against; and the House unable to get at the merits of the matter would table the bill. This charge, of course, generally came from an Eastern member: Western members generally did their fighting before the committee. The House easily took fright at the charge of lobbying and corrupt influence. It was more than once charged that even legitimate lobbying could not be done without being liable to the charge of bargain and corrupt influence. Representative Perkins in the speech alluded to above relates how he feared to introduce to his friends a certain railroad president who had come on to Washington from the Charleston Commercial Convention of

*Quoted in DeBow's XVII, 154.
1854, although he was one of the best known and highest minded men of the South, incapable of stooping to the use of illegitimate methods to attain his ends. To what extent lobbying was done in connection with railroad bills, is not clear; but probably to a very considerable extent. The officers of a road were generally on the scene, and often also citizens of the city or State to be benefited by the road. With it all there seems to have been little corruption, undoubtedly very little compared with the period of the sixties and seventies.

A land grant of six sections to the mile gave a great advantage to the road receiving it (or at least was thought to). It is plain why rival roads and cities struggled over land grants. The first struggle occurred in the State legislature. During this decade lands were granted not directly to the roads but to the States; but the route of the road for which the State was to regrant the lands was always designated. In practically every case a company had already been chartered to build along the route before the grant was made; so a grant to a State was for practical purposes a grant to a corporation. The committees on public lands in reporting bills for a State paid considerable heed to the recommendations of the State legislature; so it was highly important that a road receive favorable resolutions in that body. The struggle for resolutions was similar to the struggle for charters, but perhaps more bitter; for a land grant practically insured the building of the road while securing a charter was only a necessary preliminary step. One fight, which I shall refer to later in another connection*, occurred in the legislature of Arkansas between those who advocated connection with St. Louis or Cairo and those who advocated connection with Memphis. In the Wisconsin legislature a conflict arose between those who wished to make the State commercially tributary to Milwaukee and those who wished direct connection with Chicago.

A second struggle between the friends of rival roads occurred in Congress. To the fight before the committees, I have already alluded in discussing the difficulty of passing any of these bills. The personnel of the committee was important. Of the struggle in committee we can know little; but we can guess a great deal by noting what bills were killed. It was only occasionally that friends of the land grant principle expressed differences of opinion regarding routes on the floor of the House or Senate; but such differences were often reflected in the votes. Besides the rivalry between companies or routes within a single State, there was another struggle in which larger issues were involved. With a few exceptions the roads projected across the tier of States west of the Mississippi; Louisiana, Arkansas, Missouri, Iowa, and Minnesota Territory, and across Wisconsin, and even

*See supra, 68-73.
the east and west roads across Illinois, were designed as possible links in possible roads to the Pacific. The State in which the first of these link roads should be built would have an advantage in the contest for the terminus of the great Pacific railroad, which was demanding such wide interest at this time. As a result the rivalry of sections and States for the terminus of the Pacific railroad was reflected in the votes on these land bills. In subsequent chapters, I shall discuss some of these bills at considerable length.

In the preceding pages, I have tried, first, to make it clear that in the sixth decade of the last century, a railroad war among cities, States, and sections was in progress. Secondly, I have tried to define the issues involved in that war. Thirdly, I enumerated the factors that determined the location and building of roads and consequently the outcome of the struggle. These factors were: (1) Investment of private capital. (2) Subscription of cities, towns, and counties in their corporate capacity, and of patriotic citizens and individuals who expected a return only in the benefit to be derived from the presence of the road. (3) State aid. (4) The practice of granting special charters for roads, and the consequent control given the legislatures over their location. (5) Congressional land grants. In the subsequent paragraphs of the chapter, I wish to trace very briefly, the development and progress of the railway rivalry or war during the period to which I am limited. I shall first notice the struggle in the North.

In the race from the seaboard to the Lakes four cities were competing. Boston built a number of short lines, chief of which was the Boston and Albany, to connect at Albany with the lines along the Erie Canal, which were soon to be united under the name, New York Central.* All gaps were filled in by 1850 giving Boston through connection with the Lakes. The New York and Erie was completed to Dunkirk on Lake Erie in April of 1851. The western division of the Pennsylvania was completed to Pittsburg in September, 1852. The Baltimore and Ohio did not reach its objective at Wheeling until January, 1853. Since the Boston route lay through the state of New York, the Erie road ran through the northeastern corner of Pennsylvania, and the Baltimore and Ohio through the southeastern corner of the same State, these lines were considerably

*My authorities for most of the statements in the following paragraphs, regarding railway construction in the North and Northwest are: Paxon, Railroads in the Old Northwest before the Civil War; Ringwalt, Development of Transportation Systems in the United States; and Tenth Census--H.Misc., 2d Sess. 47 Cong., Vol.XIII, Part 4. I shall not give page reference for each fact given.
hampered in their efforts to reach the West by adverse legislation on the part of New York and Pennsylvania.

Before the roads mentioned above had reached their objectives, considerable railroad building had been done in the Ohio valley. The first roads of more than local interest played into the hands of Boston and New York. By the beginning of 1850, Lake Erie had been connected with Lake Michigan by a road from Detroit to New Buffalo, directly across the lake from Chicago. Lake Erie had also been connected with the Ohio by a line from Sandusky to Cincinnati. In 1851 Cleveland secured rail connection with Cincinnati. The next year Detroit and Toledo completed roads to Chicago. It was not till 1853, however, that lines skirting Lake Erie gave through connection from Chicago to New York. In 1851 a line was completed between Cleveland and Pittsburg. So when the last link of the western division of the Pennsylvania was completed in 1852, Philadelphia secured rail communication with the Lakes.

During the years 1851-1854, many east and west roads were projected, and some of them built, across Ohio, Indiana, and Illinois to the Mississippi and thence westward. These roads unlike earlier western roads were not designed entirely with reference to systems of water transportation. Each of the roads was urged as a link in one of three great routes from the mountains and the Lakes to the Mississippi and beyond. Those along the lake shore and across northern Ohio, Indiana, and Illinois were considered links in what was known as the great northern route, which terminated in Boston and New York. In this category belong most of the projected roads centering in Chicago. East and west roads through the central portions of the States mentioned were to be links in what was known as the great central or Philadelphia chain. In this class belong the roads projected from Columbus to Indianapolis, Indianapolis to Terre Haute, Terre Haute to Springfield, Springfield to Quincy, Hannibal to St. Joseph, or from LaFayette, Indiana to Peoria, Peoria to Burlington, Iowa, Burlington to the Missouri river.* Roads skirting the Ohio

*Davis of Indiana in speaking on a House bill providing for a land grant for a road from Terre Haute to Springfield said: "Within the next eighteen months that part of this line of road (Philadelphia to St. Joseph, Missouri) will be completed from Philadelphia to Indianapolis; between Indianapolis and Terre Haute this road is in operation; between Springfield and Quincy a great portion of the road is finished. The grant of lands to the State of Missouri, made during the present session, will, at once, enable her to construct the road from Hannibal to St. Joseph, thereby making this great chain complete, except that part between Terre Haute and Springfield". July, 1852. Cong. Globe, 1st Session, 32d Cong. p.1776.
or crossing the southern portions of these three States were prospective links in a chain of roads that was expected to extend from Baltimore to St. Louis and beyond.

During the years before about 1854, New York and Boston favored a northern terminus for the Pacific railroad as it would better connect that road with the northern or New York system of roads in the States. Baltimore favored St. Louis as a terminus; Philadelphia wanted the road to terminate at the same place, or, preferably, at St. Joseph. After the year 1854, New York and Boston no longer opposed a central terminus for the Pacific railroad; and although Baltimore and Philadelphia continued to oppose a Chicago or Milwaukee terminus, link roads between the mountains and the Mississippi, at least west of Toledo and Cincinnati, were no longer designated as belonging to a New York, a Philadelphia, or a Baltimore system. (I do not mean to say that certain of these roads were not more naturally tributary to one of the three coast cities than to the others.) The reason for dropping this terminology about 1854 was the rapid multiplication of roads, built, building, or projected, binding the whole Northwest together in all directions. In 1853 Cincinnati secured connection with Chicago via Indianapolis. By the opening of the next year, lines had been built that gave Cleveland and Sandusky railroads as far as Terre Haute in the direction of St. Louis. In 1856 the last gap between Terre Haute and St. Louis was closed. In 1855 the first portion of what later became the Wabash was extended from Toledo to Fort Wayne, Indiana, and in 1856 was continued to Decatur, Illinois, which already had rail connection with St. Louis. A line of roads that was soon to become the Pittsburgh, Fort Wayne, and Chicago, designed to connect the Pennsylvania road with the Chicago system was begun in 1851 and completed by 1856. Baltimore was not quite so fortunate in securing her connecting lines; and it was not until 1857 that a continuous line was had from St. Louis by the closing up of the last gaps in the Mississippi and Ohio (St. Louis to Cincinnati) and in the Cincinnati and Marietta. But no matter when the actual connections were made, it became evident at an early date that the whole Northwest would be bound together by an intricate new work of railroads, that the Mississippi would be reached at not three but a dozen points, and that no matter what terminus might be chosen for the Pacific railroad, provided it were north of the mouth of the Ohio, it would be connected with all the sea board cities of the North. *

*As early as 1849 the situation was so far understood that a writer in DeBow's could say: "This (St. Louis) is likewise the natural terminus of the lines of improvement from Baltimore and Philadelphia, the former pursuing the valley of the Ohio, and the latter traversing the central region between the Ohio river and the Lakes. It will not be long before New
Turning now from the rivalry of seaboard and lake cities, I wish to notice briefly railway rivalry in Illinois, Wisconsin, and Missouri.

The importance of Illinois as a field for railway operations and the tremendous advantage that Chicago had over other western cities by reason of her location, were early realized. A writer quoted in DeBow's for November, 1851, says: "The southern part of Illinois is to be the grand commercial center of our Republic....there in a few years will be found the great commercial center of our Union. At the foot of her lakes lies the colossal artery of the northern and eastern veins of railways; at her southern point is found the termini of the Mobile and Ohio Railroad and the Illinois Central Railroad; across her southern border the Ohio and Mississippi Railroad finds her route; Galena seeks a terminus at LaSalle, St. Louis at Cairo; Boston and New York have there 'met together'; Baltimore and Philadelphia with Mobile and St. Louis will 'kiss each other'. It requires no prophetic vision to predict that in ten years Illinois will possess more railway than any other State in our Union; that she will be the sun or center of our railway system as she is now our geographical center. Boston, New York, Philadelphia; Baltimore, Charleston, and Mobile with a penetration and shrewdness that do them credit, have looked to this point, and are now striving manfully to reach it."

Chicago realized her own interests and set out at an early date to acquire a railroad system making tributary to herself not only Illinois but Missouri, Iowa, Wisconsin, and Minnesota Territory. She saw, too, the advantage of being the terminus of the proposed railroad to the Pacific, and began a fight for that distinction that ended only with success in 1862. Chicago's location determined that all of the commerce of Wisconsin, Iowa, and Minnesota Territory going to the East by rail must pass through her. Boston and New York saw that the tributary to Chicago was practically tributary to them, and readily lent their capital to her projected roads. In 1850 Illinois secured from Congress a valuable land grant of six alternate sections per mile along a proposed line from Galena to Cairo with a branch from Centralia in the south central part of the State to Chicago. I have already remarked upon the difficulty of securing a charter from the Illinois Legislature for any road playing into

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York and Boston will be connected by a line of railroad with the Mississippi at Galena; but it is quite certain that these great cities will not be content to confine their operations to the North, and give to Philadelphia and Baltimore full possession of the great central region. A line of railway from the western end of Lake Erie to St. Louis or Alton, will let them into the heart of the country, and no work in the valley, would perhaps be more profitable to the stockholders".

DeBow's VII. 405. %18id XI. 519.
the hands of a city outside the State. With these advantages and her own enterprise Chicago was able to acquire in a very few years, a railroad system that was unparalleled even at that time.

In the June, 1853 number of DeBow's is given a list of twelve roads terminating in Chicago, either completed, building, or projected.* Three roads, the Michigan Southern to Toledo, the Michigan Central to Detroit, and the Chicago and Cincinnati, all completed by 1854, gave an outlet to the East. The Chicago and Alton was completed in 1854. The Chicago, Rock Island and Pacific reached the Mississippi at Rock Island in the same year. The Galena and Chicago was finished to Fulton on the Mississippi in 1855. A branch of the same road had been built to Freeport in 1853, from which point connection was had with the river at Galena in the following year by the completion of a section of the Illinois Central. The Chicago and Milwaukee was completed in 1855. The Chicago, Burlington and Quincy reached Burlington the same year and the next was extended to Galesburg and Quincy. The Chicago branch of the Central was completed in 1856, giving connection with Cairo in the extreme southern point of the State. The Chicago and Northwestern was projected northward through the central part of Wisconsin, and was designed to make that region directly tributary to Chicago without the mediation of Milwaukee. It was begun in 1854 and completed to Fond du Lac in 1858. From that point it was the intention to carry the road on to Lake Superior. Thus by 1858 every portion of Illinois except the extreme southeastern had been reached by roads radiating from Chicago; and a road had been built into southern Wisconsin. The Mississippi had been reached by Chicago roads at no less than seven points: at Cairo, St. Louis, Quincy, Burlington, Rock Island, Fulton, and near Galena. From all of these points roads were projected westward into Missouri, Iowa, and Minnesota Territory—in fact some of these roads had already been built many miles into the interior. The Hannibal and St. Joseph, which was an extension of the Chicago, Burlington and Quincy (Hannibal being nearly opposite Quincy), was completed in 1859.

It was not until 1856 that an east and west road was extended across Illinois south of Chicago. In that year the last link of the Terre Haute and Alton was completed. The Ohio and Mississippi, the first sections of which had been built from Toledo to Springfield, Illinois, in 1855 and 1856. At Springfield it effected a junction with the old Northern Cross road, built back in the years from 1838 to 1842. It was not until 1859 that it reached the Mississippi at Quincy. In that year, the Toledo, Logansport and Burlington, extending from Logansport on the Wabash to Galesburg on the Chicago, Burlington and Quincy, was completed. The lead that Chicago

*Vol. XIV, 627.
gained in these early days of railroad building could never be overcome.

Milwaukee was not idle although completely outdistanced by her energetic rival a short distance to the south of her. Three roads were extended into the interior, two or which reached the Mississippi during this period, the Milwaukee, and Mississippi at Prairie du Chien in 1857, and the LaCrosse and Milwaukee at LaCrosse the following year. The same year the Detroit and Milwaukee in Michigan had reached the lake at Grand Haven across from Milwaukee. As the name indicates, it was supposed that this road would take up the commerce brought through Milwaukee by her system, the water link from Milwaukee to Grand Haven being considered an advantage rather than a disadvantage.

The effect of all this railroad building in Illinois, Wisconsin, and Iowa in diverting the course of trade is apparent. Much the larger portion of this region had been tributary to St. Louis. In 1849 there arrived in St. Louis 806 steamboats from the upper Mississippi, 686 from the Illinois river, and 355 from the Missouri. The opening of the Illinois and Michigan Canal the preceding year had affected the interests of St. Louis in a considerable degree. The coming of the railroads meant the loss of a large portion of her trade. St. Louis was early awake to the situation, but not too early. In 1848 she chose to consider herself the future metropolis of the West. The Mississippi river would have to be the basis for any system of commerce in that section it was thought. All railroads must converge on St. Louis. In a surprisingly short time the tone changed; and she began to inquire how she might retain the commercial position she then held and counteract so many rival projects. She hoped much from the proposed Ohio and Mississippi road to Cincinnati; but the Illinois legislature seemed determined not to grant a charter. "Those who sought a friendly alliance for her in the East", said the president of the Pacific Railroad, "and proposed to increase the facilities of intercourse by a railroad pointing directly to her, have been denied the right of way, and our neighborly city of Alton even prohibited the Springfield and Alton from touching the river bank, lest a long ferriage should give St. Louis the benefits which she hopes to appropriate exclusively to herself. What, with these schemes around us against us and avoiding us (alluding to roads projected above and below, and to rival projects for roads to the Pacific), is it, if anything, expedient for us to do?" His answer was to radiate such a system of railroads to the southwest, west, and northwest that other cities would

have to build their roads to her in order to connect with her system. It goes without saying that St. Louis was determined to make one of her roads a link in the future road to the Pacific.

St. Louis, or what amounts to the same thing, Missouri, proceeded to act upon this advice. Among the roads projected were the Missouri Pacific (generally known as the Pacific) running to the western boundary and designed as a link in a road to the Pacific, the Iron Mountain and Southern to run south to Iron Mountain and open up the mineral region of Missouri, the North Missouri, which was to run northwestward to the Iowa line and by connecting with the Hannibal and St. Joseph make the latter tributary to St. Louis, and the Platte County, to run from the western terminus of the Missouri Pacific in Jackson county north to St. Joseph. The Missouri was soon authorized to construct a southwest branch. Thus four radiating lines were projected from St. Louis. The north and south roads, it was hoped, would become links in a chain of roads to extend from Lake Superior in Minnesota Territory to the Gulf at New Orleans. This chain of roads would play into the hands of St. Louis and New Orleans and offset the Chicago and Mobile.

By 1860 the Hannibal and St. Joseph was completed and the Missouri Pacific was building both along the main line and the southwest branch. Both of these roads had been encouraged by land grants and State aid.

STRUGGLE IN THE SOUTH.*

Back in the thirties, Charleston and Savannah had conceived the idea of reaching the West and Northwest by railroad. By the end of the decade the Georgia Railroad and Banking Company had extended a line about 85 miles into the interior, while the South Carolina Railroad Company built from Charleston 137 miles to Union Port, Georgia. By 1847 these two roads met at Atlanta, Georgia, from which point the Western and Atlantic was continued to Chattanooga in 1850, thus giving Charleston and Savannah access to the valley of the Tennessee. From Dalton on the Western and Atlantic, a road known as the East Tennessee, Virginia, and

*My authorities for the statements of the paragraphs on the Struggle in the South are: DeBow's; Ringwalt, Transportation Systems in the United States; and Tenth Census--H.Misc. 2d Sess., 47th Cong. Vol. 13, Part 4.
Georgia was built northward to meet at Knoxville, Tennessee, a road building from Richmond and Norfolk via Lynchburg and a pass in the Alleghanies. The former of these two roads reached Knoxville in 1858 and the latter shortly after. The Chattanooga and Nashville reached Nashville in 1854. The Memphis and Charleston connecting Memphis and Chattanooga was completed in 1857. From Atlanta and Macon on the Georgia Railroad, lines converged on Montgomery, Alabama. A line from Montgomery to Vicksburg, Mississippi was a road much built on paper, but an object not realized in fact until after the war.

Of course the purpose of these east and west lines was to divert to the eastern cities, trade that went down the Mississippi and other rivers to the Gulf. The Gulf ports saw that their trade was seriously threatened and made strenuous efforts to retain it by building northward into the contested region. Mobile first entered the field; and under her influence, Alabama projected a rather extensive system of roads. The object of Mobile was not only to retain the trade she then had against encroachment from the seaboard cities, but also to reach northern Mississippi, northern Alabama** and

*"While the cities of the North and East", says a writer in DeBow's, 1849, "are stretching their 'iron arms' toward the Mississippi; and New York, Boston, Philadelphia, and Baltimore are struggling in mighty rivalry...., which shall first grasp and appropriate the treasures of that vast region.... Charleston is silently pushing her claim, and completing step by step, the grand highway which is to bear to her port the riches of the great Southwest. Already she has advanced to the borders of Alabama; and that nothing may be lost, tributary branches are thrown northward into the fine agricultural districts of Tennessee, eventually to be extended to Nashville and Memphis; while the main trunk, after traversing the heart of Alabama, will pass through the capital of Mississippi, and meet the father of waters at Vicksburg". Vol.VII, 267.

**Northern Alabama, it is to be noted, drains into the Tennessee river and a large part of central Alabama cannot be reached by navigable streams. A writer of the time comments thus: "We thus perceive that of the State of Alabama a seventh part is commercially, and therefore socially and politically, a distinct member of the State, compelled by natural barriers to trade and identify herself, in interest, with other States and communities; and that over one third part of the State has only a temporary, uncertain, and expensive outlet for its productions and communication with its seaport". DeBow's IX, 219.
central and western Tennessee, territory then tributary to New Orleans. The Mobile and Ohio railroad was originated in Mobile, January, 1847, and was soon chartered by Tennessee, Alabama, Mississippi, and Kentucky. It was to run up the Tombigbee valley through southwestern Alabama, northeastern Mississippi, and western Tennessee and Kentucky to Cairo at the mouth of the Ohio. In 1850 the road received a grant of public lands on the alternate section principle. Another Alabama road urged was the Alabama and Tennessee, to connect the head of navigation of the Alabama river with Gunter's Landing on the great bend of the Tennessee. Selma, Montgomery, and Wetumpka on the Alabama river were rivals for the southern terminus of this road. The proposed road from Montgomery to Vicksburg met opposition in Mobile as did also a proposal to build from Montgomery to New Orleans.

Before the building of the Erie Canal, New Orleans was the chief export city of the United States. The digging of the Erie and Ohio Canals had diverted much of the trade that formerly came her way. The railroads now rapidly being built in the Northwest threatened not only the Ohio valley trade but the upper Mississippi trade as well. The Virginia, South Carolina, and Georgia roads pushing into Kentucky and Tennessee would take another huge slice of her territory. But more menacing than any of the other projects was the Mobile and Ohio; for it would not only run through tributary territory, but, by terminating at the mouth of the Ohio, would give south bound commerce from the Northwest choice of routes to the Gulf. Transportation by rail would be much shorter and quicker than by the tortuous Mississippi. Thanks to a policy of government that had refused to spend but insignificant sums to clear it of obstructions, the river was very unsafe for commerce. It was not improbable that considerable commerce would prefer the safer rail route to the risky river voyage.

New Orleans awoke rather tardily to the realization that she was on the point of losing her commerce. J. G. Barnard of the Corps of Topographical Engineers in an article published in DeBow's reviewed the whole situation and urged New Orleans to bestir herself. "With the unrivalled Mississippi", he says, "stretching her arms almost to the extremities of a continent, and bearing to her lap the varied productions of a region of immense extent and unsurpassed fertility, New Orleans has hitherto folded her arms, and looked with a smile of indifference upon the attempts of other less favored cities, to draw themselves by artificial means, some portion of the wealth of this great valley". Again he says, "Does it be-

*DeBow's, VIII, 444. May, 1850.
hove New Orleans alone, of all the commercial cities of the United States, to stand idle and see her life blood—her commerce—drawn from her by the efforts of her sister cities? cities which beyond good harbors and good climates, have few commercial advantages save what, by vigorous efforts, they acquire through works of art". He thought a road to the Tennessee most urgently needed to forestall inroads by the Atlantic cities and Mobile.

In 1849, Mississippi citizens started agitation for a road from Jackson, the capital of the State, to New Orleans; and a charter was secured from Mississippi early in 1850. An extension to Holly Springs in the northern part of the State was soon suggested. From thence roads were projected to Nashville and Louisville and to Cairo at the mouth of the Ohio. Should Louisville become the tributary of New York or remain the tributary of New Orleans? was declared to be an issue. If the Cincinnati-Louisville road were built first New York had won. What would be the effect of the Memphis and Charleston railroad on the interests of New Orleans? it was asked. Some thought it would injure her; others that it would redound to her benefit. All agreed that no east and west road should be permitted to stop short of the river.

Many considered it inevitable that New Orleans lose much of her old trade at the coming of the railroads. They thought it useless to attempt to hold the trade of Kentucky and Tennessee against Charleston and other eastern cities; and urged that New Orleans relinquish this territory without a struggle, and turn her attention to developing that portion of her basin that would always remain, namely, Louisiana, Texas, Arkansas, southern Missouri, and Indian Territory.* New Orleans was urged to extend liberal aid to the roads projected westward into this basin from Memphis, Vicksburg, and Natchez; and road that tended to benefit one of these points operated in favor of New Orleans, it was said. From New Orleans the Opelousas, New Orleans and Great Western was projected across Louisiana to the Sabine and thence into Texas. It was hoped that ultimately it would be extended to the Pacific. This, after the Tehuantepec railroad project was the contribution of New Orleans to the struggle over the route of communication with the Pacific. Vicksburg was interested in a proposed road to run across Louisiana to Shreveport on the western boundary, also designed as a possible link in a Southern Pacific rail-

*The Southerners seemed to think that the comparatively civilized nations, the Creeks and Choctaws, might at no distant date be admitted into the Union as a slave State. It was expected that they would contribute to the Southern Pacific railroad if built across their lands. See DeBow's, XVII, 97, 212.
road. Arkansas soon developed her share of railway projects, the most promising of which centered in Memphis. A convention held in Little Rock, 1852, declared strongly for a road from Memphis via Little Rock to Fulton in the extreme southwest corner of the State and for another from St. Louis via Little Rock to some point on the Opelousas, New Orleans and Great Western. Other roads suggested were from Helena on the Mississippi below Memphis to St. Smith on the western boundary, and from Gaines Landing on the Mississippi to Fulton. For the St. Louis to New Orleans road there were three rival routes: the Memphis, the Little Rock, and the Helena. Along the Memphis route a line continuing the Iron Mountain in Missouri would connect at Memphis with a couple of short roads which in turn connected that city with the New Orleans, Jackson, and Great Northern at Canton, Mississippi.

In order that the Gulf cities might compete on anything like even terms with their seaboard rivals, it was necessary not only to build north and south roads into tributary regions, but also to secure quicker and surer communication with the seaports themselves, especially with New York. New York was the business center of the United States. The ocean voyage between New Orleans and that city was long, tedious and dangerous. By sailing vessel it required from fifteen to thirty days to cover the distance. Mail facilities were necessarily poor. Business men avoided the journey. The old method by which a man of St. Louis, for example, had reached New York was to go down the river to New Orleans and thence by sea, a voyage of weeks. With the completion of a railroad to St. Louis from the East, a business man could make a trip to New York and return in a week. Then, quick mails, and cheap and rapid transit to the North became matters of pressing importance.

A road from Louisville or Cincinnati would secure these objects; as would also a chain of roads from Richmond through Knoxville, Chattanooga, and Memphis to New Orleans, or through Chattanooga and Selma to Mobile. A line from New Orleans or Mobile to Montgomery and thence to a connection with the Georgia system of roads was also mentioned as a short and quick connection with the Atlantic cities. With respect to these roads, the Gulf cities were in a rather peculiar situation. While from the viewpoint of trade with the interior, they preferred that the roads be not built, they were at the same time highly desirable for giving mail facilities and affording cheap and rapid transit to the North.

Another class of roads, which met with much greater favor in the Gulf cities, filled these latter purposes without robbing the cities of their trade at the same time. These were roads projected across the Florida peninsula, or across Georgia without extending far into the interior. They were encouraged
by New York as well as New Orleans and Mobile. There were several proposed routes. One of the earliest crossed the peninsula from the harbor of St. Mary's on the east to Cedar Keys on the west. Another ran from Mobile to Girard, Alabama on the Georgia boundary and thence connected with the Georgia railroad system at Macon. Another ran from Brunswick on the Georgia coast to Pensacola, Florida. Savannah projected a road to the same place. A ship canal across Florida had been discussed ever since its acquisition. The legislature of Florida early in 1855 set apart its entire internal improvement fund to aid in building an east and west road from Jacksonville to Pensacola, a north and south road from Amelia Island to Tampa Bay, and for a canal. From Pensacola a road was projected on to Mobile.
CHAPTER II.

Beginning of the Local and Sectional Struggle
over the Choice of a Route of Communication with
the Pacific.

With the question, When and by whom was the idea of building a railroad to the Pacific first conceived?, I shall not be concerned.* Suffice it to say that by 1844 it had been suggested so often that it must have been somewhat familiar to the people of that day. That any but a few of the most visionary or far-sighted, as we may choose to consider them, expected such a road to be built within a generation is not at all probable. Within a few short years, however, communication with the Pacific was no longer the day dream of the enthusiast. It was no longer conceived as a remote possibility, but was urged by the entire nation as a great national object. To secure it had become one of the chief ends of our diplomacy. The question of the constitutionality of lending the substantial aid of the nation to its consummation had divided Congress; while the question of route had occasioned not only a bitter rivalry between cities and States but also a sectional controversy between the North and the South, intimately bound up with the sectional conflict over slavery and its extension. For this sudden change in the status of the projects for communication with the Pacific, there were several reasons. The first was the agitation of Asa Whitney. Another was the growing realization of the possibilities of railroads as instruments of commerce. A third and most important reason was the extension, in the short space of three years, of our territory to the Pacific. It shall be the purpose of this chapter to trace the development of communication with the Pacific into a great national problem and a bitter local and sectional issue.

Asa Whitney, merchant of New York city, was the first great agitator for a Pacific railroad. He grasped clearly the possibilities of the railroad as a means of transportation. A railroad across the continent he conceived to be the greatest work of the age; and the building of such a road became his life purpose. He studied the project from every conceiv-

*This question is treated more or less fully in Davis, The Union Pacific Railway, Chapter I; Bancroft, History of California, Vol. VII, Chapter 19; E. V. Smalley, History of the Northern Pacific, Chapter 7; and White, History of the Union Pacific Railway, Chapter I.
able angle, and was able to present an imposing array of arguments in its favor and to offer a plan, which was plausible to say the least, for its construction. Both the project and his plan he urged upon Congress and the country with an energy and perseverance that were unsurpassable.

When Whitney entered upon his advocacy of the Pacific railroad in 1845, there was possible only one route that lay entirely within the borders of the United States. California and New Mexico were in the possession of another power. San Francisco was not ours. The Oregon coast was the only portion of the Pacific shore line that we could lay claim to.* According to Whitney's plan the road would run from some point on Lake Michigan or the Mississippi river by the most favorable and direct route to the mouth of the Columbia in Oregon. It was to be built without costing the people of the United States one cent. Congress need only sell Whitney for ten cents an acre and upon credit a strip of land sixty miles wide, thirty miles on each side of the proposed route, and extending from Lake Michigan to the Pacific. With the proceeds from the sale of these lands he would build the road, which when completed should belong to him, his heirs or assigns forever. Provisions were introduced to guarantee the government against possible loss. Congress should have the power to regulate the tolls, which would be very low, since there would be no investment of capital to pay interest upon, and since the road was to be exempt from taxation. Whitney felt that the ownership of the road should be his as a reward for his labor and his creative genius; but if the people should feel otherwise, he was willing to construct it without compensation and turn it over to the government as a "free gift" to the American people, securing his reward in satisfaction that would come from having performed such a monumental service to his country and to civilization.

What objects, we may well ask, was a Pacific railroad expected to secure at a time when California was not our own and when Oregon was yet a wilderness? It seems that Whitney had travelled in China and Japan in 1842 and 1843 and had been struck with the possibility of an immense trade with those nations. Already their trade with Europe was great, while with the United States it was very small. The trade of the Orient had been an object of Western nations for ages, he reasoned. It had been the subject of European wars before the modern nations of Europe had emerged from barbarism. America had been discovered as a result of an effort to find a short route to the Indies. Nations had continued to this day in their attempts to lessen the distance to the East. The Isthmus had long attracted attention as a possible solution of...
the problem. But commerce still went in the ancient channels or around Africa or South America. Now the idea seized Whitney that across America might be that long sought for short route to the Indies; that the railroad had solved a problem that had defied the world for ages. He would make the already vast commerce of the Orient and the much vaster commerce to be developed pass to and through America and pay tolls to her. This was the grand object of the Pacific railroad in 1845. There were others; but they were unimportant in comparison. Let us use Whitney's own words: "The road would bring all this vast commerce across our continent and make the world tributary to us; it would bind Oregon and the Pacific coast to us; open up the Eastern markets; develop our new lands; solve our immigration problem; bind all the world together as one nation, giving us control over all, and making all tributary to us!"

Whitney was a visionary, his plan was impracticable, and no doubt premature; but he made the building of a Pacific railroad a national issue. From the time that he presented his first memorial to Congress in 1845 until his plan was finally dropped from consideration in 1852, Whitney was the central figure of the Pacific railway discussion. He spent his entire time, and his fortune, in urging the project. He memorialized Congress; he interviewed statesmen; he traveled from State to State addressing legislatures and hundreds of public meetings, inducing them to pass resolutions and adopt petitions to be forwarded to Congress. He contributed largely to the periodical literature of the day, carrying on controversies with more than one antagonist of his plan of building or his choice of route. He collected and published large masses of data (with what accuracy, I am unable to say) showing the extent and possibilities of commerce with China, and the advantages in time and cost of transportation of his road over any other means of communication with the Orient. All this agitation was not devoid of results. Legislature after legislature to the number of nineteen, several of them in the South adopted resolutions in favor of his plan. Public meetings in scores of cities declared for the project. The press commented freely upon it, and generally favorably. Whitney's estimate of the importance of securing the China trade was universally accepted. That a large portion of that commerce would pass over a transcontinental railroad was generally conceded.

Whitney's first memorial was presented to Congress January, 1845; but no action was taken upon it except to re-fer it and order it to be printed. In the first session of the 29th Congress, Whitney's second memorial was referred in the Senate to the Committee on Public Lands of which Senator Breese of Illinois was chairman, and whose personnel was largely Western. July 31, 1846 Breese reported a bill drawn up on the Whitney lines, accompanied by a report enthusiasm-ically favoring the project. In the House the memorial went along with a memorial of George Wilkes and numerous petitions and resolutions to the Committee on Roads and Canals, of which Robert Smith of Connecticut was chairman. In his report he said: "Upon the importance of the American commerce and trade in the Pacific ocean, there seems to be the same pleas-ing unanimity of opinion. Of its present and prospective value more than one hundred members of Congress and a far greater number of editors, pamphleteers, essayists, and book-makers have treated in a manner more or less elaborate with-in the last five years".* The report continues: "While the prudent and sober minded would perhaps be unwilling to see the revenues or the property of the nation pledged, or in any wise commuted to the construction of a costly railroad of some 2800 or 3000 miles in length stretching across vast uninhabited prairies and lofty mountains, involving an original outlay of at least a hundred million of dollars, and a large annual cost for superintendence and repairs, it is believed that they would cheerfully assist to open an eligible avenue, if one could be assured at a small cost compared with the ob-ject sought to be realized...It is a project too gigantic and, at least for the present, entirely impracticable". The report concluded by suggesting the possibility of improving the Columbia and Missouri rivers so that with a portage of 150 miles, there might be continuous water transportation from the Ohio to the Pacific.

Whitney's plan was not only opposed as impracticable, visionary, and too costly; but from the outset it met the opposition of the advocates of rival routes. Chicago and St. Louis were early in the field. Those interested in projects for building canals across the Isthmus or Central America voiced their opposition. No sooner had the United States gone to war with Mexico (in fact even before) making probable, if not certain, the extension of our boundary to the Pacific, than Southern States and cities declared for a southern route. Those of the Southern States that had declared for the Whit-ney scheme repented of their haste.**

Whitney's road as first planned was to run from Milwaukee via Prairie du Chien, Wisconsin, directly westward to South Pass, thence to the mouth of the Columbia; but he was willing, if it were demanded, to move the terminus as far south as the latitude of Chicago. The Illinois legislature passed resolutions instructing their delegation in Congress to support the project. Breese of Illinois was the chairman of the Senate Committee on Public Lands and submitted their report in its favor. The route provided for in the Whitney bill was the only one available, according to the report, because it started in a settled community, had sufficient timber for construction purposes, had easy water communication with the Atlantic, was in communication with Pittsburg, where iron was made, it was nearer all the Atlantic seaboard cities than any other, was in the latitude of South Pass, and was in a position to connect with the many roads pushing into the Ohio valley. I need not add that the Northern States favored this route.

The chief opposition to the route of Whitney's road came from Missouri. When Breese introduced his bill in the Senate, July 31, 1846, Benton met it with rather discourteous treatment. When we consider that Benton soon became the indefatigable champion of a "Great Central Highway", we are justified in supposing that the animus of his opposition was a desire for a different terminus rather than, as he maintained, a dislike of the method of construction.

In the first session of the 30th Congress, Felch of Michigan presented to the Senate, Whitney's third memorial, in which he elaborated his plan and its advantages. Senator Niles of Connecticut assumed the sponsorship for Whitney's plan. On January 27, 1848, he introduced a Whitney bill and secured its reference to a select committee of which he was made chairman. A few days later the bill was reported favorably; and on July 29th, Niles moved to take it up. As in the 29th Congress, the bill met the violent opposition of Benton, avowedly on the ground that it put too much power into the hands of Asa Whitney. Bell of Tennessee regretted Benton's discourteous reception of the bill and his thrusts at Whitney. As for Mr. Whitney, he had conversed with him and found him modest and intelligent. It seems that Whitney's friends were finding it necessary to defend him from the charge that he was a visionary with no practical ability. The bill was tabled on Benton's motion by a vote of 27-21. This was the first vote secured on a Pacific railroad bill.

*Douglas was opposed to the Whitney plan for building the road.

**Composed of Niles of Connecticut, Corwin, Ohio, Lewis, Alabama, Dix, New York, and Felch, Michigan.
In the House, too, a select committee on the Pacific railroad was appointed with Pollock as chairman. On January 23, 1848, Pollock brought in a bill and a report. After commenting on the great number of public meetings that had been held in favor of the Whitney project, and upon the resolutions passed by state legislatures, the report said: "Therefore your committee believe it to be almost the unanimous desire of the people that the plan be adopted".* This was far from the truth; but may be taken as showing the great interest taken in the Pacific Railroad at this time.

While this preliminary struggle was going on between St. Louis and Chicago, projects for a road to the Pacific along a southern route were gathering head. It is remembered that at the time of Whitney's first memorial, California was a possession not of the United States but of Mexico. The parallel of 42 degrees was our southwestern boundary. This fact, it seems, would have precluded all idea of a southern route; but that was not the case. The belief in manifest destiny was abroad in the land. We were on a march to the Pacific. Texas had been annexed in 1845; the Oregon dispute settled in 1846. California alone shut us from our birth right. If we may take the sentiments expressed by certain writers of the period as reflecting to any considerable degree the sentiment of the country, the desire to develop our trade with the Orient and consequently a desire for a Pacific railroad, had much to do in instilling a belief in manifest destiny in the minds of "Young Americans".

In 1846, George Wilkes, another railroad enthusiast, presented a memorial to Congress on the subject of a railroad to the Pacific. After reviewing all the efforts made to shorten the route to the Indies since the time of Columbus, and after discussing in detail the contemporary projects for communication across the Isthmus, he presented the arguments for a Pacific railway: Rivalry with England alone demanded it; it was practicable; it would secure for us a monopoly of carrying the China trade; by opening up a new market (the Orient) it would benefit our manufactures and our agriculture. The memorial concluded with a long plea for an extension of our territory.**

At the Southern Commercial Convention held in Memphis

in November, 1845, the Atlantic and Mississippi railroad was a subject of discussion. Delegates advocated its extension into Texas. One was bold enough to suggest that if it were extended to Mazatlan on the Gulf of California, the necessity of a ship canal across the Isthmus would be obviated. DeBow, in commenting on the statement in January, 1846, begged to remind his readers that we did not yet have California and were not sure of Oregon.* Colonel Gadsden, president of the South Carolina Railroad Company, the same who afterwards purchased a strip of land from Mexico for a southern route, mentioned the Mazatlan route and also a southern route to California in his report of February, 1846.** Mr. Forshey of Louisiana, in an article in DeBow's for July, 1847, proposed to show that of the routes suggested for a road to the Pacific that from the Atlantic through Memphis to Mazatlan was the best. He accepted Whitney's conclusions as to the value and desirability of the China trade at their face value, pointed out the advantages of the Mazatlan route over the Whitney route, and then proposed that since we were at war with Mexico, we should make the right of way to Mazatlan the sine qua non of a treaty. He attributed the first proposal of this road to a Robert Patterson, editor of the Concordia Intelligencer, who, he said, made the suggestion in October 1845.*** A writer in the November, 1846, number of the Railroad Journal suggested a route from Tampico to Mazatlan.*! DeBow himself in the February, 1848, issue of his Review suggests, "the more glittering prize of a Southern communication through California to the Pacific". "We regard this", he says, "as infinitely more practical, desirable, and within the reach of our government than that proposed by Mr. Whitney." In a note he adds, "Since the above was written Calhoun has suggested at Washington a route through El Paso and the Gila Valley to San Diego".*!!

In the negotiations for peace with Mexico, the possibility that it might prove desirable to build a railroad to the Pacific along the Gila route was not overlooked. Article VI of the treaty reads: "If by examinations which may be made, it should be ascertained to be practicable and advantageous to construct a road or canal, or railway, which should in whole or in part run upon the river Gila or upon its right or left bank within the space of one marine league from either margin of the river, the governments of both republics will form an agreement regarding its construction, in order that it may serve equally for the use and advantage of both countries".*!!

But whether or not the desire for overland communication with the Pacific and thence with the Orient had anything to do with our desire to acquire California, the annexation of that territory changed the whole face of the struggle for a Pacific railway. It added new and powerful reasons for building the road. By making it possible for the South to contest on equal terms with the North for the route, it gave great impetus to Southern projects. It brought in the question of slavery extension, with which the choice of route for the Pacific railroad became complicated.

The newly acquired territories excited much interest in the States. They realized at once, perhaps overestimated, the future possibilities of the Great West. The contemporary periodicals contained descriptions of the new land, its vast extent, its wonderful resources, its harbors, and the advantages it offered for trade with the Orient. On January 24, 1848 gold was discovered in the lower Sacramento Valley; and a mad rush for the gold fields from all parts of the world began. Population increased by leaps and bounds. We must have a road, it was said, to enable us to protect our new and valuable possessions. It was needed to afford transit to the thousands who would emigrate to the region. California would soon have a large population with great and flourishing cities. Internal commerce alone would soon justify the building of the road. "If we can suppose a population on the route of this communication and in constant use of it of four millions only, and that it will reach the number in twenty years would not seem improbable, considering the riches of California and the past progress of our western country, and the impetus the road itself would give, that population alone could support the road, with its travel and trade, judging from the number of miles of railroad we at present require."

"Thus, then, if not one dollar of eastern trade is realized by our Pacific railroad, if begun now it is capable, in less than one generation of being as profitable as other American roads!"

Demonstrate if it can be done, that we get the trade of India, or even make it highly probable, and what motives are there superinduced to gratify national avarice or ambition".*

As it was highly improbable that any of the southern schemes for a road through Mexican territory could ever succeed, the South took comparatively little interest in the contest for an overland route before the acquisition of

*DeBow's VII, p. 36.
California.* Now that a Southern route was made possible, the South determined not to allow the great prize to escape her. I have already commented upon the bitterness with which the South watched the North rapidly forging ahead in wealth and commercial importance. Why, it was asked, had the cities of the South fallen so far behind those of the North? "We have Richmond and Charlestown, and Savannah, Mobile and New Orleans. Why has the progress of all these save the last been so unnaturally checked?" The answer given by the person who asked the above question is immaterial. The remedy was railroads and especially the Pacific railroad: "Our own cities must revive under their influence and commerce visit again its wonted marts".** The Gulf cities entertained high estimates of the benefits to accrue to them from a road from the Mississippi to the Pacific. "The moment that a highway is completed to the Pacific the superior advantages which these Atlantic cities afford for supplying the great valley with foreign merchandise will pass away forever. The Gulf cities will take their place. They will be the halfway stations on the nearest route to the Indies. Galveston, New Orleans, Mobile, Pensacola, and Apalachicola will compete for this trade".***

The history of the struggle between those who would extend slavery and those who would restrict it is familiar. It began with the proposal to annex Texas and continued almost without interruption until it culminated in civil war. The settlement of the Oregon dispute and the acquisition of California and New Mexico extended our sovereignty to the Pacific. From Missouri and Texas to the coast was a vast region comprising one half our extent, practically without inhabitants. The Expansion Movement did not cease with the extension of our sovereignty over this vast region. This accomplished, the Expansionists demanded that our population should spread from coast to coast. They were not content that an immense territory within our borders should remain populated only by the scattered Indian tribes. The South was desirous that the southern portion of the Great West be populated earlier and more rapidly than the northern, thus strengthening their forces in the great sectional conflict. The North on the other hand looked to the northern portions of this great territory for accessions which would give them a preponderance in the councils of the nation. The building of a railroad to the Pacific would undoubtedly accelerate settlement along the entire line; it would bind those settlements industrially and politically to the section in which

*They had taken much greater interest in communication via Panama or Tehuantepec. See infra.
it terminated; the immigration would come chiefly from that section. The South had fought for the acquired territory chiefly that from it they might carve slave states to preserve the threatened balance of power between the sections. Southerners were as unwilling that this territory be bound to the North by a railroad as they were unwilling that it be organized as free territory. One would be, in the long run, about as effectual as the other in determining whether the territory should be free or slave. The North, which fought against slavery extension and won a partial victory in 1850 by securing the admission of California as a free State, could not allow further victory to be made impossible and the victory already gained to be endangered by a road with a Southern terminus.* Many Northerners, perhaps a majority, preferred no road at all to a Southern road. The South preferred no road to a Northern one.**

The sectional conflict over slavery extension is reflected in the struggle for a route to the Pacific from the first. DeBow in the summer of 1849 printed an extract from a letter of a "distinguished friend" who was "one of the best informed men in matters of this kind, one of the ablest reasoners, and withal as well known as almost any man in our country". A portion of the extract reads: "Between Memphis and St. Louis, Memphis would be bound to lose out. All the free States would go for St. Louis; for I can tell you that the accursed question of slavery is already mixing itself up with the road, and the free States who are removed from it will not go for it if it is to go through slave territory".*** As the railroad struggle developed its bearing on the larger sectional issue became plainer. In subsequent pages I shall attempt to trace the influence of the slavery question in determining the outcome of individual struggles over the Pacific railroad. It should be remarked that it is extremely difficult to judge to what extent opposition to any particular railroad proposal was due to its bearing, real or supposed, on slavery extension and to what extent due to other reasons, constitutional or commercial.

Although the South was united in demanding a Southern route for the proposed railway—although it agreed on the commercial and political advantages the road would secure

*California was at no time before 1860 so strongly free state, that close connection might not have bound it politically to the South. One of California's first senators, Gwin, was strongly Southern.

**This preference was by no means entirely due to the slavery issue.

***DeBow's VII, p.37.
for the South as a section, it was by no means agreed upon
the proper terminus within the South. Memphis, Vicksburg,
Natchez, New Orleans, Galveston, and even minor points were
aspirants.

Memphis was by far the most aggressive and likely of
the number. It was the commercial capital of Tennessee and
therefore solidly supported by that State. A road terminat-
ing there would run through Little Rock, Arkansas, looked
upon as the future commercial center of the State. A road
was early projected and built (1857) to Chattanooga which
had connection with Savannah and Charleston in 1850. Mem-
phis was far enough north that it could be urged as the
most central of the rivals for a terminus. It found an able
champion in Senator Bell of Tennessee. In October, 1849, a
great railroad convention was held at Memphis to urge its
claims to the terminus. It declared for a road from San
Diego to some point on the Mississippi between the mouth of
the Ohio and the mouth of the Red river.

Vicksburg had early been suggested as the proper ter-
minus for the Pacific railway.* It, too, was hopeful of
speedy connection with Charleston and Savannah via Montgomery,
Alabama, and was more directly in line with them than was
Memphis. A road was projected across Louisiana to Shreve-
port as the first link in the great road to the Pacific.
The Vicksburg project aroused more interest in Texas than
did any other with the possible exception of the Galveston.
From a purely Southern point of view Vicksburg was the most
logical terminus because of its central location.

Natchez because of its lesser commercial importance and
its proximity to Vicksburg never loomed large as a possible
terminus.

New Orleans and Galveston could expect no outside sup-
port for their projects; for a road to either of them would
benefit that city alone. New Orleans preferred a route via
Tehuantepec to an overland route to the Pacific. General
Houston of Texas, during the 2d. session of the 30th. Cong-
ress (February, 1849) introduced a bill authorizing the
Galveston and Red River Railway Company to construct a rail-
way to the Pacific Ocean in California. It received no
notice whatever. Senator Rusk of Texas became the champion
in Congress of a road terminating near Fulton, Arkansas,
with branches, one of which should run to Galveston.

*See supra, page 39.
As in the North the real struggle lay between two points, Chicago and St. Louis; so also in the South there were two outstanding rivals, Memphis and Vicksburg. In the first years of the struggle, it was confidently expected that either St. Louis or Memphis would secure the road. They were often spoken of as if they were the only rivals for the terminus.

Of the rivalry for the western terminus, it is hardly necessary to speak. After the annexation of California had made it possible to build a southern road entirely on American soil, Mazatlan was practically dropped from the list of possible termini. It was generally agreed that a road within our borders from beginning to end was much to be preferred to one running across a corner of a foreign state. San Diego, Monterey, San Francisco, Astoria, and Puget Sound all were mentioned as possibilities. The rapid growth of San Francisco after the discovery of gold in California soon made it by far the most important point on the coast. Monterey and the mouth of the Columbia were soon dropped. Bills designating San Diego or Puget Sound as terminus invariably provided for a branch to San Francisco.

While the various local and sectional interests which we have mentioned above fought over the route to the Pacific, there were other large interests that opposed all projects for a railroad within the borders of the United States in favor of various projects for canal or railroad across Panama, Nicaragua, or Tehuantepec.*

In 1846 the United States secured a treaty of amity and commerce with New Granada.** By the XXVth article of that treaty the United States, in consideration of a free and uninterrupted right over the Isthmus of Panama by any road or roads then existing or thereafter to be made, guaranteed to the public the neutrality of the Isthmus and the Authority of New Granada over it. Under the protection afforded by this treaty a New York company, known as the Pacific Mail Company, which had already in 1847 secured a contract with the United States Government for carrying the mails to the Pacific coast, secured from the Republic of New Granada

*There is a long story, diplomatic and otherwise, connected with these projects for transportation across the Isthmus or Central America. I have not attempted to work out this phase of the subject of communication between the Atlantic and Pacific in any detail. What may be said will be only incidental.

**Ratification exchanged June 10, 1848.
an exclusive grant or privilege of ninety-nine years for constructing a railroad across the Isthmus of Panama.* The company appealed to the government for aid; and at the same time sought to prevent the success of any other measures for securing communication with the Pacific. The railroad was begun in 1851 and completed by 1855. The opposition of the interests behind this route of transit to the various projects for a Pacific railroad will be referred to again in connection with the further discussion of those projects.

The possibility of digging a canal across Nicaragua had long been understood. With the acquisition of California, the route to the gold fields and the awakened interest in the Orient, the interest in a canal became very strong. The United States was urged to dig it. Great Britain also was greatly interested in the project. The intricate diplomatic struggle between the two countries, resulting in the Clayton-Bulwer treaty, it is not necessary to summarize. The result was to cause many Americans to lose hope of securing an interoceanic canal. During the fifties a New York company under the title, "The Accessory Transit Company" operated a line of steamers on the San Juan de Nicaragua river. Cornelius Vanderbilt was at the head of the company. It is needless to say that the interest in a Nicaraguan canal and the influence of the Transit Company both operated against the success of Pacific railway schemes.

A third rival of the continental railroad was the project for a railroad or canal across the peninsula of Tehuantepec. In 1842 the Mexican government granted the right of way across the Isthmus to Don Jose de Garay, by whom it was transferred to John Schneider and Company and Manning and McKintosh, subjects of Great Britain. In 1846 an extension of the grant was secured from the existing government of Mexico. Three years later the grant was conveyed to Peter Hargous of New York, who in turn conveyed it conditionally to an association whose members resided in New Orleans.*** In the negotiations for peace between the United States and Mexico at the close of the Mexican War, the United States had attempted to secure the inclusion of a provision relating to communication across Tehuantepec but had failed. After the war our government continued to exercise pressure upon Mexico, and in 1851 the two governments signed a convention upon the subject of right of way to which Hargous

***One condition was that the association organize a company within two years. DeBow's, X, 94. This was done under the name, the New Orleans, Tehuantepec Railroad Company.
assented. The Mexican Congress, however, declared the Garay title void (1851), and the next year refused to ratify the convention with the United States. This action occasioned considerable ill feeling in the United States; and the American minister remonstrated indignantly. The Committee of Foreign Relations reported in favor of the validity of the Garay grant. The matter became one of the subjects of Gadsden's negotiations in 1853. Article VIII of the treaty of December 30, 1853 stipulated that, "Neither government will interpose any obstacle to the transit of persons and merchandise of both nations; and at no time shall higher charges be made on the transit of the persons and property of citizens of the United States than may be made on the persons and property of other foreign nations, nor shall any interest in said transit way, nor in the proceeds thereof, be transferred to any foreign government." It further provided for the transportation of the mails, for the transportation of property of the United States Government or citizens free of duty; and for the transportation of United States troops or munitions of war. Lastly the United States was permitted to extend its protection to it whenever it should consider wise to do so.** On February 5, 1853, nearly a year before the Gadsden treaty was signed, the Mexican Government made a contract by which the right of way across the Isthmus of Tehuantepec was secured to A. G. Sloo and others on certain conditions. To carry the contract into effect a company was incorporated under the laws of Louisiana in June, 1853, and its domicil established in New Orleans.*! It was this company which the Gadsden treaty protected. It did not push the work.

Tehuantepec was the favorite route of the New Orleans and Mobile interests. In fact, it was strongly supported in all of the Southern States. In favor of the road it was urged that it was much cheaper than a continental railroad and the route very much shorter than either the Nicaragua or the Panama route.

With this description of the interests and issues involved in the struggle for communication with the Pacific, it is possible to turn to an account of that struggle in Congress.

During the second session of the 30th Congress, January 29, 1849, Senator Niles of Connecticut moved to take up the Whitney bill which had been tabled at the last session.**!

*DeBow's XIV, 1. **Treaties and Conventions, 697.
*!DeBow's XXII, p. 193 ff.
**!See supra, page 32
He said he believed the people were much surprised that Congress had not taken some action upon it. Borland of Arkansas met Niles's motion to take up the bill by declaring that it was inexpedient to discuss the bill until the routes had been surveyed. He urged the passage of a joint resolution reported at the last session by the Committee of Public Lands, authorizing the Secretary of War to cause surveys to be made for purpose of determining the best route.* Foote of Mississippi wished to change the route. It was apparent that it was useless to urge the bill further; it was postponed and no further effort made to take it up. On February 7, Benton rose and at the end of a long bombastic speech introduced his bill for a great "Central National Highway". The road was to run from St. Louis to San Francisco with a branch to Oregon, west of the mountains. Seventy-five percent of the proceeds from the sale of public lands in California and Oregon, and fifty per cent of the proceeds of sales elsewhere, were to be set apart to defray the cost of building the road. The route was to be selected by Congress after a preliminary survey; and the road constructed under the direction of the President. Military stations were to be established at intervals along the route for the protection of the road; and settlements at such stations encouraged by donations of land to actual settlers. When built the road was to be leased to individuals or companies, with whom the Government should contract at reasonable rates for the transportation of persons, mails, munitions, and all other public or private property. Provision was made for extinguishing the Indian title.** The bill died in committee, as did also a bill introduced by Senator Houston of Texas, authorizing the Galveston and Red River Railroad Company to construct and extend a railway to the Pacific coast.

A bill relating to a railroad across the Isthmus of Panama received considerable attention in the Senate. Three Americans, Wm. H. Aspenwall, John L. Stephens, and Henry Chauncy had secured from the Republic of New Granada an exclusive grant or privilege for ninety-nine years, of constructing a railroad across the Isthmus. They appealed to the American Government for aid.*** A bill was drawn up authorizing the secretary of the navy to contract with the persons holding the grant to carry the mails, troops, and government stores for ten years at $250,00 per annum. The road must be begun within three months and completed within three years from the date of contract. A schedule of tolls for

***Ibid, p.20.
passengers and freights was included in the bill. Three-fourths of the road was to be owned by citizens of the United States.* Benton, Douglas, Clayton, Webster, and Dayton advocated the scheme; and Downs, Niles, Allen, Butler, Davis, Foote, and Underwood opposed. Benton considered the road a temporary measure for the United States. He wished to make no arrangements, "which are to keep me out of my own country one moment beyond the time that we are able to finish our road". If only one road could be had, Webster preferred an internal road; but he thought both were to be accomplished. Clayton thought the matter urgent. In opposition to the bill it was urged that it was a contribution directly to internal improvements; that the monopoly violated the New Granada treaty; that the aid extended was too great for the service rendered; that the road was too remote; that the Tehuantepec route was far more desirable; that it was an extra territorial improvement.** Underwood of Kentucky said, "I want to improve my own country. I want to make a railroad one, or two if you please, across the valley of the Mississippi to the Pacific; but I want it in my own country if I can get it".*! Downs of Louisiana and Foote of Mississippi strongly urged the merits of the Tehuantepec route. It was seen that the conflict between rival projects would not permit the passage of the bill at the short session; so it was dropped.

An attempt to take up the Whitney bill in the House failed. A select committee on a railroad across the Isthmus, Rockwell, Connecticut, chairman, made a long report February 20, 1849. The committee thought that only a ship canal would divert the trade between China and Europe, and that between China and America. Extensive surveys were required before providing for the construction of so important and extensive a work as a ship canal. They found against Whitney's road: They disliked the plan; it was preposterous to make a grant for a road before surveys had been made; the route was difficult; the road could not support itself; the cost of keeping it in repair would be very great. Finally the committee said, "It thus appears to the committee that the China trade with the Atlantic cities of the United States would not be diverted from its present track, by the construction of Mr. Whitney's railroad. It is still more apparent that it can never be a thoroughfare for the European trade with China. ---Nor is the amount of business between the United States and China so large as many seem to suppose".**!

The Congress ended with no Pacific railway legislation

**DeBow's VII, p.12.
*!Quoted in DeBow's VII, p.14
except an appropriation of $50,000 for surveys. This measure was attached as a rider to the army appropriation bill.

It was expected in many quarters that the 31st Congress would take some action looking toward the construction of a Pacific railway. St. Louis and Memphis prepared for the expected battle with big railroad conventions. The St. Louis convention was held in October, 1849. Over a thousand delegates from twelve States of the Union were present. The Illinois delegation was especially large; and a distinguished citizen of that State, Stephen A. Douglas presided over the deliberations. Only three Southern States were represented, Kentucky, Tennessee, and Louisiana, the latter by but one delegate. Thomas H. Benton, the champion of St. Louis for the terminus, was not present. He advocated a road along a route suggested by John C. Fremont, and which crossed the mountains near the latitude of St. Louis. The convention declared for a grand central trunk from St. Louis via South Pass to San Francisco, with branches to Memphis and Chicago. South Pass is almost due west of Chicago. It would seem that the Illinois delegates had exercised a large influence in the convention.

A few days later, October 23, 1849, a convention of Southwestern States met at Memphis. Writers had urged that the convention should not declare for any particular route but should act in a "broad spirit of nationalism". "In the spirit of compromise between the North and the South and the West, should rivalries arise, they might perhaps only be silenced by the selection of a terminus at some point opposite the mouth of the Ohio River". Delegates attended the convention from New York, Pennsylvania, Virginia, South Carolina, Georgia, Alabama, Texas, Louisiana, Mississippi, Arkansas, Tennessee, Kentucky, Missouri, Illinois, and Ohio. Lieut. M. F. Maury of Virginia presided.* Voting, as in all of the great Southern or Southwestern conventions was by States. As was to be expected from the wide representation and organization, the convention took broad ground. It declared it the duty of the General Government to make complete and scientific preliminary surveys of all the routes. It urged the construction of a grand national railway trunk from the Mississippi to the Pacific by the most accessible, practicable, cheapest, convenient, and (as far as practicable) most central route with branches to the Lakes and the Gulf of Mexico, and such points on the Mississippi as would best connect with the improvement systems east of the river. The public domain was declared to be a proper fund for carrying out the work. Benton's scheme for settling the lands along the route was approved.** The Tehuantepec, Nicaragua, and

*M. F. Maury was a well known advocate of a Southern route to the Pacific.

**See supra, page 42
Panama projects were to be encouraged. The route from San Diego along the Gila river, through El Paso and thence to a termination at some point on the Mississippi "between the mouth of the Ohio and the mouth of the Red river", was recommended to the particular attention of the General Government. A committee was appointed to memorialize Congress and prepare an address to the people of the United States.*

The question of communication with the Pacific called for considerable consideration in President Taylor's first annual message, December 4, 1849. He announced that, a company of American citizens having concluded a contract with the State of Nicaragua for the purpose of constructing a ship canal through the territory of that State, he had directed the negotiation of a treaty pledging both Governments to protect those who should engage in and perfect the work. Other nations were to be invited to enter into similar treaties with Nicaragua. A similar policy would be adopted with respect to the Tehuantepec route. No proposition to purchase the right of way across the peninsula would be renewed.**

The president declared it his policy to encourage the building of the proposed road across the Isthmus of Panama. He was aware of the great importance of opening an internal line of communication with California, and that public opinion favored a railroad, if practicable. He was aware also of the vast magnitude and expense of the undertaking and of the great difficulties to be encountered in its construction and use. To enable Congress to judge whether the work were feasible and, if so, whether it should be undertaken as a public or individual enterprise, he recommended a careful and scientific reconnaissance of the several proposed routes by a corps of engineers.*!

In the first session of the 31st. Congress, a flood of petitions and memorials on the subject of a Pacific railroad was referred in the Senate to the Committee on Roads and Canals, Mr. Bright of Indiana, chairman, and in the House to the same committee, Robinson of Indiana, chairman. Both committees returned elaborate reports in favor of the Whitney scheme. This, however, was the session of the great debates on the compromise measures and Congress had no time to debate the projects for a railroad to the Pacific, perhaps had no inclination to provoke another sectional struggle. In the House, Bowlin of Missouri made a long speech violently attacking the Whitney bill. He contrasted the land policy of the bill with the niggardly policy toward the States. "But

*DeBow's VII, 551, and VIII, 217 ff.
**Trist, who negotiated the treaty of Guadaloupe Hidalgo, had been instructed to offer $15,000,000 for it.
let", he says, "a speculator spring up, who only knows the existence of the domain through the archives of the country, and project a scheme as wild and fanciful as the day dreams of the enthusiast and modestly ask you to give him for a nominal sum, upon an eternal credit, 78,000,000 acres of the public domain", and his scheme was sure to command favor. Bowlin then proceeded to analyze the bill piecemeal and show that the whole was only a big stock-jobbing scheme. He charged that the instructions in favor of the measure had been secured from State legislatures by underhand methods.* Robinson of Indiana replied. He compared Bowlin's procedure to Benton's when a Whitney bill was up in the Senate at the last session. He "imagined" that if the plan adopted by the committee had made the eastern terminus of this road at St.Louis, or if it had presented a plan that allowed any margin for presidential capital, he would not have heard the thunder of the gentleman from Missouri. He charged that Bowlin's speech was the opening gun of Benton's campaign for the presidency with the Pacific railway as the issue.**

The substance of the Senate and House reports is that the Whitney plan was the only one that met the question of means. "They (the St. Louis and Memphis conventions) have pointed out no means of executing their respective plans, except by dependence on the national treasury; and the committee think, that if those conventions had been brought to the question of means they would have been confounded. None can deny that that is the sine qua non of questions on this subject". DeBow's was almost ready to abandon hope of a southern route after reading these reports. The numerical strength of the North was against it. The memorials, reports, and addresses of the Memphis convention had not received the slightest attention. He preferred the Whitney road to no road at all. If the North got the first road the South would come in for a share before the final day.*! But the Whitney bill had not yet been passed, nor was it to be. The second session of the 31st. Congress gave practically no heed to Pacific railway projects; but the struggle was continued at subsequent sessions with increased vigor.

**Ibid, p. 333. P. Orman Ray in his "Repeal of the Missouri Compromise" seeks to prove that Benton's advocacy of a Pacific railway was a part of his campaign for the senatorship.
*!DeBow's IX, 601.
CHAPTER III.

Land Grants in Aid of Railways, from 1848 to 1853.

In the chapter on the Railroad War in the West, I stated that the struggle was carried into Congress by the attempts of Western Congressmen to secure grants of land for their projected railroads. I also described the difficulties that the advocates of land grants encountered in securing the passage of their bills. In the present chapter I wish to recite the legislative history of a few of the land grant bills. This recitation should reflect some light upon the railroad war in the country at large, which I described in a general way in the chapter mentioned above. Many of the land grant bills provided for roads designed as links in the road to the Pacific. The legislative history of these bills should throw some light on the rivalry for that road. It should show, too, the relation of the railroad problem to the other great questions of the day. After slavery, the greatest problem of the decade was the disposition of the public lands. Grants for railroads were offered as a partial solution of the problem. Looked at from this point of view, the question of land grants is only a phase of the greater public land question, and must be dealt with as such.

The rivalry of cities and States for railroads has already been described in a general way. So also have the general issues in the Pacific railway struggle. It will be necessary to discuss briefly the general aspects of the public land question as well, before proceeding to the discussion of individual land grant bills.

During the decade before the War, a division of the Union, only less sharp than its division into North and South, was its division into landless States and land States, or old States and new States, or, more roughly, East and West. The land States were Ohio, Indiana, Illinois, Michigan, Missouri, Alabama, Mississippi, Louisiana, and the more recently admitted States of Florida, Arkansas, Iowa, Wisconsin, and after 1850, California, thirteen in all. Texas was a Western State but not a land State in the sense that the others were. In them the unsold lands belonged to the United States. Upon her admission to the Union, Texas retained her public lands and administered her own land policy.

By the beginning of our period the lands had been nearly taken up in two of the land States, Ohio and Indiana; so
that they hesitated between an old State and a new State policy. The others had large unsettled areas. In Illinois, although it had become a State in 1818, there was a great strip of territory extending north and south through the heart of the State known as the "Great Prairie", almost wholly unsettled. Michigan was settled only in the southern part. Wisconsin had hardly been touched except for the southern tiers of counties. Iowa's population was all in the counties along the Mississippi and the lower course of the Des Moines river. Arkansas and Florida had sufficient population to entitle each to one representative in Congress. In Alabama, Louisiana, and Mississippi were great areas known as pine barrens. All the Southern land States had millions of acres of lands designated by the Land Office as swamp or overflow lands.

A State with a small population, a large area of unsettled lands, and great undeveloped resources, naturally desired nothing more than a rapid growth in wealth, population, and political importance. It wanted cities, manufactures, commerce, developed agricultural and mineral resources, and a receding frontier. These were the issues of the West in comparison with which all others were insignificant. To obtain these objects the Western States considered a more liberal land policy necessary. Cheap or free lands they thought would promote settlement. Wealth and varied industries would follow population.

The old States had always looked upon the public lands as a common fund, secured at common cost (as they were), and to be used for the common benefit. It was the early expectation that the public lands would prove a great source of revenue. This expectation proved mistaken; but the old States continued to insist that the great fund be husbanded with all possible care. Since they had always held a majority in Congress, they had been able to dictate the land policy.

From the very first the public land States protested against the illiberal policy of administering the public lands for revenue purposes. Until they had grown in population sufficiently to have considerable political importance, their protests had been largely unheeded. On a few occasions they had received slight concessions as the price of their support for this or that measure urged by one or other of the great contending political parties. As early as 1820 the minimum price of the public lands had been reduced to $1.25 per acre.* The minimum number of acres that

*Sato, History of the Land Question in the United States, 143.
could be purchased was gradually reduced to forty acres. In 1841 a general preemption law had been passed; and at the same time a grant of 500,000 acres of the public domain made to each of the States.* Other grants of lesser importance were made from time to time for various purposes.** But these concessions met only in a small degree the demands of the new States. By the beginning of the period that is under consideration, the land States had so grown in numbers and political importance that their demands had considerable weight. And they pressed them hard.

At the same time conditions had begun to obtain in the Northeast that made that section less hostile to a change in the land policy than it had hitherto been. A large increase in the foreign immigration gave the manufacturers an abundant labor supply. Cities began to experience the evils of a large foreign population. The labor element itself began to agitate for free lands to draw off the over supply. The eastern States came to realize more and more that anything that would increase the population of the Western States would add to the value of the commerce brought to eastern ports and would add to the demand in the West for eastern goods. Aside from these economic and social reasons, there is another that is very important. The North and South were engaged in a great struggle over slavery and its extension that was steadily growing more bitter. As the most valuable of the unoccupied lands were in the Northwest and the immigration from abroad was chiefly into Northern States, and as the Northern population was more mobile than the Southern, a liberal land policy would tend to build the Northwest up more rapidly than the Southwest. Rapid development of the Northwest would strengthen the North in its great sectional struggle with the South. The ten or twelve years, then, preceding the Civil War saw a union of the North and West gradually effected on the land question.

Several solutions and partial solutions of the land questions were offered. The most complete of these was cession of the lands to the States in which they lay. This method of dealing with the question would have entirely removed it from national politics. Cession found favor in the West, of course, and to some extent in the States' rights South. It had been advocated by the great Calhoun. Such a solution, however, could hope for no favor in the East; and at no time had it any chance for adoption.

*Statutes at Large, V. 453-458.
**I have not mentioned the 5% fund, and the two sections per township for schools made to each state upon its admission, because the Western States considered that they returned ample equivalent for them.
A second method for dealing with the public lands was to grant them free of cost to actual settlers in tracts of 160 acres for homesteads. This proposed solution met with great favor in the Northwest and in the East. It had the misfortune to become bound up with the question of slavery extension. The South opposed it because it encouraged small landholdings, whereas the labor system of the South demanded large land holdings. Grants for homesteads would increase the rate of settlement in the Northwest very considerably, but in the Southwest very little. A homestead policy would attract a large per centum of the slavery hating foreign population to the Northwestern States and territories. In the rapid organization of a number of territories in the Northwest (Minnesota, Oregon, Washington, Kansas, and Nebraska), in the efforts to secure a homestead bill for the purpose of settling them rapidly, and in the efforts of the Northern States to secure the building of a railroad to the Pacific along a northern route, the South thought it saw a series of incidents in a great conspiracy of the Northern States to increase their number and strength to a point that would enable them to completely dominate the policy of the nation. The Northern States were inclined to favor free lands for homesteads, partly for the very reasons for which the South opposed them, partly for the economic and social reasons which I have mentioned on a preceding page.

Another method proposed for dealing with the public land question was graduation and reduction of the price. According to this method the prices were to be graduated according to the length of time that the lands had been offered for sale, varying from an insignificant sum in the case of those lands that had been in the market for a long number of years to a maximum of $1.00 per acre, for example, in the case of lands that had been on sale for only a short time. This plan met with less opposition in the South than the homestead plan. It did not conflict with the Southern system of land tenure, and thus did not favor settlement in the northern land States more than in the southern. By it no inducement was offered for the settlement of the newly opened territories; for there the lands would be sold at the maximum. Too, grants for homesteads were opposed on constitutional grounds. It was said that the government could no more, according to the Constitution, give a man a farm than it could aid him to establish a factory. These objections could not be urged against graduation and reduction. Graduation and reduction was regarded in the land States as a "half a loaf" measure.

A fourth method proposed for disposing of the public lands was to grant them to the States in which they lay to
be used to aid in building railroads. In a former chapter, I discussed land grants briefly from the viewpoint of the struggle between cities and States for trade routes. I wish here to look at land grants for railroads from a somewhat broader point of view. The land grant railroad was demanded for the same reasons that other railroads were demanded, that is, for commercial reasons. In the tier of States west of the Mississippi they were projected as possible links in a future road to the Pacific. But there was a stronger reason for desiring them. The land grant road was a pioneer: it was projected, not in response to the demands of commerce but antecedent to commerce. It passed through unsettled lands (the lands granted always lay along the line of the road to be benefited); and its main purpose was to open those lands to settlement. Before the coming of a road they could not be settled because settlers would have no access to market. Some of the most fertile lands of the West had lain for years incapable of bringing in the market the minimum price of $1.25 per acre because they were not accessible. Graduation and reduction of the price would not have secured their settlement; it is doubtful that they could have been given away for homesteads. They could not be populated until a road should be built through them. This then was the chief reason why the West asked for land grants for railroads.

But those who held that the public lands were a common fund and those who considered it unconstitutional for the Government to lend aid to internal improvements, could not bring themselves to admit that it was legitimate to give the lands away in order to promote their settlement. To meet their opposition the alternate section principle was evolved. Only alternate sections for a given distance (in all the land grants before the Civil War, six miles, or, in case the lands had been taken within that distance, an equal number of sections within fifteen miles) on either side of the road were granted, while it was stipulated that the reserved sections should not be sold for less than double the minimum price. Provision was also made in the land grant bills that the roads aided should carry the troops and property of the United States free of cost and that Congress should have the power to set the price to be paid for carrying the mails.

It might seem at first glance that the West was inconsistent in asking that the lands be granted to the actual settler free of cost and at the same time asking for grants for railroads with the provision that double the minimum be charged for the reserved sections. There was no inconsistency in this, however. Lands at $2.50 near a railroad
might offer greater inducement for their settlement than
lands free of cost without any access to a market for their
produce. A road often not merely doubled the selling price
of the lands through which it ran but trebled it or multi-
plied it several times. In framing homestead or graduation
bills, Western men were in general quite willing to except
the reserved sections of land grants from their operation.
And this willingness continued until at a later day, the
attitude of the people of the West towards railroads changed.

There were those in the West, of course, who opposed
conceding the double the minimum principle—-not because
they opposed land grants, for they did not; but because they
acknowledged no just claim on the part of the United States
to a share in the benefit to be derived from the public lands.
They felt aggrieved that their States did not have jurisdic-
tion over all the lands within their borders as did the old
States. They felt that the only legitimate purpose for which
the lands could be used was to secure their rapid settlement.
This was the principle on which they stood; and they were un-
willing to sacrifice it even in part for the sake of gain-
ing their ends.

There were, it must be said, the beginnings of a class
that feared the railroads; who thought they were receiving
too much aid; and who talked about corporations and land
monopoly. They feared that the railroad lands would fall in-
to the hands of speculators. To them the homestead bill was
a measure to prevent the lands falling into the hands of the
"greedy land grabbers". Their fears were no doubt only too
well founded; but, in the West at least, seem not to have
been very universally shared at the time when the first land
grants for railroads were made.

The landless States, aware that the great public land
fund was to be broken in upon shortly, resolved to save what
they could of the spoil. If the lands were to be given away,
not sold and the proceeds put into the common treasury, the
old States desired to be the recipients of some of those
lands. They brought up the old distribution schemes in
new forms again and again; but the word "distribution" had
an odious sound from former times, and the new States resis-
ted the schemes with all their power. Against prejudice and
active opposition distribution schemes were able to make lit-
tle headway.

With this brief summary of the public land question and
the principal methods proposed for dealing with it, I shall
turn to the legislative history of a few of the land grant
bills in Congress.
During the first session of the thirtieth Congress several applications for land grants were made. The Illinois Central bill was taken in hand by Stephen A. Douglas, now entering upon his first term in the Senate. As introduced at preceding sessions, the bill provided for a road from Galena in the extreme northwestern corner of the State to Cairo at the mouth of the Ohio. Douglas amended the bill by a provision for a branch from Centralia in south central Illinois to Chicago, his home city. The branch determined that the road was not to be an adjunct of the Mississippi river but a feeder for the great northern system of roads projected along the lakes from the Eastern cities to Chicago. As such it would secure support in New York and New England. In fact, it was for the purpose of securing votes in that quarter that the Centralia branch was added. Primarily the road was not projected with an eye to the trade it would bring to any city or cities, but for other reasons.

The road passed through a large unsettled region in the very heart of the State known as the "Great Prairie". Throughout its course it passed through only one or two respectable towns. Cairo, the southern terminus, was situated in a swamp, and had little claim to commercial importance. Some of the lands along the route were of the richest in the State but had remained unsettled for thirty years after Illinois had been admitted to the Union. The road would insure the settlement of these vacant lands. There was another reason for the project. In 1837, during the internal improvement mania of that period, Illinois had authorized the expenditure of over $10,000,000 for internal improvements, chiefly railroads. Needless to say the whole scheme resulted in miserable failure and, more, left Illinois deeply in debt, and her credit fallen very low. She felt that the possession of a large grant of valuable lands would restore her credit.*

Of the other roads for which aid was sought, I shall mention only a few. Douglas introduced a bill for a road across Iowa from Davenport to Council Bluffs. This was the route along which Chicago interests wished to build the Pacific railway. Senator Atchison of Platte City, Missouri, (near St. Joseph) wished aid for the Hannibal and St. Joseph, which also aspired to become a link in the road to the Pacific. Mississippi wanted aid for a road from Jackson to Brandon, near the Alabama line, a long projected link in a chain of roads from Charleston to Vicksburg. Alabama wished aid for several roads, among others the Mobile and Ohio, which I have discussed in a former chapter.

*DeBow's XIII, p. 580.
The Senate passed two of the land grant bills, the Illinois Central bill on May 3, 1848, by a vote of 24 to 11, and the Mobile and Ohio bill with the Jackson and Brandon and the Hannibal and St. Joseph added as amendments on August 8, by a vote of 34 to 15. Thus early it was shown that land grant bills could be gotten through the Senate at will. The Western representation in the Senate nearly equalled that of the landless States. The West voting solidly for the bills, it required only a few Eastern votes to pass them. These few votes were easily obtained, and as a result the railroad bills were rarely opposed in the Senate. It was in the House, where the representation of the land States was comparatively small, that the real fight occurred.

Both of the Senate bills of this Congress were lost in the House. The Illinois Central bill was defeated by a vote of 74 ayes to 78 noes.* An analysis of the vote shows that the old State Whigs gave it a small majority while the Democrats of the same States were strongly against it. The Western representatives paid little attention to party considerations. The most noteworthy thing in connection with the vote is the lukewarmness for the measure which was shown by the Southwest. From that section 9 voted for the bill, 5 against it, while 12 failed to vote at all. This lack of support in States where support was expected accounts for the failure of the bill.

During the first session of the thirty-first Congress the States asked aid for an increased number of roads. Wisconsin wanted aid for a road, Milwaukee to the Mississippi. Iowa wanted, besides the one from Davenport to the Mississippi, a road from Dubuque to Keokuk, two Mississippi river towns. The Hannibal and St. Joseph bill was introduced; and, in addition, Missouri asked aid for a road, suggestively called the "Pacific Railroad", to run from St. Louis to the western boundary of the State. Several proposals were made to aid lines connecting Cincinnati, Louisville, and other Ohio river points with St. Louis. Among them was one for the ubiquitous New Albany, Mt. Carmel, and Alton, or, what amounts to the same thing, the Louisville and St. Louis. The Mobile and Ohio bill appeared again, as did several other Alabama bills. The Jackson and Brandon line again asked for aid. Lands were asked for a link of the Memphis and Charleston railway.**

The Senate passed a number of these land grant bills, but in the House only one, a bill providing for the Illinois

**This is by no means a complete list of the projected roads for which aid was asked.
Central and the Mobile and Ohio succeeded. A strong effort was made to secure the passage of bills for the Missouri roads and their extensions eastward across Illinois and Indiana. The question arises, How account for the fact that favors were shown to north and south roads and denied to east and west roads which were urged as links in a road to the Pacific?

Douglas introduced his Illinois Central bill in the Senate early in the session; and on February 13, 1850, Shields of Illinois reported a substitute from the Committee on Public Lands. On April 29, the bill was taken up, upon the motion of Douglas, in Committee of the Whole. King of Alabama at once proposed an amendment providing for the Mobile and Ohio. It was adopted without division. Jones of Iowa moved to amend by extending the road from Galena to Dubuque, Iowa. After a rather long debate on the policy of making land grants to railroads, the bill passed on May 2.

In the House, it was reported from the Committee on Public Lands with sundry amendments, July 23. The friends of the bill attempted to secure a vote; but at the end of the morning hour a motion to proceed to the business on the speaker's table carried amid great confusion. A friend of the bill remarked that this meant the virtual defeat of the bill. An attempt to call it up on July 31 was defeated by a vote of 108 to 86. The bill seemed, amid the press of other matters (this was the session of the Compromise Measures), to be finding little favor. On September 17, the bill came up in regular order, and under the previous question was read a third time and passed within an hour by a vote of 101 yeas to 75 noes.*

A week earlier the House had killed a bill granting aid for the Tennessee and Chattanooga railroad.** On September 24 it tabled the Hannibal and St. Joseph bill by a vote of 91 to 81 and the "Pacific Railroad" bill by a vote of 102 to 65.*** The same day that the Illinois Central bill passed, the House passed the last of the five Compromise Measures, the bill abolishing the slave trade in the District of Columbia.*! The same day, too, it passed a bill ceding the swamp lands to the States in which they lay, a bill beneficial chiefly to the Southwestern States, and passed by Southern and Western votes.*!!

The questions arise: How did a bill that had such an unfavorable outlook in July obtain a majority of 26 in

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**Ibid, 1788.
*!Ibid, 1837.
*!!Ibid, 1832.
September? What influenced Congress to pass a bill for a north and south road by a majority of 26, and a week later defeat two bills for east and west roads, one by a majority of 17, the other by a majority of 37?

A little passage of words in the House at the beginning of the next session is suggestive. A bill was up (December 30) providing for a land grant for a road from Cincinnati to St. Louis. Schenck of Ohio, in speaking for the bill, mentioned the unseemly haste with which the Illinois Central bill had been rushed through. He had opposed it, he said, because east and west roads had been "knifed". He went on to suggest that there may have been some reason why the members from the Eastern States had been so obliging to the north and south road in the last session, while at the same time they showed no disposition to take care of east and west interests. Hampton of Pennsylvania, the high tariff champion, implied that these remarks were directed at him, and interrupted Schenck to say that he had opposed the bill for the same reason that Schenck had opposed it. "Thaddeus Stevens of Pennsylvania was understood to say (by the reporter) that he had voted for the measure. Some of his colleagues, he believed had voted for all these Western measures, to give away all the wet lands (Swamp Land bill) to the States, and all the dry lands to corporations; and slave laws to the South, in order to get a tariff and they got it, didn't they? (Laughter) He hoped the gentlemen were satisfied. He (Mr. Stevens) had voted for the north and south road because he wanted it as one of the peace measures to quiet agitation!"* (Notice the exclamation point and the fine sarcasm in these words).

Most obviously the union of the Illinois Central bill and the Mobile and Ohio bill was made for the purpose of securing votes.** A comparison of the vote that passed the combination bill with the vote that defeated the Illinois Central bill in the preceding session reveals in a general way the number of votes secured. I have already remarked upon the meager favor that the Illinois Central bill received in the land States of the South in 1848. Then they had given a majority of only 4 for the bill while 12 did not vote. In 1850 the same States gave a majority of 20 for the combination bill while only 6 did not vote. In 1848 Alabama gave no votes for the bill; in 1850 she cast none against it. The change in the votes of Kentucky and Tennessee is just as remarkable: in 1848 they voted 8 to 1 against the bill; in 1850 they voted 8 to 7 for it. The road was projected through the western portion of these States. They, of course, had no public lands, and the road would consequently receive no aid within their borders; but they felt that the land

**Donaldson in his Public Domain tells a story, p.263, purporting to be Douglas's own, regarding the manner in which this union was effected.
The short extension of the Illinois Central from Galena, the terminus designated in the original bill, to Dubuque on the Mississippi, was made at the instance of Iowa's delegation, and was designed to give Iowa connection with Chicago and the east. The amendment tended to give the bill more of the appearance of a national measure. With its addition the bill provided for roads connecting the Lakes, the Mississippi, the Ohio, and the Gulf.

The support secured in the Southwest by the union of the two land grant bills explains very largely their success; but it does not explain the seeming change in sentiment toward the measure between the attempt to secure action in July and its passage in September; it does not account for the defeat of the east and west roads; and it does not answer Schenck's charges. It is necessary to look farther.

The Democrats had passed the Walker Tariff bill in 1846 over the opposition of the Whigs, who had always stood for protection. At the next election, Taylor, a Whig, had been chosen president; and upon his death Fillmore, a strong tariff man succeeded him. The Senate was composed of 34 Democrats, 24 Whigs, and 2 Free Soilers; the House of 112 Democrats, 105 Whigs, and 13 Free Soilers.* The Free Soilers thus held the balance of power in the House. Taylor urged tariff revision in his annual message; and the Whigs felt bound to make the attempt for political reasons, if for no other.

On August 24, the Civil and Diplomatic appropriation bill being up, Hampton of Pennsylvania offered an amendment providing that the duties imposed by the act of July 30, 1846 "shall be levied agreeably to the average value which similar articles brought in the principal markets of the United States during the year ending July 30, 1846". The chair ruled the amendment out of order and was sustained on appeal, 81-77, by almost a strict party vote.** September 14, Toombs of Georgia reported a resolution from the Committee on Ways and Means to the effect that it was considered inexpedient to attempt any legislation altering the existing duties on imports.*** Vinton of Ohio moved to amend by substituting a bill very similar to Hampton's amendment of August 24. He called for the previous question, which was seconded; and a motion to table was voted down 94 to 93. The Democrats then rallied and defeated the amendment 96 to 93, and tabled a

***Ibid, 1812.
motion to reconsider, seemingly disposing of the question.

But it would not down: On September 18, Ashmum of Massachusetts gave notice that he would introduce a bill increasing the duties on imports.* September 24, a private bill being before the House, Ashmum moved to refer it to the Committee of the Whole with instructions to report his tariff bill as an amendment.** The Speaker ruled the motion out of order and was sustained on appeal, 101-85. Thus was the tariff disposed of.

Immediately following this vote, the Hannibal and St. Joseph bill was reported. It was tabled at once by a vote of 91 to 81. A few minutes later the other Missouri bill was tabled 102-65. Immediately following, the Senate bill granting lands to aid in building a road from Pensacola to Montgomery came up in order. Cabell of Florida moved to refer it to the Committee on Public Lands, remarking that it had been his purpose to move to put it on its passage; but inasmuch as his tariff friends were in such bad humor at the defeat of their bill he would not do so. He did not think, he said, that the sins of the Democratic side of the House should be visited upon him.*!

From the charges of Schenck and Stevens, and the circumstances that I have just related, we are justified in concluding that after their defeat on September 14, the tariff men had threatened to kill the land grant bills unless they received concessions on the tariff; that the railroad men had given them to understand that opposition would be relaxed; that under this understanding the Chicago to Mobile bill had gone through; that then the proposition to revise the tariff having been renewed, the land grant men had failed to deliver, either through inability or otherwise; and that, finally, the tariff men, angered at their defeat, had turned around and slaughtered the remaining railroad bills. A comparative analysis of the votes on the Hannibal and St. Joseph bill and the Illinois Central and Mobile and Ohio bill, confirms the conclusion. In 1848 the Whigs voted for the Illinois Central 43 to 37; in 1850 they voted for the Chicago to Mobile bill 52 to 28. They voted against the Hannibal and St. Joseph 25-51. The Democrats gave a majority of 12 against the Illinois Central in 1848, a majority of 2 for the Chicago and Mobile in 1850, and a majority of for

**Ibid, 1950.
the Hannibal and St. Joseph.* In the last vote, it is possible that several Democratic opponents of land grants did not vote because they saw that their votes were not needed to decide the question. The Democratic vote, then, need not be taken as indicating a more favorable attitude toward the east and west than toward the north and south road; but it at least shows that it met with just as much favor.

It was suggested in Steven's illuminating remarks, quoted above, that an attempt had been made to have the bill granting lands to the Illinois Central and the Mobile and Ohio considered one of the compromise measures. In a short speech supporting the bill in the House, Cobb of Alabama, alluding to the fears for the Union that had been voiced so often during the extended debates on slavery, said: "If gentlemen desire the perpetuation of the Union, in all probability they can do nothing more effective towards securing that object than to tie the Northwest and the extreme South together!"** This is the only hint in the debates on the bill that the road was desired for tying two hostile sections together. Of course, the national importance of a road from the Lakes to the Gulf was duly observed by the friends of the measure. As a matter of fact, however, the bill was not drawn up for the purpose of securing one road from the Lakes to Mobile; but rather to secure two roads: one in Illinois to open up her wild lands to settlement and to play into the hands of Chicago, and the other in Alabama and Mississippi projected for the purpose of making those States and western Kentucky and Tennessee tributary to Mobile, and for diverting a portion of the trade that passed down the Ohio and the Mississippi to New Orleans. I have already shown by a comparative analysis of votes that few, if any, votes were cast for the combination bill because it provided for a north and south road.

While the idea that railroads connecting the two sections would act as compromisers, seems to have influenced no votes in Congress at this time, frequent expression to it is found in the literature of the years following. "They (railroads) are the compromisers that are to bring about a perfect reconciliation of interest and feeling,"* is a statement from DeBow's. The South and the West had long been bound together commercially and in consequence had acted together politically. Men of the South saw that Northern

*I have not commented on the vote on the other Missouri bill because it was not a test vote--the fate of the bill was decided by the vote on the Hannibal and St. Joseph bill.
*!DeBow's XIII, 426. (1852).
railroads extending into the Northwest would break up this alliance unless something were done to counteract them. A writer in DeBow's in 1851 put the matter as clearly as we can after sixty years: "A few years more and the Mississippi will control the political destinies of the country. The northern States possess five great railway avenues leading into that valley (the Mississippi), and the South not one.---Commercial interests awaken mutual sympathies, and they become united by the strongest ties. How could it be otherwise than that a people thus brought into frequent communion, should represent in the national councils the interests of those with whom they fraternize? By pushing on our railways, we not only develop the local resources of our own state to the utmost, but we also reach the heart of the great West, and make a highway from the Gulf to the Lakes, upon which an immense traffic would spring up, removing old prejudices and creating new sympathies--making the South and West better acquainted--opening a thousand avenues of good feeling and brotherhood, and causing our institutions to be better understood and our rights to be fully respected."*

In the discussion of the merits of the Missouri roads asking for aid at this session, it had been emphasized that each was a possible link in the proposed Pacific railway. Carrter of Ohio proposed to amend the bill for the "Pacific" railroad by extending the grant to the roads running through the States of Indiana, Illinois, and Ohio towards St. Louis and "pointing to the Pacific". Bowlin of Missouri thought that the characteristic that should most favorably recommend the road to Congress was that it was the first section of a road to the Pacific. A great Pacific Railroad Convention had been held in St. Louis in the preceding autumn. The struggle for the eastern terminus of the Pacific Railroad had fairly begun. We should expect to see this struggle reflected in the votes on the Missouri railroad bills. The land States were under the necessity of combining their full strength in order to secure the passage of any of the land grant bills. There were several Western States, however, that contained no public lands, and consequently the votes of their representatives were controlled by considerations other than a desire for Government aid. These States were Texas, Kentucky, and Tennessee. Ohio had but few public lands within her borders. Texas gave two votes for the Illinois Central bill and none for the Missouri bills---Texas favored a southern route to the Pacific. Kentucky voted 5 to 1 for the Missouri road and only 2 to 1 for the north and south road. Of six Kentucky Whigs who voted for the

*DeBow's XI, 425.
tariff not one joined their fellow Whigs in voting against the bills for railroads in Missouri. One Whig member, Humphrey Marshall of Louisville, who had voted against the Illinois Central voted for the east and west roads. The Ohio Democrats voted 6 to 3 against the Illinois road and 5 to 2 for the Missouri roads. I need not add that Ohio and Kentucky favored a central terminus for the Pacific railroad.

II.

During the 31st. Congress, land grants for railroads had run amuck of the tariff question. In the 32d. Congress their path was crossed by the efforts of the old States to settle the public land question by distributing the lands among all of the States.

During the 31st. Congress great inroads had been made in the land fund. A bill ceding 43,000,000 acres of swamp and overflowed lands to the States in which they lay had been passed by a combination of the West and South.* Congress had also passed, September, 1850, a bounty land bill granting lands to certain classes of persons in the military service of the United States during the war of 1812, the war with Mexico, or the Indian wars. This bill called for 12,800,000 acres.** Lastly a grant of 3,750,000 acres had been made to Illinois, Mississippi and Alabama for railroads.*** It was plain that the hold on the public lands was loosening. The country was on the point of abandoning the policy of attempting to make them a source of revenue for the policy of disposing of them as rapidly as possible. It was the expectation of all at the opening of the 32d. Congress that this would be done. Campbell of Ohio said in the House, March 4: "It is plain that the great question of disposing of the public lands belonging to the nation will devolve upon this Congress".**** DeBow's said: "A desperate game will be played over these spoils at the next presidential canvass; and the chances are a hundred to one, that before five years this prolific source of revenue will be entirely cut off. The decree has almost been registered already, that the public lands shall henceforward be given away and not sold."***** The question was, how should the lands be disposed of?

The land States encouraged by the grant made to Illinois, Mississippi, and Alabama and by the success with which Illi-

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**Statutes at Large, IX, p.520. Donaldson, 237.
***Donaldson, p.269.
*****DeBow's, IX, 601, Dec., 1850.
nois had disposed of her grant, fairly deluged Congress with railroad bills. It is estimated that the land grants for railroad bills that passed the Senate called for 30,000,000 acres of the public domain. The advocates of the homestead policy were active, and for the first time succeeded in securing the passage of their measure in the House. Graduation and reduction of the price of the lands had advocates. The East proposed that since the lands were to be given away, the old States should be given a share. The landless States of the South "played dog in the manger" with all the methods suggested for disposing of the lands. The result of the many cornered fight was that no land policy was adopted. Of the numerous applicants for lands for railroads, only the two Missouri roads that had sought aid in the preceding Congress and a couple of roads in Arkansas were provided for.

The list of roads for which aid was asked, was practically a list of all the roads at that time projected in the land States. Wisconsin asked aid for three roads, two to run from Milwaukee to the Mississippi and another to run from Chicago to Lake Superior. Iowa likewise petitioned for three roads. One was to run from Dubuque on the Mississippi in the northeastern part of the State southward along a line paralleling the Mississippi to Keokuk in the extreme southeastern corner of the State. The other roads were east and west lines, one running from Davenport to Council Bluffs, the other from Burlington to an undesignated point on the Missouri river. Missouri again asked for lands to aid in the construction of the Hannibal and St. Joseph and the Missouri Pacific. The last four roads mentioned and the two east and west roads in Wisconsin were all projected as possible links in the Pacific railroad. The Davenport to Council Bluffs road was a continuation of the Chicago, Rock Island and Pacific. No land grant was asked for this last road. The Burlington road continued a road projected from La Fayette, Indiana via Peoria, Illinois to Burlington, for which road a land grant was desired. Land grants were also asked for a road from Terre Haute to Springfield and for one from Springfield to Quincy, which point was opposite (nearly) the eastern terminus of the Hannibal and St. Joseph. The New Albany, Mt. Carmel, and Alton, the Springfield and Alton, and the Mississippi and Ohio, all to connect at St. Louis with the Missouri Pacific, asked for aid from the public domain. Michigan attempted to secure a grant for a road from Detroit to Grand Haven across the Lake from Milwaukee. This in a general way outlines the projects the Northwest had most at heart in 1852. Turning to the Southwest, we find that it did not lag behind the North in its designs upon the public land fund.
Lands were asked for a road from Memphis via Little Rock to Fulton in the southwest corner of Arkansas; for another from Gaines Landing on the Mississippi south of Memphis to Fulton; and for one from Vicksburg to Shreveport on the western boundary of Louisiana. Each of these roads aspired to be a link in a road to the Pacific along a southern route. New Orleans wanted a grant for the New Orleans, Jackson and Great Northern. Aid was asked for a road from St. Louis via Little Rock to some point on the Mississippi. Cairo wished the same connections. These last named roads were feeders for New Orleans. Alabama wanted a grant for a road connecting the Alabama and Tennessee rivers at Selma and Gunter's Landing, and for one or two others. Florida for the Atlantic and Pulf Central Railroad, a road projected across the isthmus.

The Senate Committee on Public Lands was composed largely of the friends of the land grant policy. They decided to report for two roads in each State. It was apparent that the West was offering land grants on the alternate section principle as a general solution of the land question. The first land grant bill to come up, the Iowa bill, was consequently made the occasion for an extended debate on the whole land policy of the Nation. The bill was finally passed by a vote of 30 to 10.* The friends of the land grant policy having triumphed so decisively, the other railroad bills, sixteen in number, were allowed to pass without debate or division. An attempt of Underwood, a Whig of Kentucky, to substitute a distribution bill and one of Brodhead, a Democrat of Pennsylvania, to compromise by giving the West graduation and reduction of the price of the public lands were defeated by decisive majorities.

The first railroad bill reported in the House was one granting aid to the Hannibal and St. Joseph and to the Missouri Pacific. Watkins of the Committee said that national importance had been the criterion of the Committee in choosing which of the many railroad bills to report.** Rantoul, a Democrat of Massachusetts, expressed what was perhaps the reason that railroad bills received so many votes in the Northeast. Any railroad built in the West was an advantage to the East, he said; for the prosperity of the East depended on its commerce with the West and would be increased by anything that added to the production of that section.*** Ficklin of Illinois was astonished that the representatives of Ohio were going to vote against the bill. The roads were judiciously located,

**Ibid, Appendix, 188.
he said. "They are roads pointing to the Atlantic and Pacific, and which therefore connect themselves in an eminent way with the interests of Ohio". The eastern connections must of necessity pass through Ohio.* Taylor of Ohio interrupted at this point to say that he would like the bill amended to give a grant to Illinois, Indiana and Ohio for a road connecting the Missouri Pacific with the Baltimore and Ohio. He added, "If there are gentlemen here in favor of taking up the other Missouri road at Hannibal and carrying it on through a more central region of the three States of Illinois, Indiana, and Ohio to Wheeling or some other point, .... I will go with them." I have introduced this account of the debate on the bill only to show that a railroad in Missouri was a matter of moment to all the great interests competing for the trade of the West.

On March 3 the bill was referred to the Committee of the Whole. This reference of a railroad bill was generally tantamount to defeat. Henn of Iowa was angered at the postponement. He accused the Eastern members of putting off Western measures until they saw whether or not Western men were disposed to vote for Eastern measures.** This remark implies much as to the methods used to get railroad bills and other measures through.

On May 26 the Senate Missouri bill which had been referred May 3, was reported with an amendment by Hall of Missouri.*! Richardson of Illinois moved to amend by granting aid to the Springfield and Quincy, which connected with the Hannibal and St. Joseph. The motion caused a great deal of confusion in the House. Cincinnati and Louisville interests had been refused a connection with the St. Louis road, and could not with good grace see aid extended to a road pointing to Chicago. Bissel of Illinois persuaded his colleague to withdraw his amendment, which he accordingly did, at the same time moving the previous question. It was seconded; and on May 28 the bill was passed by a vote of 103 to 82.**!

On April 1, Henn of Iowa had reported back to the House from the Committee on Public Lands, a bill providing for a grant of land to Iowa for a road from Keokuk to Dubuque and one from Davenport to Council Bluffs. A few weeks later but before the bill had come up for a vote, Campbell of Galena, Illinois, and the representative of a district extending from opposite Dubuque to below Keokuk, took occasion to make

**Ibid, p. 961.
**!Ibid, p. 1506.
a violent attack upon the provision in the bill for aiding the Dubuque to Keokuk road. It was a merely local road, he said; its construction would prevent the improvement of the Rock River Rapids in the Mississippi, an object long urged and much desired by the people of his district; it ran parallel to the Mississippi and would injure the River towns; half of the people of Iowa did not want it; in short, it was designed to benefit Keokuk and it alone.* Mr. Clark of Dubuque replied, attempting to meet these arguments seriatim.** This clash in the halls of Congress no doubt reflects a bitter rivalry among several of the small commercial centers along the Mississippi. No doubt, too, it had something to do with the defeat of an Iowa bill a few days later.

May 29 a bill was reported by Hall of Missouri which combined two Iowa bills that had been passed by the Senate. The bill as reported provided for the two roads mentioned in the House bill and also for a road from Burlington to the Missouri, and for its extension east of the Mississippi to La Fayette, Indiana, along the line of the Toledo, Logansport, and Burlington. The bill was then laid on the table by a vote of 102 to 68.*! Mr. Sanborn, in his "Congressional Grants of Lands in Aid of Railways", assumes that this was the vote that killed the Iowa bill and asks why this measure was defeated so decisively while the Missouri bill was passed the day before.**! In the first place it is hardly correct to state that this vote accurately represents the sentiments of the House on the Iowa bill. If it had been the intention to make this the final vote on the measure, a motion to reconsider and table the motion to reconsider would have been made. This was not done. On May 31 the bill was postponed for eight days.**!! Before it came up again a measure came before the House whose introduction offers sufficient explanation for the final defeat of the Iowa bill on June 9.

The measure referred to was Bennett's Land Bill, reported from the Committee on Public Lands June 8 by Bennett of New York. The bill made a grant of a specified number of acres (grants varied from one to three million acres) to each of the Land States for railroads; to the non-land States except Texas, 150,000 acres for each senator and representative for the support of schools; and to each of the territories and the District of Columbia, 150,000 acres.*** The total amount of lands appropriated by the bill was about 60,000,000 acres. It is evident from this description that the bill

**Ibid, Appendix p. 672.
*!Ibid, p. 1509.
**!Page 40.
***Ibid, p.1536.
was intended for a quite general settlement of the land question. It was also a distribution bill, giving, however, about twice as much land to the land States in proportion to population as to the non-land States. The bill was passed in the House June 23, 95 to 93, by the Whigs with the aid of Northern Democrats. The Democrats of the South and West were in almost solid opposition.*

June 9, the day after the introduction of Bennett's Land Bill, a motion to reconsider the vote by which the Iowa land grant bill had been tabled was defeated by a vote of 82 to 93.** This, and not the vote of May 29, was the test vote; and this is the vote to be explained. A comparative analysis of the vote by which the Iowa bill was defeated and the votes by which the Missouri land grant bill and Bennett's Land Bill were passed, shows that the first owed its defeat chiefly to Whig members who had deserted land grants for a policy of distribution. The Whigs voted 66 to 4 for the Land Bill. Of the four Whigs voting against it only one was from a non-land State. The Democrats gave a vote of 87 to 29 against the bill; and of those voting for it only three were from land States. This analysis shows that the Land Bill was a Whig and an old State measure. The Whigs voted 51 to 14 for the Missouri land grant bill, giving it a majority of 37. They cast 38 votes for and 31 against the Iowa bill, a majority of only 7. The Democrats cast 49 votes for the former, 45 for the latter, and 62 against each. Thus we see that while there was a considerable change in the Whig vote, there was but very little in the Democratic. The non-land States cast 51 votes for and 73 against the Missouri bill and 31 for and 82 against the Iowa bill, a difference of 29 votes, while the land States voted 52 to 3 for the former bill and 51 to 11 for the latter, a difference of only nine votes. These nine votes came from two States, Ohio and Alabama, and five of them were Whig.

The interjection of the distribution scheme before action could be secured on the Iowa land grant bill was no doubt the chief cause of the defeat of the latter. Other causes may have contributed somewhat. Iowa's small delegation in Congress did not have the influence among their fellows that the larger and more experienced Missouri delegation, headed by David R. Atchison, had; and they showed little skill in managing their bill on the floor of the House. Campbell of Illinois worked against the bill because of the opposition of the river towns of his district to the Dubuque to Keokuk railroad. There was a feeling in some quarters that only roads of national importance should be aided---the road mentioned

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**Ibid, p.1544.
was of decidedly local importance. The amendment granting land to Illinois and Indiana for the Burlington to LaFayette extension did not add to the strength of the measure: there was a feeling that Illinois had received her share of the public lands in the grant for the Illinois Central made at the preceding session; and those who had been refused aid for eastward extensions of the Missouri roads were not inclined to grant it for rival lines. Division among the friends of the land grant policy was not calculated to add to the strength of the measure in the non-land States.

On May 12 the House for the first time passed a homestead bill. It is contended by some that the advocates of this land measure were hostile to land grants and had much to do with their defeat.* I believe that the contention is ill-founded. Only rarely do we find any hostility shown in the debates on either measure. The representatives of the land States voted practically solidly for both homesteads and land grants. The fact that some old State men voted for a homestead bill and against land grants for railways does not prove that they opposed land grants because they favored homesteads. Neither does the fact that a few old State men voted for land grants for railroads and against homesteads prove that they opposed homestead bills because they favored land grants. A comparison of the vote on the Homestead Bill with that on the Missouri bill shows that there were but 18 who voted for the first and against the latter. Of the 18, 14 were old State Democrats, who very probably voted against land grants for railroads on constitutional grounds, regarding them as appropriations for internal improvements. Sufficient reason for their support of the Homestead Bill is found in the strong sentiment for that measure in the East, especially among the laboring classes. I need not remark that there was no popular sentiment in the East for land grants for railroads: that sentiment was confined entirely to the West. It is significant that of the 13 who voted for the Missouri Bill and against the Homestead Bill, 11 were Whigs.** The Whigs had always

*Mr. Sanborn in his "Congressional Grants of Land in Aid of Railways" has a chapter (Chapter III) on Land Grants and Homesteads, in which he draws the conclusion that the chief opposition to land grants came from the advocates of a homestead bill. He compares the vote on the Homestead Bill, May 12, with the vote tabling the Iowa bill on May 29, and finds that the House was divided into three nearly equal groups: 1. Those who opposed both measures. 2. Those who favored both. 3. Those who favored one and opposed the other. I have shown above (page 65) that the vote taken on May 29 was not the test vote on the Iowa bill; but that the test vote was taken June 9. For purposes of comparison, it would be better to take the vote on the Missouri bill, upon which the (cont. next page)

stood for government aid for internal improvements. The policy of granting lands for railroads was to a considerable degree a party issue in the old States—the question of granting lands for homesteads was in no sense an issue between the Whigs and Democrats: it was a sectional question and became a party question only when taken up by the Republicans, who were a sectional party.*

The Homestead Bill and Bennett's Land Bill received little notice in the Senate. The Senate had decisively defeated a distribution bill earlier in the session, while it seems not to have considered the Homestead Bill a matter meriting consideration. After it became plain that neither of these methods of disposing of the public lands would meet with favor in the Senate, the friends of a bill granting aid for two Arkansas roads were able by very adroit leadership to secure its passage in the House in the closing days of the session. The legislative history of this bill illustrates very clearly the connection that the land grant railroads in the western tier of States had with the contest for the eastern terminus of the Pacific railroad, and also the rivalry of various local interests in regard to the location of benefited roads.

The Senate passed two Arkansas bills, one on March 18 providing aid for a road from Memphis via Little Rock to Fulton in the Southwest corner of the State, the other on July 8 granting aid to a road from Gaines Landing on the Mississippi to Fulton.** Both of these bills had been introduced by Senator Borland of Arkansas. Neither was taken up in the House.

On January 27, 1852, Johnson of Arkansas introduced in the House a bill granting alternate sections in aid of a road from St. Louis via Little Rock to Fulton, with branches to the Mississippi (not designating the place) and Fort Smith, near the point where the Arkansas river crosses the western boundary of the State. The bill was referred to the Committee on Public Lands, who reported it back April 7, with Cairo substituted for St. Louis as the terminus of the north and south road.*** Johnson had no doubt consented to this change. The bill was then referred to the Committee of the Whole, where it remained until August 27, when Johnson secured a suspension of the rules for taking it up out of order. Debate was cut off by the previous question; and the bill was read

*The Free Soilers, the forerunners of the Republicans, favored a homestead measure.

**Cong. Globe, 32d Cong., 1st Sess., p. 782, 1686.

***Ibid, 1004.

friends of land grants were united, rather than the vote on the Iowa bill, upon which they were divided, and whose course had been crossed by Bennett's Land Bill. Such a comparison, however, would have little value, if made on the basis of the classification mentioned above, for the reason that that classification does not give the grounds upon which the votes were made.
a third time and passed within an hour by a vote of 79 to 71.*
The Iowa bill, which had been defeated by a vote of 82 to 95,
thus received three more votes than the Arkansas bill. The
bill was passed because Eastern men who had, opposed land
grant bills earlier in the session failed, possibly through choice
but more probably through neglect or because the bill was
brought up unexpectedly in a thin House, to register against
it.

The bill was called up in the Senate on August 30 by
Borland. Rusk of Texas made a statement which, in view of the
fact that he was working at the time for a road to the Pacific
along a southern route, has considerable significance. "This
is the commencement," he said, "of a road that must eventual-
ly go to the shores of the Pacific". The bill was referred to
the Committee on Public Lands. The next day it was reported;
but it being the last day of the session, the Senate refused
to take it up, and it went over to the short session.**

In the short session, Sebastian of Arkansas called it
up on February 5.*! Borland, the other Arkansas Senator, was
not in his seat. Rusk of Texas and Gwin of California, the
champions of a southern route to the Pacific lent their sup-
port to the measure. Felch of Michigan, the chairman of the
Committee on Public Lands, wanted the bill postponed, as there
were amendments to be offered by a member not then in his seat
(referring, no doubt, to Borland). Dodge of Iowa inquired of
Sebastian whether the roads provided for in the bill met the
approval of his colleague. Sebastian explained that one road
provided for in the bill, the Cairo to Little Rock road, was
not mentioned in the bills whose passage in the Senate, during
the past session of the Congress, Borland had secured.**!
There had been discussion of the roads in the Arkansas legis-
lature, he said; but it had not instructed for either. Com-
panies had been incorporated to construct all. Borland would
not take the paternity of the bill, but had agreed not to op-
pose it. Dodge mentioned a conference between the two Arkan-
sas senators, Felch, and himself as the reason for his inter-
ruption. He went on to complain mildly that Missouri was
receiving her second grant while Iowa was still being put off.
Geyer of Missouri responded that he did not regard the bill
as containing any provision whatever for the benefit of Mis-
souri. A road to Cairo would never be built. If it were not
for sending the bill back to the House, where it was sure to
be defeated, he would move to amend it by substituting St.

**!This explanation is only a half statement as appears
in the text.
Louis for Cairo as the northern terminus of the north and south road. Such a road would be valuable as it would be a link in the great Mississippi Valley road in which the States on the west side of the river were interested.* The bill was then passed without division.

This rather strange procedure hints at rather than discloses what was behind it. More light is thrown upon the affair by a speech of Borland made two weeks later when the fight over the Pacific Railroad bill was at its height.** It appears that on the Thursday preceding the Saturday on which the bill was passed, he was compelled to leave the city a few days on account of ill health and important business; and that he had exacted a promise of Sebastian not to bring the bill up in his absence. Nevertheless, within thirty-six hours after he had left Washington, the bill had been called up and passed as above described. Borland had wished to be present that he might tell the Senate that the bill should be amended by striking out the Cairo road, by designating Memphis as the terminus of the Little Rock to the Mississippi, branch, and by adding the Gaines Landing to Fulton road. These amendments would make the bill conform to the bills passed by the Senate at the last session; and these were the roads that the people of Arkansas wanted. Both houses of the Arkansas Legislature had, without opposition, passed resolutions in November, 1852, instructing her delegation in Congress to work for these roads. After a protracted and somewhat animated discussion, the House had defeated a resolution instructing her Congressmen to work for the Cairo road. As for the Legislature chartering the Cairo road, that was done under a general corporation law. The road would be of no value to Arkansas. No one in Arkansas wanted it: the idea originated outside of the State. Missouri did not want it. Eighty miles of the road ran through Missouri, and for the entire length, throughland that already belonged to her by the Swamp Lands Act of September 28, 1850. She would not accept the grant or even give the right of way: Missouri had planned and was successfully carrying out a system of roads of her own, which centered in St. Louis; and she was too wise to permit, while she had power to prevent it, any State or company to pass through her borders, and upon her land to interfere with that system. If, said Borland, St. Louis had been made the terminus instead of Cairo the road would be of incalculable value to Louisiana, Arkansas, and Missouri; for it would have connected St. Louis and New Orleans and made the three States the thoroughfare at all seasons of the year for the great northern tide of trade and travel of the

*See supra, and also DeBow's, XIII, 526.
Mississippi Valley. The road to Cairo could not be built for there were no lands; and it should not be built, for Cairo was located in a swamp, a spot not designed for the site of a commercial center. Furthermore, Arkansas had no business in Cairo: her business was in Memphis and down river.

The Arkansas roads were designed as links in a road to the Pacific. Memphis was the proper terminus of the Pacific Railroad. Why was it not made the center of the Arkansas railroad system? "Why--Cairo! of all the places in the whole range of choice, should have been put in the place of Memphis, is not for me to pronounce. In the light of circumstances, and all fair conjecture, let others judge". If the terminus of the Pacific railroad were fixed at Cairo the road would not pass through Arkansas. The following quotation from Borland's speech illustrates admirably the intensity of the struggle among the western States for the terminus of the Pacific railroad: "How far this making Cairo, a point so unnatural and remote, the river terminus of the Arkansas system of roads, instead of Memphis, which is the natural and obviously proper key to the resources of the State, may affect the question of fixing the Mississippi terminus of the great Pacific railroad, and so far deciding the question whether Arkansas or another State shall be the thoroughfare of the eastern section of this great highway, time alone perhaps will determine. Should it prove to have been a stone even of an ounce weight cast in, however unintentionally, to turn the scale against our State, I shall never covet the honors, nor the reflections, of any man of whom it may be said, 'He did it'."

After Borland had resumed his seat, Sebastian rose to explain. He stated that an adverse vote on the Wisconsin land grant bill on the day before he had called up the Arkansas bill had proven that to amend the bill and send it back to the House would mean its death. He had consulted with Atchison the presiding officer of the Senate, and with Senators Rusk of Texas and Gwin of California, who had charge of the Pacific railroad bill (then before the Senate); and they had brought forward reasons which had induced him to call up the bill contrary to his understanding with Borland. He promised to make a detailed explanation at a later date, which he never did.*

What the influences were that secured, first, the inclusion in the bill of a provision for the Little Rock to Cairo road, secondly, the omission of a clause designating Memphis as the terminus of the branch to the Mississippi

the omission of a provision for the Gaines Landing to Fulton road, and, finally, put the bill through the Senate in the absence of the senior senator from Arkansas, we can only judge in the "light of all fair conjecture". The inclusion in the bill of a provision for a northern branch was no doubt expected to strengthen the bill among the representatives from the northern States. The bill was passed by a narrow margin as it was; and it could not have succeeded had it provided for only southern connections. The reason for the substitution of Cairo for St. Louis as the northern terminus of the north and south road, we may guess from what has been said above. It was a link in the much discussed Mississippi Valley road, which was to run to New Orleans across Missouri, Arkansas, and Louisiana. From the view point of New Orleans, it was designed to compete with the Mobile and Ohio, which was building east of the Mississippi, for the north and south trade of the Valley; and like that road was to prevent the diversion of the north and south trade to the Atlantic seaboard by the east and west roads building in the Ohio Valley. Illinois towns, especially Chicago, and Ohio river centers did not wish to see their rival, St. Louis, made the northern terminus of this road. The Illinois delegation no doubt worked in the interest of Cairo, the southern terminus of the Illinois Central; and the Illinois delegation, headed as it was by Stephen A. Douglas, was able to attain its ends quite regularly during these years. It may not be entirely without significance that, although the vote on the Arkansas bill was very light, not a single member of the Illinois delegation was absent when the vote was taken.

There was another factor, however, connected with the passage of the Arkansas bill that should not be overlooked. Rusk and Gwin, who had the Pacific railroad bill in charge, supported the bill with the Cairo branch included; and it is hardly probable that they would have consented to a terminus as far north as Cairo. They perhaps thought that the branch would tend to remove the opposition of Kentucky and Ohio river cities to a southern route. Underwood of Kentucky had championed Cairo as a terminus in the Senate.* The Cairo to Little Rock road would be a continuation of the Illinois Central, and would thus give Chicago connections with Arkansas. Chicago was no doubt anxious to have this connection to fall back upon in case of failure to secure a northern route for the road to the Pacific; and prospects for the selection of a southern route were never brighter than at this session. Borland, perhaps, made too much of the failure to designate Memphis as the Mississippi terminus of the east and west road; there could be little doubt that the land

*See, for instance, Cong. Globe, 32d Cong., 2d Sess., p. 421.
grant would ultimately go to a road from Little Rock to Memphis.*

Although, as we have seen, it had been confidently expected at its beginning that the 32d. Congress would see some general plan of disposition of the public lands adopted, and although the Congress gave more time to the discussion of the public land question than to any other, the sum total of the land legislation of any moment was the land grants to Missouri and Arkansas for railroads. The whole subject had to be gone over in the next Congress, and, for that matter, in several succeeding Congresses.

*The failure to designate the Mississippi terminus in the bill would delay the assigning of the land grant until the next meeting of the legislature.
CHAPTER IV.

The Sectional Conflict over the Pacific Railroad in the 32nd Congress.

During the first session of the 32nd Congress discussion of projects for a railway to the Pacific were at a minimum. It was too delicate a problem to be taken up on the eve of a presidential election. The West was kept in good humor by a rivers and harbors bill, passed by a combination of Western and Northern Democrats and the Whigs. The election over, Congress in the short session took up the subject in earnest for the first time; and for the first time it seemed that a Pacific railroad bill might pass. There were a number of considerations that made the prospects for such legislation unusually bright.

From the viewpoint of politics, this was the most opportune time to pass a bill for a road to the Pacific. The election was over and the Democrats had been very emphatically endorsed. The Whigs were on the whole more favorable to the enterprise than the Democrats. At this last short session of the Whig administration, the Whigs had little to lose and everything to gain. The Whig supporters of the project could be expected to work for it with their full strength. The Democrats, on the other hand, had no objection to passing the bill under a Whig administration. Both the building of the road and the manner of its building would be very largely in the nature of an experiment. It was very probable that the political party by whom the enterprise should be instituted would gain no political capital from it. The location of the road was bound to be a more or less delicate matter. The road, whenever built, would require government aid, and would on that account meet with constitutional objections from strict constructionist Democrats. Pierce, the President-elect, was well known to be a strict constructionist; and it was feared that, if left to him, he would veto any bill that should provide for money aid within the States or that chartered a corporation to build the road through them. So the Democratic advocates of the Pacific railroad sought to legislate for it at this session of the Congress.

California had been growing very rapidly in population since the discovery of gold in 1848. It was estimated that about 50,000 emigrants left the States for the Coast each year. The most customary route was via Panama, a long journey of some two months, made at an average expense to the individual of about $500. The poor man of the West was thus cut off from this route. Thousands attempted the hazardous
journey overland. Each year one or two thousands paid toll with their lives; and their bones were left bleaching on the prairies. They encountered the hostility of the Indians; but the difficulty of providing food for man and beast was the greatest obstacle. The emigrants, then, demanded cheap and safe means of reaching the Pacific.

The mines of California were giving up their gold at a prodigious rate; and their capacity was supposed to be exhaustless. Other minerals were known to abound. It was thought that the whole of the new territory was rich in all of the gifts of the mine, and only needed unlocking. Now the cry is "conservation of natural resources"; then it was, "development of natural resources". The whole country was anxious to put the new found wealth of the new West at its disposal. A railroad would do this most effectually.

The thriving commonwealth beyond the mountains was already carrying on a considerable commerce, not only with the States but also with other countries and even with Asia. For the purpose of fostering this latter trade, the Government had sent commissioners to China and Japan to demand more privileges for our countrymen. The gold of California went around South America and much of it found its way directly to Europe. A railroad would develop our internal trade, it would bring the gold of California directly to the States, and it would take up the trade promising to open with Japan. We have seen that in the early years of the agitation for a Pacific railroad much was made of the point that it would become the avenue of the trade between Europe and Asia. Although doubts that such would be the case had arisen in many quarters, the China trade was still, in 1853, brought forward as one of the arguments for the road.

By the treaty with Mexico, the United States had undertaken to prevent the Indians of the southwest from making depredations across the border. Too, the Indians on the border of Texas had to be kept under control. Two-thirds of the army of the United States, about 11,000 men, were stationed in Texas and along the Mexican border. Military and commissary supplies had to be hauled overland along the Santa Fe trail and other roads at an enormous expense. A road by the southern route would effect a large saving in this particular, and would make it much easier to hold the Indian tribes in subjection. Too, the cost of transporting the mails to the Pacific, weekly though they were, was no inconsiderable item. A railroad would provide daily mail at a reduced cost. It would be accompanied by a telegraph. The East and the West would no longer be weeks apart.

The rival projects for communication via Panama, Nica-
ragua, or Tehuantepec did not look so promising in 1853 as they had a year or two earlier. True the Panama road was progressing well, but was far removed from the United States. Since the Clayton-Bulwer treaty it was felt that our chances for a ship canal across Nicaragua were gone. The Tehuantepec railway seemed to have been nipped in the bud by the refusal of Mexico to ratify a treaty permitting the United States to provide for its protection. There was a growing feeling that a line of communication entirely within the United States would be safer and more advantageous.

The defenseless position of the Pacific coast was dwelt upon. How, it was asked, could we defend our possessions in the West in case of war without a more effectual means of communication? This bogey of foreign invasion was raised time and again, and would not down despite the ridicule that the opponents of the road heaped upon it. It had to be kept in the foreground in order that strict constructionists supporting the road might make believe that they were voting to build a military road. Perhaps more sincere were the expressions of fear that California and Oregon being so far removed from the other States and so difficult of access, would develop interests of their own, indifferent if not opposed to the interests of the other States, and would decide to go their own way, the Union thus losing the fifteen hundred miles of coast line that it had fought to secure, and the commerce and wealth that had come with it.

Texas, Oregon, California, and New Mexico had been brought under our flag in a few short years. Our dominions had been rounded out—we had fulfilled our destiny. Expansion had been the watchword. Now, said the expansionist, let us go in and possess the land. These "Young Americans" were not to be satisfied until the country had been settled from coast to coast. They could not remain content with seeing a narrow fringe of populated country beyond the Rockies: the great plain between the Missouri and the Mountains must also be claimed for civilization and commerce. A railroad to the Pacific would be followed by the settler; the settler would necessitate the road. And so while the Senate was working to whip the Pacific railroad bill into shape, the House was passing a bill for the organization of Nebraska Territory. While Douglas in the Senate, speaking to the Pacific railroad bill, was telling of the fertility of the lands that the Pacific railroad would open to settlement,* Hall of Missouri, speaking to Douglas's Nebraska bill, was saying in the House: "Everybody is talking about a Pacific Railroad. How, in the name of God, can you have a Pacific Railroad if you won't let us settle the lands it must pass through".** It was no coincidence that the territorial bill and the railroad bill came up at the same time.

All things considered, the time seemed opportune and the prospects favorable for Pacific railroad legislation at this session. There were but few outspoken opponents of the project in Congress. Nearly all, from the East as well as from the West expressed great interest in the railroad. The road was popular in the country: everyone expected a bill to be passed providing for it. But there were two obstacles that stood in the way and effectually blocked legislation. One was the question of how the road should be financed. A method which would be practicable and at the same time avoid as far as possible the objections of the strict constructionists, had to be devised. This obstacle was not unsurmountable. The other obstacle was the rivalry of the various local and sectional interests for the eastern terminus of the road. This was the obstacle that could not be surmounted.

To correctly understand the various plans for building the Pacific railroad that were presented for consideration early in the short session of the 32d. Congress, it is necessary to first notice the development of one or two of them in the first session of the same Congress.

April 1, 1852, Rusk of Texas from the Committee on Post Office and Post Roads reported a bill providing for two roads to the Pacific, one from Lake Michigan and the Mississippi, to be built by Asa Whitney, the other from some point on the Mississippi not north of Memphis to run via Rio del Norte and the Gila. Rusk did not concur entirely in the report, he said. His objection seemed to be to providing for the construction of the northern road by Asa Whitney.

Three weeks later, Douglas, from the Committee on Territories, reported a bill for the protection of the emigrant route, and a telegraph line, and an overland mail between the Missouri river and the settlements in California and Oregon. As the title of the bill sufficiently indicates, the bill did not provide for a railroad, in fact it provided for a substitute for a railroad. The history of this proposal should be noted because it acquaints us with the attitude of Stephen A. Douglas toward the question of communication with the Pacific, which attitude I shall have occasion to refer to again later in the chapter. The bill provided that the President raise three regiments of a thousand men each for the purpose of guarding and protecting the emigrant route and telegraph line, and for carrying the mails. The men were to be stationed in not more than ten military posts and in "station


**Rusk Said: "I have always believed that, if the practical intelligence and good faith of Mr. Whitney had been confided in, his proposition would have been acceded to by Congress." Cong.Globe,32d.Cong.1st.Sess.,p.1759.

houses" not more than twenty miles apart, all along the line.
Twenty men were to garrison each station house. The men
should produce their own supplies and forage for their horses
by tilling the soil about the posts and stations. In addi-
tion to his regular pay, each soldier should receive at the
expiration of three years service, a section of land.* From
the debate that followed upon a motion to take it up for con-
sideration, it is clear that this bill was Douglas's own and
that he was very anxious to secure its passage. The route
which he proposed to protect was Fremont's, that is from In-
dependence, Missouri via Fort Laramie and Salt Lake to San
Francisco.** His purpose was to establish a continuous line
of settlements from the Mississippi to the Pacific. "I have
no faith", he said, "that we can hold our settlements on the
Pacific in connection with those on this side of the moun-
tains, unless we have a line of settlements across the coun-
try.*!

Borland of Arkansas was enthusiastic for the proposal.
He evidently thought the purpose of the bill was to open all
the western territory to settlement and to pave the way for
a Pacific railroad. He said: "I consider it a bill of more
general importance to the Western States than any bill that
has been before the Senate this session..... We have now an
outlet for our trade and travel only on one side; and so
long as we remain in that condition, we will be unable to
develop even the half of our resources. We want a market on
both sides; we desire to see settlements made west as well as
east of us. We have been talking for years about making a
railroad to the Pacific...There is an immense tract of wild
country between these points, extending some twelve or fif-
ten hundred miles, unsettled or settled only by savages,
amongst whom a railroad would not stand safely at any one
point for a week...Without some such plan as this, I know
of no mode of building or protecting such a road, except at
a cost which all the resources of the Union could not pay.***
Douglas steadfastly refused to admit that he had any more
general purpose in mind than those expressed in the title of
the bill. "Is there a man in this body", he asked, "who
does not know that this Union cannot exist unless we have
some means, either this road or a railroad, or some other
means, of communication with the Pacific?"**!! He wished to
bind the Union together and he thought that a chain of set-
tlements was the best means of doing so. Bell of Tennessee
thought it would cost ten million dollars to support the
line of military posts three years. It would be more advan-
tageous, he said, to employ that immense sum in the commence-

ment of a railroad from the Mississippi to the base of the Rocky Mountains. Bradbury thought Douglas's plan would defeat the Pacific railroad. July 20 Rusk moved to strike out all after the enacting clause and insert a Pacific railroad bill as a substitute. Upon a motion by Gwin the bill was re-committed, with Douglas's consent, to the Committee on Territories, practically with instructions to report a bill for a Pacific railroad. July 23 Douglas reported such a bill (He was instructed to report it, he said.); but made no effort to have it taken up. On August 30 Gwin moved the bill as an amendment to a bill granting lands for the benefit of the indigent insane.

This bill which Douglas had, seemingly with difficulty, been induced to accept, provided for two roads to the Pacific, one to run from Fulton, Arkansas by a southern route, the other from a point on the western boundary of Iowa or Missouri not south of St. Louis by the most direct route to California, with a branch to Oregon. Provision was made for a branch across Arkansas and one across Louisiana to connect with the southern road at Fulton, and for a Missouri and an Iowa branch of the northern road. For building the road there were given alternate sections of public land for fifty miles on either side of the road in the territories, for twenty miles in Arkansas, Missouri, Iowa, and Louisiana, and for forty miles in California. The portions of the roads lying within the territories were to be built by corporations chartered by Congress. The branches within the States should be built under their authority; provided, that in case a State to which a grant was made refused to accept it within a year, the President should contract for the building of the road in that State in the same manner as for the road in the territories. The mails, troops, and supplies of the United States were to be carried free of charge. It is thus seen that no money aid was granted by the bill, and that it was made possible for the branches to be built under State authority.

This bill was introduced with modifications by Gwin on December 22 of the short session. For the northern road to California by the most direct and feasible route, Gwin had substituted a branch running from a point on the southern line south of Santa Fe to Independence, Missouri, and a branch from the point where this line crossed the Arkansas river to Kanesville (Council Bluffs), Iowa. A branch through Texas to Matagorda Bay was added. The land grant in the territories was decreased from fifty to forty sections per

** Ibid, p. 1847.
*** Ibid, p. 1890.
**** Ibid, p. 2466.
mile. Otherwise the bill was unchanged.*

Gwin asked that his bill be made a special order. Debate began at once. Finally, it was agreed to make the Douglas bill of the preceding session the special order for January 10, 1853, with the understanding that, if thought advisable, the Gwin bill be substituted for it.** On January 13 the bill came up, as agreed the Gwin bill was substituted for it, and the Pacific railroad struggle was fairly launched.*!

Brooke of Mississippi moved as a substitute, a bill that had been drawn up by a body of citizens in New York City and first presented to the Senate by Hamlin of Maine. It provided that the United States should create "The Atlantic and Pacific Railroad Stock" to the amount of $30,000,000. When a company had been chartered under the laws of one of the States (New York) for building a railroad to the Pacific, had met certain conditions, had located the route the road was to follow, and had actually undertaken its construction, the Secretary of the Treasury should deliver a specified amount of the stock to the company, and as the road progressed the remainder of the stock should be paid according to a specified scale. During the construction of the road the Government should pay interest on the stock. After it should have been built, the company would pay the interest, and before the expiration of thirty years the principal.***! Atchison, President Pro Tem., ruled the substitute out of order; but it is important to note its provisions because they embody the belief of many practical men that the road could be built only with money.

On January 19 the Gwin bill was taken up section by section. It at once became apparent that the bill could not go far in the form it then had. The bill, as we have seen, provided for six branches. A large majority of the Senate agreed that there should be but a single line and that the branches must be omitted. It would take too much land and money to build such an extensive system.***!! The struggle then began over the terminus of the single line. Each interest put in its claim; and there was no concession. A statement of Geyer of Missouri helps us to understand the difficulty created by the necessity of striking out the branches: "It will be seen at once that if provision be not made for passing through the territory of the United States beyond the boundary of the United States, and you make the terminus of the road on the Missouri River (He was speaking on an amendment designating the terminus at some point between Independence and Council Bluffs) every system of roads south of that will depend upon Missouri and Iowa for per-

**Ibid, p.126.  
**!Ibid, p.315.  
***!!Ibid, p.285. Cass said, "It is entirely too magnificent for me."
mission to form a connection with the road....How, I will ask, with the spirit that has prevailed in some of the States of the Union, is that to be obtained?"

After the first few days debate had shown plainly enough that the Gwin bill could never be amended to pass, Rusk conceived the plan of appointing a select committee to draw up a substitute. The debate on the Gwin Bill was to be continued, and there was to be a frank and free expression of views that would serve the purpose of instructing the committee. The committee should draw up a bill that could pass. On January 20 Rusk moved to refer the old Douglas bill to a select committee. It was agreed; and Rusk, Bell of Tennessee, Davis of Massachusetts, Gwin of California, and Dodge of Iowa were appointed. All were staunch friends of the Pacific railway. Rusk, of course, wanted a road through Texas no matter whether its terminus be Vicksburg, Memphis or any other point. Bell represented the Memphis interest. He was not as intensely partisan as were other Senators who favored that terminus. Gwin was for a southern route. He had emigrated to California from a southern State and continued to work for southern interests. Dodge favored Council Bluffs as a terminus. Davis, the only eastern man on the Committee favored either Council Bluffs or Independence as a terminus. Thus we see that the South had a majority on the Committee. The Select Committee went to work in earnest.

It will be necessary to follow the hopeless Gwin bill a little further. When the first section of the bill was taken up, Adams of Mississippi, representing the Vicksburg interests, moved to strike out the words, "and branches". Such an amendment would have left a single main line terminating at Fulton in the southwest corner of Arkansas. The amendment received but seven votes. This amendment having failed so signally, Chase of Ohio moved to fix the terminus at a point on the Missouri River between Council Bluffs and Independence, Missouri. The motion was not voted upon. Bell offered by way of compromise to leave the designation of the terminus to the President. He no doubt felt that if the route were to be selected on its merits, the southern route would be chosen; and several northern men were inclined to agree. No attempt was made to get a vote on the proposal; but it was generally understood that any attempt to fix the terminus in the bill would fail and that some such provision must be made if the bill were to pass. Senator after Senator

*Cong. Globe, 422.
**Ibid, p.349.
arose and expressed himself as convinced that any attempt to provide for one local interest over another would result in the defeat of the whole project. The Select Committee considered themselves instructed to leave the designation of the terminus to the President.

The Senate naturally tired of discussing a bill that it intended to drop as soon as the Select Committee should report; and so the discussion lagged. Meanwhile the Select Committee labored to draw up a bill that could pass. Their task was to take up the various antagonistic plans that had been offered and by giving here and taking there effect a compromise that would be acceptable to all reasonable supporters of the road, and yet afford a practicable method of providing for its construction. The task was a difficult one; but the members of the committee sank their individual preferences and opinions to the great object of securing the road, and with admirable spirit agreed upon a bill that was far superior to anything that had hitherto been proposed, although it is improbable that a company would have undertaken to build the road on the terms proposed. According to the bill there was to be a single line of railroad and telegraph from the Pacific to the Mississippi Valley. The President was to designate the termini and the general route that the road was to follow. To meet the objections of those who inveighed against the selection of the route without definite information regarding the topography of the country through which the road should pass, it was provided that the President should ascertain the most practicable route by the aid of army and civil engineers. To the opposition of States rights men to the incorporation of a road within a State of the Union, the consent of the States through which portions of the road might pass was required to be obtained before the road should be built therein. The Gwin bill had given no aid but public land; Brooke's substitute offered only money aid; the Committee's bill, which I shall hereafter refer to as the Rusk Bill, combined the two. It granted alternate odd numbered sections for six miles on either side of the road in the States and for twelve miles in the territories. The Gwin Bill had granted forty sections per mile. The reduction was a concession to the old State men who were niggardly of the national domain. Practical men had insisted, and correctly so, that the road could not be built without money. The bill authorized the issuance of $20,000,000 of five percent bonds, redeemable in fifty years. Pro rata portion of the bonds and of four fifths of the land were to be surrendered to the contractors upon the completion of each 150 miles of the road. The contractors, their associates, and successors were incorporated under the name, "The Pacific Railway and Telegraph Company". The road was to be completed within ten years; and the Government might purchase
it any time after thirty years for the actual cost of construction less the value of the bonds granted. The Government was well protected against fraud or possible failure on the part of the company by a number of provisions. The mails, troops, and military supplies of the United States were to be carried free of charge. Congress should have the power to regulate the tolls on passengers and freight as long as the dividends were above eight per centum. The company should allow such branches to connect with the road as Congress might authorize.*

The bill was submitted to Douglas, Chairman of the Committee on Territories, who examined it and gave it his full approval.** On January 28, Rusk reported it to the Senate; and a few days later it was taken up in the Committee of the Whole. The enemies of the bill at once got behind a substitute offered by Brodhead of Pennsylvania, which appropriated $100,000 for a reconnaissance by the Corps of Topographical Engineers.†! The Rusk Bill was assailed at every possible point. Dawson of Georgia, Butler of South Carolina, Brodhead, Bayard of Delaware, and others of the old Eastern guard spoke against it. They wanted surveys. They did not know that any road was practicable. How, they asked, could it be protected from the Indians? The government was contributing too much aid to the construction of the road: private companies would build it without aid if the Government would let them. Congress had no power to charter a corporation to operate within a State either with or without its consent. It was unconstitutional to grant money in aid of internal improvements within the States. The Pacific Railway and Telegraph Company would be such another monster as the Second United States Bank. The Government was not properly safeguarded. The bill conferred too much power upon the executive: it surrendered the functions of the legislative department. They were unwilling to place such a load upon the incoming President as the selection of the termini entailed. Some of the Democratic friends of the measure felt this objection very strongly. Any selection that the President might make would be sure to offend the unsuccessful local interests. It would injure the party; Mason and Butler said it would disrupt it. Lastly the opponents of the road said that the bill was "premature", undigested, and experimental".

The supporters of the bill replied in a number of able speeches. Each of the members of the Select Committee gave it his undivided support. Smith of Connecticut, Geyer of

*Cong. Globe, p.469.
**So Rusk said. Globe 431. Douglas later qualified the statement.
†!Globe, p.471.
Missouri and Stephen A. Douglas made strong speeches in its favor. They showed the pressing need for the road and the great objects that it would serve. They met the objections of its derogators seriatim. No survey was necessary: there were a dozen practicable routes. The aid given to the road by the bill was but a trifle in comparison with the great advantages that the road would secure to the country. The Government would be repaid by the free carriage of the troops, mails, and supplies. The corporation created could not enter a State without its consent. There were abundant precedents for giving aid to internal improvements within the States. Anyway, this road was not being aided for commercial reasons but because it was necessary for the defense of our western coast. And the bill did not provide that the Government build the road as it had done in the case of the old Cumberland Road: it was to be built by private individuals. There could be no possible loss to the Government; for it was safeguarded at every possible point. The possibility of such another institution as the United States Bank was exceedingly slight: were not railroad corporations created by the hundreds in the States each year?

On February 18 Brodhead's survey amendment was defeated by a vote of 22 to 34.* A motion by Mason of Virginia to refer was voted down 18 to 33.** These two votes show the full strength of the opponents of the road: they were beaten decisively. It seemed that the bill would surely go through. But it had yet to run the gauntlet of the friends of the road and they succeeded in destroying it where its enemies had failed. Douglas and Shields, his colleague, Geyer of Missouri, Weller of California, by availing themselves of the opposition that existed among the Democrats against chartering a company to build a railroad through a State and against donating money to aid internal improvements within the States, proceeded to insure the selection of a northern route. The Southerners took alarm, Rusk and Gwin deserted their own measure, and the bill was killed.

Immediately after the defeat of the Brodhead substitute, Weller, a Democrat from California, moved to strike out section 13, which provided that the contractors should be created a body corporate.* Douglas hardly saw the necessity of striking out the clause. It was not necessary for one inch of the road to run through a State, he said. It might run from the western border of Iowa, Arkansas, or Missouri to Oregon. "I am aware that there is a clause in the bill which contemplates the possibility of the road running through a State at some point. For instance, if General Pierce should

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*Globe, p.676.  **Ibid, p.680
make the terminus in the Mississippi Valley; down near the Red River, and then should select a pass in the mountains in New Mexico it might be necessary to run across a barren waste in the corner of Texas.* Geyer of Missouri moved to amend Weller's motion by limiting the corporation to the Territories.** The amendment was agreed to; and Weller's motion passed as amended 36 to 14. Rusk was the only Democrat to vote against it.*

DeSaussure of South Carolina moved to amend the first section of the bill by inserting the words: "Provided, nevertheless, that the eastern terminus of the road shall not be north of Memphis in Tennessee."*** It was objected that this was raising a sectional question. Charleton of Georgia, alluding to Douglas's remarks, quoted in the preceding paragraph, said it had been made a sectional question already. Douglas denied that he had any such intention. Charleton replied, "My honorable friend from Illinois knows that General Pierce is a strict constructionist, and a good States- Rights man, and therefore, never will consent to locate this road through a State. Then, I understand he will be compelled to locate the road through the South Pass. That will bring it in 42 degrees of North Latitude, and bring it through the Nebraska Territory to the Missouri river at the point which the Senator from Ohio (Mr. Chase) first designated!"**** Butler of South Carolina said, "I believe that there is a concurrent opinion that the Gila route is the best; but I will say to the Senate and the country, that it will not be adopted. I will make the prediction. The road will go to the Lakes."***** DeSaussure's amendment was defeated by a vote of 28 to 11. This does not indicate the full strength of the advocates of a southern route. Several men from the Southwest voted nay because they did not wish to raise a sectional fight. It is to be noted that DeSaussure, Butler, and Charleton were all opposed to any railroad at all. They perhaps raised the sectional question in order to send the friends of the measure flying at each others throats, and thus defeat the bill.

Cass of Michigan had declared himself time and again a friend of a Pacific railroad. He had voted "right" on all the preliminary motions. Now he struck consternation among the supporters of the bill by stating that he could never vote for it as long as it provided for constructing the road in a State either with or without its consent.(x) Despite this warning from an unexpected quarter, the bill was reported to the Senate without further change; and many looked for

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*Globe, p. 697.  
**Ibid, p. 697.  
*!Ibid, p. 706.  
(x)Ibid, p. 711.  
its early passage. They were to be disappointed.

Shields of Illinois offered the following amendment: "Provided, that no portion of the $20,000,000 to be advanced by the United States, shall be expended in or deemed to apply to a road within the limits of any existing State of the Union; and so much of said road, if any, as shall be located within any State of this Union shall be made under the authority thereof, to be derived from the State Legislature thereof, and not otherwise".* He called for the yeas and nays, a vote was taken almost immediately, and the amendment was adopted, 22 yeas to 20 nays. Rusk was angry. The amendment had disjointed the bill, he said. Gwin interposed, "Destroyed". "Yes sir", replied Rusk, "destroyed". Underwood said it was"dead". Brodhead thought it the psychological moment to renew his substitute providing for a survey. Weller gave notice that he would move to reconsider the vote.

February 21 Weller made his motion to reconsider the vote by which the amendment had been passed. He, Geyer, and Atchison changed their votes and the motion carried 28 to 24. Weller then renewed the amendment in a slightly changed form and it again was adopted, this time by a vote of 27 to 25, Geyer not voting for it in this instance.** The Whigs voted against the amendment 16 to 3; the Democrats for it 24 to 9. The votes of the senators from the States not directly concerned in the struggle for the terminus of the railroad were no doubt determined by party considerations, the Whigs voting for the principle that Congress may grant money in aid of internal improvements in the States, the Democrats opposing it. Democratic senators from those States allowed the questions of party policy and expediency to outweigh whatever desire they may have had for a railroad to the Pacific. In the States that were competing for the terminus party considerations seem to have had little weight. Bell and Jones, Whigs of Tennessee voted no. So also did Brooke of Mississippi, Houston and Rusk of Texas, Borland and Sebastian of Arkansas, and Gwin of California, all Democrats and all advocates of a southern route. Of those favoring a northern route, Dodge and Jones of Iowa and Dodge of Wisconsin opposed the amendment while Douglas and Shields of Illinois, Atchison of Missouri, Walker of Wisconsin, and Weller of California voted for it. All of these men were Democrats. Geyer, a Whig, supported the amendment until he learned that its adoption would defeat the bill altogether.

The same day, February 21, debate arose as to whether

*Globe, p. 715.

or not the Pacific railroad bill was dead and, if so, what
had killed it. Rusk, Borland, Bell, and others, all advov-
cates of a southern route, were sure the bill was dead and
that Shields's amendment had killed it. They charged again
and again that the amendment had been made by the friend of
a northern route in the interest of a northern route; and
that with it in the bill, the South did not have an equal
chance with the North to secure the road, because without
money aid, the portion which must pass through Texas could
never be built. Pratt of Maryland said that the Shields
amendment would necessitate the selection of a northern route;
because the bill gave neither money nor lands in Texas. Bor-
land said: "The amendment does give it (the bill) a section-
al character and by express legislation in the bill excludes
the whole range of southern States from participation in the
bill."* Bell was quite pointed in his remarks. "On Saturday
evening", he said, "gentlemen interested in a particular
section of the Union, whether with or without concert, with
or without reference to sectional interests, or a determina-
tion to secure an eastern terminus of that road at a par-
ticular point on the western borders, had an amendment adopt-
ed under which I do not choose to submit quietly".** One sen-
ator noticed the complacency with which Geyer of Missouri
viewed the adoption of the Shields amendment (he voted for
it) and remarked that since Missouri had already received a
grant for two east and west roads she was sure to get the
terminus if the bill should pass.

Other friends of the bill thought that the Shields
amendment was not so much designed for insuring a northern
route as it was to kill the bill altogether, thus saving the
President from the burden of selecting the route and the
Democratic party from the charge of aiding internal improve-
ments in the States. Gwin said, "But I do complain and ever
shall complain of the side blow by which this bill was de-
stroyed."

Shields, Douglas, and Weller repelled the charges made
against them. They were friends of the bill, they had no
desire to kill it. They could not see that this simple a-
mendment had done so. If the bill were dead, it was because
Gwin, Rusk, Borland, etc., had deserted it and not that they,
Douglas, Shields, Weller, etc. had destroyed it. They were
only insisting on the good Democratic doctrine that the Gov-
ernment cannot constitutionally aid internal improvements
within the States. They had no sectional motives in urg-
ing the amendment. It was not to be expected that the Gov-
ernment would build the road and make a present of it to the
company. There would be no difficulty in getting private

capital to build it through the States. If the road should go through Texas, she could give it as large a land grant as she chose. But Southern men were not to be reassured. In fact, such statements as the following one of Shields's were not very reassuring: "I do not want to see the $20,000,000--expended in Texas and California. I want the road made through the territories.---I do not wish to commence at both ends and spend $20,000,000 before you have got into the territories". Douglas, as did every one else, seemed to consider Shields's amendment his own. He argued at length that the road was just as likely to go through Texas under the amended bill as under the original. Borland considered the argument "specious".

Where, now, lay the truth among these charges and denials? In the first place it is very plain that the amendment gave a decided advantage to the North. All the partisans of a southern route thought it did; and it is not probable that they were frightened at a shadow. The bill provided that $20,000,000 should be given by the United States in aid of the road, the sum to be pro-rated as the road was built. Estimating the length of the road at twenty-five hundred miles, we see that under the original bill the portions of the road running through Texas and other States would have received aid to the extent of $8,000 per mile, no inconsiderable sum. Of this aid they were deprived by the amendment. A Pacific railroad would have to be commenced at both ends. Along the southern route, it would have been necessary to build from San Francisco to the southeastern boundary of California; and on the east from the Mississippi across Arkansas or Louisiana and Texas before any money aid could be received. But little of the region along this route was settled—much of it promised never to be settled. It was not at all probable that a company could be induced to build a thousand or twelve hundred miles of road through this region without more substantial aid than six sections of the public lands per mile in the land States and such aid in Texas as that State saw fit to give. Along a northern route the lack of money aid for the portions of the road that lay in the land States would have been not nearly so serious a difficulty. No portion of the extreme northern route lay within a State. A central road would have crossed Missouri or Iowa and California from east to west. The lands in Missouri and Iowa were valuable. In Missouri at least there was considerable population along the route of the proposed railway. Missouri had already chartered corporations to build two east and west lines; and they were sure to be built whether the Pacific railroad were or not. From these considerations, we

*Globe, p. 740.
see that the President, under the terms of the amended bill, could hardly have failed to designate a northern route for the railroad.

The next question that arises is, What was the purpose of the Northwestern senators in proposing the Shields Amendment? Was it, as Southern men charged, designed to insure the President's selection of a northern route? Or, did they intend that the amendment should do what it did do, kill the bill? If they desired to kill the bill, why did they? Was it to save the President from the difficult task of choosing the terminus from among several bitter rivals for it? Or were they, in supporting the amendment, only insisting, as they claimed, on the good Democratic doctrine that Congress has no constitutional power to appropriate money in aid of internal improvements within the States?

It would be difficult to show why Western Democrats who voted for the amendment should have been any more desirous of saving the President the onerous burden of designating the terminus than were Western Democrats who voted against the amendment. On the very same day that the Shields amendment was adopted, all of the Western senators joined together to vote down an amendment of Bayard of Delaware which provided that the President might refer the matter of terminus back to Congress if he saw fit. Neither can it be shown that constitutional grounds weighed more heavily with Douglas, Shields, Weller, and Atchison than with Borland, Sebastian, Houston, Rusk, and Gwin. A river and harbor bill had been passed at the first session of this Congress with the aid of several of these same Democratic senators who voted for the Shields Amendment, Shields and Douglas among the number. Surely the constitutional objections to giving money in aid of river and harbor improvement were as strong as those to giving money in aid of building a Pacific railroad, a much more national work. It is difficult to see any reasons why certain Western Democrats should have been more solicitous for the future of the Democratic party than were other Democratic senators. It can hardly be contended that the men who moved the amendment were less interested in securing communications with the Pacific than were those who opposed it. The whole West was interested in a Pacific railroad. No Western senator could have met his constituents after having voted against a railroad bill that was in the interests of his section. We can hardly escape the conclusion, then, that the purpose of the Shields amendment, as far as its chief movers were concerned, was to insure the selection of a northern route under this bill, if it were possible to pass the bill. But it is hardly possible that such astute politicians as were those who engineered the amendment, did not know that its adoption would defeat the bill. To this it must be
answered that they preferred no Pacific railway legislation at all at this session to legislation giving the advantage in the struggle for the terminus to the South. In this respect they differed not at all from Borland, Bell, and Rusk, who preferred no bill at all to one giving the advantage to the North.

I have shown that the amendment made more probable the selection of a northern terminus under the bill. Before the amendment was adopted, the advantage lay on the side of the South. Rusk would hardly have brought in the bill if it had not. The bill provided means for building the road: the lack of means was the chief obstacle to the building of a southern road. The southern route was generally conceded to be the most practicable, as, indeed, it was. Moreover, it ran for the entire distance through States or organized territories, where there was a scattering population, and where the lands were open to settlement. The northern routes lay for a considerable portion of the distance through unorganized territory, having no white population and whose lands were not only not open to settlement but had been pledged to the Indians in perpetuity. The Indians, too, along the southern route were more tractable than those in Indian Territory. Any plan for building a road across Indian territory that had yet been proposed involved opening the lands to settlement; but until they had been opened to settlement and a territorial government organized, the South would have the advantage in the struggle over the route of the Pacific railway. It goes far towards proving that the Shields Amendment was engineered in the interests of a northern route, to show that the men who engineered it were working at the same time for the organization of Nebraska Territory, the extinguishing of the Indian title to the lands therein, and the opening of the lands to settlement.

Hall of Missouri introduced a bill in the House providing for the organization of the Indian Territory north of 36 degrees 30 minutes under the name Nebraska. The bill was referred to the Committee on Territories of which Richardson of Illinois, Douglas's faithful lieutenant, was chairman. It was reported by Richardson on February 2, 1853, and was at once taken up in Committee of the Whole. The purpose of the bill as declared by its friends was to open the territory to settlement and to provide protection for the immigrants who followed the several immigrant routes to California and Oregon. They considered it necessary to open the territory to settlement as a preliminary measure to building a Pacific railroad. Howard of Texas was the most talkative opponent of the bill. He said it would be bad faith toward the Indians to open that territory to settlement. A member called
attention to the lack of harmony between Howard's professions of love for the Indians and the treatment that Texas accorded to the red men that happened to reside within her borders. Hall of Missouri charged that Howard wished by leaving the immigrant trails unprotected to force immigration to pass through Texas. If the doctrine prevailed, he said, that the territory west of the Missouri river was to be a wilderness, and a railroad should be built, the people would have no alternative but to make it terminate in Texas.* The charge of insincerity against Howard was perhaps in some measure unfair. The Indians on the border of Texas were no doubt causing considerable trouble to the people of that State; and it could be reasonably expected that with its settlement the Indians of Nebraska would be forced southward. It can hardly be contended, on the other hand, that there was not a great deal of truth in Hall's charge. The bill passed on February 10 by a vote of 98 to 43.** It made no mention of slavery and the question had hardly been touched in the debate.* The small number of votes cast and the fact that 13 votes were cast against the bill in the North and 18 for it in the South, indicate that the division was not determined entirely by the attitude assumed toward the slavery question. To what extent the opposition to the bill was due to its connection with the Pacific railroad, and to what extent due to the fact that it created a free territory, it is impossible to judge.

The bill was referred in the Senate to the Committee on Territories, from which committee Douglas reported it without amendment on the 17th of February, while the debate on the Pacific railroad bill was at its height, and the day before the Shields Amendment was adopted.*** Douglas according to his own statement had been pressing this measure for eight years, or as long as he had been in Congress.*** He was also an active supporter of a railroad to the Pacific but believed that settlement must precede or accompany the building of the road. He had brought forward as we have already seen a bill at the first session of the Congress for the protection of the emigrant route and a telegraph to the Pacific, his plan being to settle a strip of territory from the Mississippi to the Pacific along which the road when it

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*!Ibid, p. 543. Here occurs the much quoted colloquy between John W. Howe of Pennsylvania and Giddings of Ohio.  
***Cong.Globe.  
***!Ibid, p. 1117.
March 2 an attempt to have the bill taken up was defeated. On March 3 it came up in order. Atchison lent his support to the measure. He explained that he had formerly opposed organization because he had hoped for the repeal of the Missouri Compromise; but he no longer thought that possible. He also had thought settlement of the territory would be injurious to Missouri. Missouri sold much of her produce west to the army and to the emigrants bound for California. Settlement of the territory would destroy this trade. But it was no longer possible to keep settlers out of the territories so he would vote for the bill. The chief opposition to the bill came from Rusk, Houston, Borland, and Bell, the same who had championed the Pacific railroad bill and had charged Douglas and others with sectionalism. Rusk and Houston arraigned the bill as a violation of the treaties with the Indians. Douglas retorted that they were expressing sympathy for the Indians only for the purpose of killing the bill. Bell wanted to know why the bill was brought in. "I know the Senator from Illinois sufficiently well," he said, "to know that when he moots a proposition of this description, it has a meaning in it; and he does not merely mean to fill up space—Why does the Senator wish to organize the territory?" Douglas replied that he wanted continuous settlements from Missouri to California. He was "under the impression" that there were two or three points where an Indian territory could be laid out without interfering with any of the great routes to the Pacific. Although Atchison declared that a majority of the Senate favored the bill and Douglas thought the bill would pass if senators would only allow it to come to a vote, a motion to table carried 23 to 17, five Eastern men voting with the South for the motion. This vote has little value as indicating the sentiment of the Senate on the organization of Nebraska, for it came within a few hours of the close of the session when everyone knew that there was not the slightest chance of passing the bill.

Although defeated in their attempts to organize the

*Supra, p. 77 Douglas seems to have been in perfect accord with Missouri representatives. His bill for the protection of the emigrant route would have settled a strip of lands along the St. Louis route to the Pacific. The organization of Nebraska would operate more strongly in favor of that route than for any other. Bell charged Douglas with working for a St. Louis terminus. See Cong.Globe, p. 743.

**Globe, p. 1111, 1113.

*!Ibid, p. 1115, 1116.

**!Ibid, p. 1117.
territory the advocates of opening Nebraska to settlers were successful in including a section in the Indian Appropriation Bill authorizing the President to enter into negotiations with the Indians west of Missouri and Iowa for the purpose of securing their assent to the settlement of the lands by the Whites, and for extinguishing the Indian title to the lands. $50,000 was appropriated for the purposes of the bill.*

The first session of the next Congress was to provide for the organization of the territory in the Kansas-Nebraska Bill.

It is unnecessary to recount the attempts made to revive the Rusk Bill after the addition of the fatal amendment: none of them offered the slightest hope of success. The Senate adjourned on the evening of February 22 with the understanding that no further efforts would be made to secure the passage of a Pacific railroad bill at that session. Douglas called for the yeas and nays on adjournment for the purpose of attaching the blame for the failure to enact a railroad bill upon the advocates of a southern route.** After the Rusk bill had been dropped, a bill that had been offered February 2 by Brodhead of Pennsylvania as a substitute for the Rusk bill was taken up and passed as an amendment to the Army Appropriation Bill. It provided for surveys of all the routes to the Pacific by the Corps of Topographical Engineers. The reports of the surveys were to be made to Congress by the first Monday in February, 1854. $150,000 was appropriated to defray the expenses of the surveys.*!

*U. S. Statutes at Large, Vol. 10, p. 238.
**Globe, p. 753.