

**A HISTORY OF EARLY
RAILROAD LEGISLATION
IN WISCONSIN, VOL. XIV,
PP. 206-300**

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BALTHASAR HENRY MEYER, PH. D.



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A HISTORY OF EARLY RAILROAD LEGISLATION
IN WISCONSIN.¹

BY BALTHASAR HENRY MEYER, PH. D.

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CHAPTER I.

WISCONSIN RAILROAD HISTORY FROM 1836 TO 1851.

1. *The beginning of the railroad agitation.*
The initial step in the movement which nearly fourteen-and-a-half years later resulted in the opening of the first line

¹This essay contains the first two chapters of a thesis submitted for the degree of doctor of philosophy, in the University of Wisconsin.

of railroads in Wisconsin, was taken at Milwaukee on Saturday, September 17, 1836. During the evening of that day, a number of citizens met at one of the hotels to exchange views and adopt measures in relation to a proposed railroad from Milwaukee to the Mississippi.¹ The local editor enthusiastically reviewed the meeting, and remarked that the project had been "favorably noticed abroad."² New York papers, he said, speak of it as of greatest importance to Wisconsin and to New York. It was one of the favorite methods of our early editors to appeal to Eastern papers in support of their projects; although, in many instances, the quotations or sentiments attributed to New York or Boston papers were communications written by Western men. Appearing originally in Eastern papers over the writer's name, they were, when quoted in Western papers, frequently attributed simply to the Eastern paper, and not to the Western inspirer or author. Sometimes, indeed, alleged "indorsements" were often reported in the West,—such was the case on this occasion,—days before the fastest existing mail could have conveyed the news. Be this as it may, the Milwaukee meeting accomplished its object. It was decided to petition the Territorial legislature, at its next session, to pass an act incorporating a company for the purpose of constructing a railroad from Milwaukee to the Mississippi, by way of Mineral Point. A committee of fifteen was appointed to correspond with people of other parts of the Territory, to circulate petitions, "and in general to take such measures as they may deem proper and needful to carry into effect the objects of the meeting." This committee was composed of Samuel Brown, who had acted as president of the meeting, Byron Kilbourn, its secretary, N. F. Hyer, H. Crocker, Solomon Juneau, William P. Proudft, S. D. Hollister, S. W. Dunbar, Horace Chase, William R. Longstreet, A. B. Morton, James H. Rogers, B. H. Edgerton, William N. Gardner, and Thomas Holmes. Such was the beginning of the movement which ultimately

¹ *Milwaukee Advertiser*, September 15, 1836.

² *Id.*, September 22. There was then no daily paper in Milwaukee.

resulted in what we now know as the Chicago, Milwaukee & St. Paul Railway system.

The same issue of the *Milwaukee Advertiser* which reported the above meeting, contained in its advertising columns an announcement that an application would be made to the Territorial council, at its next session, for an act to incorporate a company to construct a railroad from Milwaukee to the city of Superior. The editor confesses himself so ignorant of the geography of the Territory, and so far behind the age of speculation, that he does not know the location of this northern city; he pertinently protests against chartering a railroad company for the purpose of bringing some town into public notice. Considering the primitive conditions of Wisconsin Territory, such a project was certainly absurd; probably it was designed simply to arouse interest in the Milwaukee & Mississippi Railway. According to the first Territorial census, taken in 1836, Wisconsin's white population probably did not exceed 12,000, nearly all of which was confined to two small areas in the southeastern and the southwestern parts of the Territory,¹ so that one terminus and the whole length of the Milwaukee & Superior R. R. would have lain in an uninhabited country. The journals of the Territorial council and house of representatives for 1836, contain no mention of the Milwaukee & Superior, but record the failure of the Milwaukee & Mississippi scheme. This was due largely to the opposition of the promoters of the Belmont & Dubuque R. R., who secured a charter during this session.² At about

¹ Thwaites's "The Territorial Census for 1836," *Wis. Hist. Colls.*, xiii, p. 247, and map. This census was taken in the four counties of Milwaukee, Iowa, Crawford, and Brown, the two latter each including a triangular tract between the St. Croix and Mississippi rivers, and the Menomonee river and Green Bay, respectively (now belonging to Minnesota and to Michigan). These four counties included nearly all of the territory comprised in the present State of Wisconsin, and had a total population of 11,683. The Territory, in 1836, "embraced all of the present Iowa and Minnesota, and the country still farther westward to about the site of Bismarck, N. Dak."

² Belmont, Iowa county, was then the capital. Out of a total of seven

the same time the La Fontaine charter, providing for a railroad from La Fontaine, on the Fox River, to Winnebago City, on the northeastern shore of Lake Winnebago,—a distance of about thirteen miles,—was granted. Nothing came of this project.

While the Milwaukee meeting of September, 1836, was the first definite step leading directly towards the organization of the Milwaukee & Mississippi R. R. Co., the agitation dates farther back. On January 13, 1836, Mr. Edgerton, whose name appears in the list of members of the committee given above, and who was at this time a member of the committee on internal improvements of the legislative council of the Territory of Michigan,¹ then in session at Green Bay, reported in favor of a memorial to congress. This calls the attention of congress to the increasing lake traffic, and to the necessity of constructing light-houses and improving harbors. It dwells upon the importance of the Fox, Wisconsin, and Mississippi rivers; and asks for an appropriation to survey them and remove obstructions, asserting that the loss of time, and the damage to vessels and cargo, exceeded ten per cent of the whole amount of merchandise transported—or a dead loss of two hundred thousand dollars annually. It recites delays and injuries of the mails, and difficulties encountered in moving troops from Fort Howard. But the burden of the memorial falls upon the Milwaukee & Mississippi R. R. This railroad, it is asserted, "claims the attention of all who take an interest in the prosperity and growth of our country," and congress is asked to make an appropriation for an examination and survey of the route.

Something may be judged of the importance of this railroad [continue the memorialists], by calculating the immense saving that through its means might be made in transporting lead by way of the Erie Canal to New York. The average cost of transporting this lead to the navigable waters

councillors and fourteen representatives in the legislature, what was then Milwaukee county had two and three members respectively.

¹ Wisconsin was still a part of Michigan Territory. The act establishing Territorial government in Wisconsin was not passed by congress until April 20, 1836.

of the Mississippi, is thirty-one cents per hundred pounds. From thence to New York, it is one dollar and twenty-five cents per hundred pounds. By means of a railroad running directly through the heart of the mining country, the cost of transporting this amount to Lake Michigan would but little exceed the present cost of transporting it to the Mississippi. From Lake Michigan, by way of the Erie Canal to New York, the cost of transportation is but forty-two cents per hundred pounds. By allowing the cost of transportation by the way of the railroad to Lake Michigan to be thirty-five cents per hundred pounds, which it will not exceed, the cost of transporting the fourteen million pounds of lead by the different routes would stand thus:

I. By the way of New Orleans.

31c per 100 for delivering it upon the Mississippi	\$43,400 00
\$1.25 per 100 from thence to New York.	175,400 00
	<u>\$218,800 00</u>

II. By the way of the Erie Canal.

35c per 100 to Lake Michigan.	\$49,000 00
42c per 100 from thence to New York.	58,800 00
	<u>\$107,800 00</u>

Making a saving in the transportation by way of the Erie

Canal, of \$110,000 00

Besides this, persons shipping their lead by the way of the Erie canal would be enabled to get the proceeds of their sales at least three months sooner than by the way of New Orleans. Valuing the lead at six cents per pound in New York, and deducting from the sum the amount of the transportation, a balance of seven hundred thirty-two thousand eight hundred dollars is left. The interest upon this amount, at seven per cent for three months lost time, will amount to twelve thousand eight hundred and thirteen dollars, which added to the balance in favor of the Erie canal route will amount to one hundred twenty-three thousand and four hundred thirteen dollars; add to this the saving of imports, and the amount will be nearly doubled.¹

The weight of the arguments presented in the memorial, clearly group themselves about the lead trade. As late as 1842, at a railroad meeting in Madison, Moses M. Strong stated that the transportation of lead alone would pay six per cent on the investment in the proposed Milwaukee & Mississippi R. R. And this is the way he figured it out: The present output of lead is twenty million pounds annually; shipped by way of New Orleans, it cost \$2.50 per hundred; from Lake Michigan to the east, it would cost but 50-

¹ Memorial published in *Milwaukee Advertiser*, July 21, 1836.

cents; hence the smelter could well afford to pay 75 cents per hundred to the railroad, saving thereby \$1.25, and still give the railroad an annual revenue of \$150,000.¹ But how an investment of \$2,500,000 could build and equip a railroad from Lake Michigan to the Mississippi, the speaker did not explain; nor did he make it clear that the lead trade could with certainty be so readily deflected from its old southern route.

Even two years later, a Milwaukee editor expressed the belief that the output of lead would soon be so large that its transportation would yield enough to pay a "handsome interest" on such a railroad investment.²

The prize of early Wisconsin trade was shot and lead.³ In the struggle for this prize, there were arrayed against each other St. Louis and New Orleans with their Mississippi and Gulf route on the one hand, and Chicago and New York with their Erie Canal and lake route on the other. This also is brought out in the Green Bay memorial. The agitation for the Milwaukee & Mississippi R. R. was but a part of the larger struggle between the east-and-west route and the north-and-south route. But while the lead trade seems to have been the chief object of this early rivalry, after about 1845 the tendency to overestimate the importance of the lead trade died out, and the agricultural interests gained the ascendancy. In 1846, the estimated receipts from tariffs on the traffic between Milwaukee and the Mississippi amounted to \$352,000, divided as follows:⁴

Agricultural products	\$200,000
Passengers	60,000
Merchandise	50,000
Lead.....	42,000

It is possible that these figures are not reliable; yet it is fair to assume that they indicate the relative importance

¹ *Sentinel and Gazette*, January 29, 1842.

² *Id.*, November 29, 1844.

³ Cf. Libby "The Significance of the Lead and Shot Trade in Early Wisconsin History," *Wis. Hist. Colls.*, vol. xiii, pp. 293ff.

⁴ *Sentinel and Gazette*, January 30, 1846.