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"Bonds of friendship and mutual interest": Virginia's waterways improvement companies, 1784–1828

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**"BONDS OF FRIENDSHIP AND MUTUAL INTEREST":
VIRGINIA'S WATERWAYS IMPROVEMENT COMPANIES**

1784-1828

A Dissertation

Presented to

**The Faculty of the Department of History
The College of William and Mary in Virginia**

In Partial Fulfillment

Of the Requirements for the Degree of

Doctor of Philosophy

by

L. Jeffrey Perez

2000

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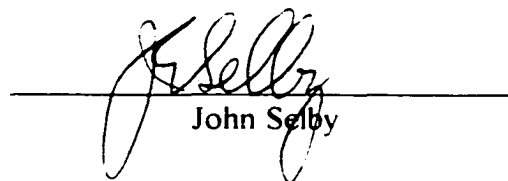
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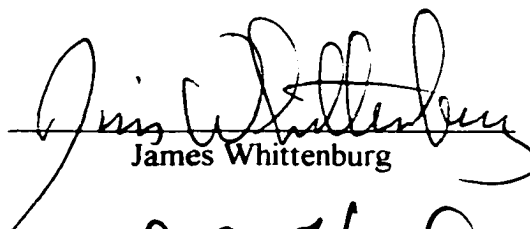
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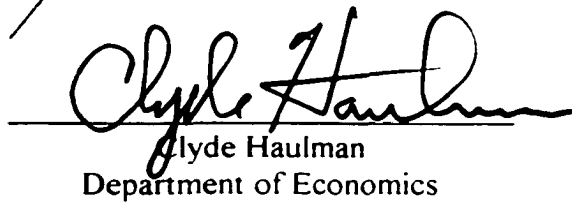

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To Vanya

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While a dissertation marks the culmination of an educational process, I also want to take this opportunity to credit the non-academic individuals in my life, and what I learned from each of them:

My father, who taught me the elegance of the simple solution.

My mother, who taught me the power of learning.

My father-in-law, who taught me writing is just putting one word next to the other.

My mother-in-law, who taught me there isn't anything a good Italian dinner can't cure.

My children, Amanda and Joshua, who taught me the preciousness of life.

My wife, Vanya, who taught me the meaning of love.

This last is certainly not least. Without Vanya's devotion to this dissertation, it would never have been completed. She accepted the plight of the thesis widow -- the weekends and evenings spent alone while I researched and wrote, the untold number of typographic corrections she made so quickly and efficiently, and the patience she exercised without limit. Getting here took ten years, two children, three jobs, and four residences. But, somehow, only one wife. She never lost faith. If I'm lucky, she never will.

ABSTRACT

The purpose of this study is to review the creation and progress of the four Virginia waterways improvement companies which had their origins in the 1780s: the Potowmack Company, the James River Company, the Upper Appomattox Company, and the Dismal Swamp Canal Company. Primary research focused on company journals and family papers, legislative petitions, the annual reports of the Virginia Board of Public Works, and contemporary periodicals.

This study reveals that Virginians' approach to waterways improvements was simultaneously classical and liberal. The improvement advocates clung to an Opposition belief that a healthy republican polity depended on the existence of a class of small land owners who embodied the civic virtue a republic required of its citizenry. However, they also demonstrated a liberal understanding that commerce was the most effective means for cultivating in each individual the industriousness, frugality, and community concern on which virtuous behavior rested. Waterways improvements held out the promise of making undeveloped western land a more inviting option for prospective farmers, while extending commerce and its benefits out along with them.

Actually clearing the rivers, or in the case of the Dismal Swamp Canal Company, creating an entirely new waterway, proved far more difficult and expensive than the improvement advocates anticipated. The scale of waterways improvements prompted Virginia's leaders to provide an increasingly greater role for central authority, but only when situated in the state government, and to blur the distinction between public and private investment.

Once completed, the improved waterways dramatically increased traffic, as anticipated, but there were unanticipated consequences as well. The improvements inspired regional competition to capture the benefits of economic growth. White Virginians were deeply troubled by the increased number of black boatmen who were suspected of perpetrating crimes and abetting runaway slaves. And the companies appeared more interested in profits than well-maintained navigation.

If measured purely by profitability and corporate longevity, the companies were, by and large, failures. But such an evaluation is too simplistic. They were generally successful vehicles for advancing the state's internal improvement policy.

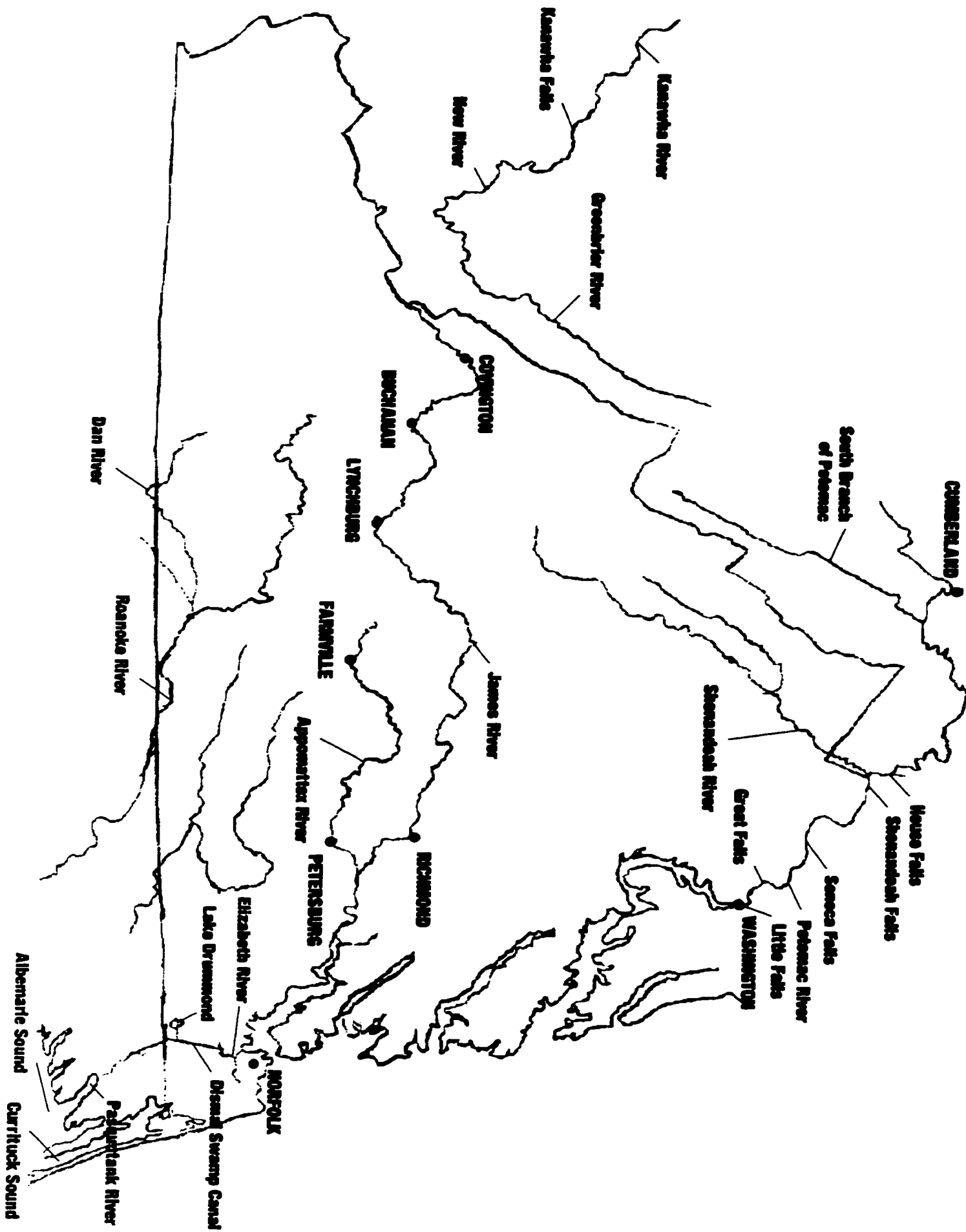
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**"BONDS OF FRIENDSHIP AND MUTUAL INTEREST":
VIRGINIA'S WATERWAY IMPROVEMENT COMPANIES, 1784-1828.**



THE RIVER

The copious stream of Powhatan descends--
Whose crystal wave beneath the burden bends
Of every varied product of the sod,
That make the merchant rich -- or pays the planters' toil...

COMMERCE OF RICHMOND

Hence Richmond draws support, augments in size,
And drains from half the State, those rich supplies
Which Commerce wafts to Eastern ports afar;
To Europe's seats of trade, or scenes of war--
Hence grows the Merchant's wealth, whose ample stores
Can scarce contain the double tide that pours,
While Commerce joins with Agriculture's toil
The Mountain's produce to the Ocean's spoil.

THE CANAL, LOCKS, &c.

Proud work of Art, whose scientific skill,
To Commerce's wish, bends Nature's pliant will;
With gentle hand leads on her passive course,
And now exerts and now restrains her force;
Now bids revolve the wheel's enormous power,
That wakes the complex scene of wheat and flour.

From, "'A Christmas Ode, Descriptive of Richmond
And Its Inhabitants," *Richmond Enquirer*, December 28, 1811.

**“Bonds of Friendship and Mutual Interest”:
Virginia’s Waterway Improvement Companies, 1784-1828.**

By:

L. Jeffrey Perez

INTRODUCTION

On June 13, 1796 Benjamin Latrobe and six others began a journey from the western reaches of the Appomattox River. The expedition would determine if the river would be a useful connection for those settling the interior of Virginia.

When Latrobe's expedition began the river was about one foot higher than expected, rendering it easily navigable and the passage quite pleasant. Latrobe immediately was taken by the beauty of the terrain he encountered along the river, which he described as largely uninhabited.

Soon, however, the group encountered a large collection of river debris which they passed around with some difficulty. "Hammocks," as they were called, presented only an occasional challenge -- milldams became more persistent obstacles as Latrobe and his party traveled farther down river into more populated areas. Frequent portages to circumvent the milldams slowed the expedition's progress, as did frequent shallows. Nevertheless, Latrobe considered the river to have been clear for the most part.

The rapids at Trailors and Broad falls just above Petersburg forced Latrobe to temper that opinion. He attributed his success at running the rapids as much to dumb luck as to the skill of the man at the steering oar. Even so, Latrobe was proud to point out that the expedition's boat was the first ever to conquer the falls and complete the entire journey. Latrobe had traveled from the sparsely settled southwestern piedmont of Virginia, to a thriving market center on the edge of the tidewater. The entire voyage, this unprecedented expedition from the fringe of civilization, began just one hundred thirty miles from Petersburg, and took all of four days.¹

In our own lifetimes, we have witnessed an electronic "communication revolution" that has overcome the limitations of physical distance. For us, access is presumed — our goal is to accelerate the speed at which data is transmitted. For individuals of the late eighteenth and early nineteenth centuries, the term "communication" possessed a far more palpable quality. The word connoted the establishment of physical, sustainable access to a particular location. Two hundred years ago, the conquest of physical distance posed so daunting a challenge that, as in Latrobe's case, success was noteworthy.

Virginia's rivers held out substantial promise to create an extensive "communication." The James River began at the junction of the Jackson and Cow Pasture rivers in the Blue Ridge Mountains, less than fifty miles to the east of the Greenbrier-Great Kanawha River system which fed into the Ohio. The James River itself flowed three hundred thirty-five miles from its origin to its mouth, with two-thirds of its course above the fall line at Richmond. Below Richmond, the river maintained a mean depth of fourteen feet, which could accommodate ships of two hundred fifty tons.² The Potomac River also presented much promise for development into an extensive trade network. That river traveled two hundred eighty-seven miles from its headwaters on the North Branch, approximately one hundred seventy-five of which were above tidewater. In the tidewater, the Potomac's depth for all but the last few miles was never less than twenty-three feet, allowing an easy course for the largest ships of the day, which had a draft of at most twenty-two feet.³

In 1783 Patrick Henry declared that Virginia's rivers flowed east and west through

every quarter of the state, "as if the finger of Heaven were marking out the course of your settlements, inviting you to enterprise, and pointing the way to wealth."⁴ But, as Latrobe quickly discovered, the western extents of these rivers as Patrick Henry might have viewed them on a map were far longer than their practical navigation. Latrobe had been fortunate to undertake his voyage on the Appomattox when the river was high, but he recognized the river was capricious and had to be taken on its own terms. When enough water did pass through the river, natural obstacles and milldams slowed progress. Latrobe ended his journey with the rapids that had hampered Petersburg's economic development. As a means of communication, the Appomattox was better than no river at all, though not by much. But it was enough to provide Petersburg with a sufficient agricultural base that, coupled with access to the Chesapeake, offered the city a promising future.

The falls of the James River formed an all but insurmountable barrier between upriver and Richmond. Above the falls the river contained many shallows and was syncopated by treacherous rapids. Anyone attempting to travel the Potomac faced minor rapids at Seneca, Shenandoah, and House's Falls and had to overcome the Little and Great Falls, as well. The total change in elevation for the trip was almost two thousand feet — over four times what the Erie Canal would have to surmount in crossing New York.⁵ Neither the James nor the Potomac rivers could be navigated upriver except for the two months or so following the spring thaw, which produced floods or "freshets" that were a threat in themselves. As for navigation of the Appomattox River, all Thomas Jefferson found notable was that it ceased at Petersburg.⁶

Boat technology also limited the utility of the rivers. Canoes, with their shallow

draft and high maneuverability, proved entirely satisfactory for the needs of the indigenous peoples of Virginia and were quickly embraced by European settlers who knew a good thing when they saw one. Canoes, however, possessed extremely limited cargo capacity and tended to tip over when heavily loaded.

Two canoes lashed together, however, offered a dramatic improvement. In 1756 the Reverend James Maury (a teacher of Thomas Jefferson) credited the innovation to the Reverend Robert Rose of Saint Anne's Parish, who was a friend and executor of Governor Spotswood. As early as 1726 Maury descended the James to Richmond from a point about fifty miles from the city. An early advocate of river transportation, the Reverend Rose devised rolling "hogsheads," or large barrels, of tobacco crosswise onto two canoes bound together. This arrangement could hold eight or nine hogsheads while maintaining a draft of only a few inches. For the return trip, Maury observed that two men in the canoes could pole upstream in one day as far as four men in a conventional boat in two days.⁷

As the cultivation of tobacco and wheat expanded, the two-canoe method could not handle the increasing volume of traffic, necessitating another advance in river transport technology. Thomas Jefferson recorded in April 1775 that he had witnessed the first launching of a new type of craft, the James River "batteau," and credited Benjamin and Anthony Rucker of Amherst County with its design. Jefferson described this first batteau as fifty feet long, four feet wide, with a draft of only thirteen and one-half inches. It carried eleven hogsheads of tobacco.⁸

The batteaux were widely adopted, and adapted, throughout Virginia. Generally

speaking, batteaux were open craft forty to fifty feet long and four to five feet wide that drew only about two feet of water. They carried up to twelve hogsheads of tobacco, or seventy-five to eighty barrels of flour. They required only three men to navigate, with two using poles to propel the boat and one steering by a rear-mounted oar/rudder. In 1796 Isaac Weld reported these craft could make the trip from Lynchburg to Richmond in ten days.⁹

So ubiquitous had these craft become, that when the heirs of the Ruckers secured a patent in 1821, the *Lynchburg Virginian* disputed their claim, considering the design too common to attribute to a particular source. By August of that same year, the editors of the paper had changed their tune, conceding that the batteau had been designed by the Ruckers and that it "was a species of boat essentially different from any before that time used on the waters of America."¹⁰ That Thomas Jefferson himself was willing to testify on behalf of the heirs clearly influenced the editors' thinking.¹¹

With the development of the James River batteau, the technology at hand had reached its limit. The logical next step was to make the rivers more conducive to the passage of batteaux. While laws had been passed throughout the history of the colony to remove obstructions, Virginia's rivers, as Latrobe had discovered on the Appomattox, remained fraught with obstacles to navigation. Considering the difficult geography of the rivers, the necessary improvements would not be easy and would require substantial commitments of resources and labor.

After the Revolution, members of Virginia's General Assembly hoped to remove the impediments to river navigation of the sort Latrobe encountered. Four such

companies had their origins in the 1780s and will be the focus of this dissertation: the Potowmack Company, the James River Company, the Upper Appomattox Company, and the Dismal Swamp Canal Company.

In creating these companies were Virginians forward looking, or were they endeavoring to reclaim the past? Lance Banning and Joyce Appleby in companion articles in the *William and Mary Quarterly* address the motivations of Virginians who came to be known as Jeffersonian Republicans. Appleby is unyielding in her assertion that Jefferson and Jeffersonian Republicans had forsaken classical republicanism and embraced a liberalism that was utterly forward looking and marked by its “liberation from reverence for the past...”¹² According to Appleby these liberals placed their faith in providing freedom to “...men as individuals rather than as members of a polity.” This freedom most notably manifested itself in the operation of a free market economy which empowered individuals to act on their own behalf and collectively serve society better than the arbitrary exercise of power by the government.¹³

Banning is steadfast in asserting the existence of sufficient documentary evidence supporting the position that Jeffersonian Republicans continued to rely upon the rhetoric of the English Country Opposition. Opposition thought emphasized both the importance of inculcating virtuous behavior among the citizenry and the fear of the deleterious effects of commercialization. But Banning notes the Country Opposition did not outrightly reject commerce but feared the “financialism, mercantilism and all-absorbing luxury” that could result from it. In addition, Banning recognizes the *Americanization* of eighteenth-century opposition thought, particularly the rejection of class and rank. He

presents a more nuanced interpretation than Appleby in that he accepts that Jeffersonian Republicans possessed a more liberal, more commercial outlook than previous generations, but asserts they continued to embrace English Country Opposition ideological heritage and employ it to inform their political activity.¹⁴ Banning captures the balancing act between Virginians' more classical fear of commercial excess and their liberal faith in the beneficial effects of an expanded commerce: "In America...this new order was commonly defined as one that had escaped or rejected major political, commercial, industrial, and financial changes that had overtaken contemporary England."¹⁵

Virginians' approach to waterways improvements was, as Banning suggests, simultaneously liberal and classical. The improvement advocates clung to an Opposition ideal of a virtuous citizenry, but recognized the pursuit of a more comfortable life through participation in commerce would act as the catalyst for the development of republicanism.¹⁶ The quest to enhance the quality of life resulted not in the dissolution of the citizenry, but instead provided potent incentive to behave in a frugal, responsible manner.

Where both Banning and Appleby are lacking is in their treatment of Virginians' agrarian impulses. The historians become so taken with debating the extent to which Jeffersonian Republicans were progressive, they overlook the importance to Virginia's leaders of sustaining their agrarian society. Indeed, waterways improvement advocates constantly asserted the value of better navigation for Virginia's development as an agrarian republic. In stressing Jeffersonian Republicans' liberal orientation, Appleby

references the Jeffersonian Republicans' belief that trade and the economy formed "a system operating independently of politics, and, like the physical universe, taking its cues from nature."¹⁷ Appleby fails to consider the possibility that Virginians perceived their agrarian, hierarchical society as quite "natural," and completely consistent with their liberal world view. She is on the mark, however, in noting from the 1780s onward, Virginia's leaders proved quite adept at devising new relationships between government, citizenry, and economy in order to respond and adapt to new circumstances.

The first chapter of this study will review how Virginians adapted their understanding of the value of territory to the new political and economic environment of the 1780s. These efforts provide insight into Virginians' understanding of the practicable size of a republic and the role of commerce in an agrarian state. Fundamental to this new understanding was a realization that territory was only valuable so long as it could be easily settled, practically governed, and sufficiently integrated into the state's commercial network. Commercial access to improved waterways would enhance the quality of life of western settlers, while providing them with ample incentive to engage in the industrious behavior Virginia's leaders considered fundamental to civic virtue. Moreover, extended navigation would afford a constant supply of land to ensure agrarian predominance over Virginia society.

If improving the rivers was central to Virginia's vision for the future, the means for achieving so herculean an effort had to be identified and implemented. Who would organize the resources and labor in a manner most likely to result in success? Chapter two will survey the General Assembly's innovative chartering of private companies to

improve the waterways. In addressing the problem of internal improvements, Virginia's leaders had to contemplate the proper role of government in promoting private enterprise, and the extent to which the government should mandate local changes to further regional benefits.

Actually clearing the rivers, or in the case of the Dismal Swamp Canal Company, creating an entirely new waterway, proved far more daunting than the improvement advocates anticipated. Chapter three will examine the efforts of the companies to overcome such impediments to the projects as natural obstacles, labor shortages, and technical shortcomings. In addition, as the companies began to effect improvements, their operation had unanticipated consequences. The growth in traffic exacerbated regional competition to capture the benefits of the economic growth. And white Virginians were deeply troubled that the improved rivers promoted the creation of a highly mobile class of slaves and freed blacks -- the boatmen. Chapter four will review these consequences and how waterways improvements fit into Virginians' responses to domestic commercial competition and to international crises, most notably the Embargo and the War of 1812. Chapter five will examine the fates of these four companies. By the 1820s, the companies created in the 1780s with so much fanfare and with such high expectations had ceased to exist in their original corporate form, with the exception of the Dismal Swamp Canal Company.

I will conclude with a consideration of the companies' overall effectiveness. If measured purely by profitability and corporate longevity, the companies were by and large failures. But such an evaluation is too simplistic. If judged by their impact on

Virginia, the companies were on the whole successful vehicles of the state's internal improvement policy. The companies did improve the navigation of the waterways with which they were charged. The entrepôts associated with the waterways enjoyed dramatic growth, and, as foreseen in the 1780s, much of that growth resulted from trade with the West. Despite the economic growth, increased access to western land afforded by the rivers permitted Virginia to retain the traditional "agrarian" quality sought by Madison, Jefferson and Washington. While Virginia's leaders embraced liberalism's emphasis on economic empowerment, into the 1820s they reinforced a hierarchical political structure that permitted the few to dominate the many. And despite liberalism's suspicion of government, throughout the period under investigation Virginia's leaders expanded the state government's role in the funding and operation of waterways improvements.

For sources, I relied heavily on legislative petitions, which residents submitted directly to the General Assembly. The petitions provide the best available enunciation of public sentiment in a region. Contemporary newspapers were informative, not only for the stories they printed, but for the advertisements which provided insight into the perceived movement of the slaves and the impact of the river systems on localities. I was able to review the accounting books for the James River and Appomattox companies, which offered considerable insight into the day-to-day operations of the companies as well as the business decisions made by the managers. The annual reports of the Board of Public Works also offered summaries of the improvements. A particularly useful dissertation at the University of North Carolina - Chapel Hill, "Internal Improvements in Virginia, 1775-1860," by Philip M. Rice also filled in many of the details.

The sources suggest an ostensible consensus on the value of moving forward with a system of waterways improvements. But when the consensus is peeled back, one finds a host of competing economic and regional interests, mounting social stress, and a palpable racial anxiety. This is a story of the price of progress.

ENDNOTES

1. Benjamin Henry Latrobe, *The Papers of Benjamin Henry Latrobe*, Edward C. Carter II, editor-in-chief, 2 volumes (New Haven: Yale University Press, 1977), I, 144-155; II, 526, 528-529.

2. Wayland Fuller Dunaway, *History of the James River and Kanawha Company* (New York: Columbia University, 1922), 21; Philip Morrison Rice, "Internal Improvements in Virginia 1775-1860" (Ph.D. Thesis, University of North Carolina at Chapel Hill, 1948), 8.

3. Douglas R. Littlefield, "Eighteenth-Century Plans to Clear the Potomac River: Technology, Expertise, and Labor in a Developing Nation," *The Virginia Magazine of History and Biography*, 93(1985), 291; Rice, "Internal Improvements in Virginia," 10.

4. William Wirt, *Sketches of the Life and Character of Patrick Henry* (Ithaca, New York: Andrus, Gauntlitt & Co., 1850), 167.

5. Littlefield, "Potomac River," 293.

6. Thomas Jefferson, *Notes on the State of Virginia*, William Peden, ed. (Chapel Hill: The University North Carolina Press, 1955), 6.

7. "James River Navigation," in, A.J. Morrison, "Virginia Patents, *William and Mary Quarterly*, 2nd ser., II(1922), 154; Dunaway, *James River and Kanawha Company*, 21.

8. Account book of Thomas Jefferson, April 29, 1775, quoted in Thomas D. Mackie, "Rucker's 'Battoe'," unpublished paper, 1-3.

9. "James River Navigation," 153; Kathleen Halverson Hadfield, ed. *Historical Notes on Amelia County, Virginia* (Amelia, Virginia: Amelia County Historical Committee, 1982), 190; Ellen Miyagawa, "The James River And Kanawha Canal," *Bulletin of the Fluvanna County Historical Society*, 33(1982), 8.

10. *Lynchburg Virginian*, August 17, 1821, as quoted in Mackie, "Rucker's 'Battoe'," 2.

11. Mackie, "Rucker's 'Battoe'," 2.

12. Joyce Appleby, "Republicanism in Old and New Contexts," *William and Mary Quarterly*, 3rd ser., 43 (1986), 34. Though Appleby asserts, "There is little evidence here of a mingling of liberal and classical tradition..." it should be noted she concedes to Banning that "many eighteenth-century American thought within a classical republican frame of reference," and inserts a rather pointed qualification, be it in less penetrable language: "...we can begin to study [liberalism] as a complex construction of reality put together, as all world

views are, through a selective interpretation of experience, to serve profound human values.”
See, 24, 26.

13. Joyce Appleby, “Republicanism in Old and New Contexts,” 32,34.

14. Lance Banning, “Jeffersonian Ideology Revisited: Liberal and Classical Ideas in the New American Republic,” *William and Mary Quarterly*, 3rd ser., 43 (1986), 8,10.

15. Ibid., 14.

16. Banning, “Jeffersonian Ideology Revisited,” 12.

17. Appleby, “Republicanism in Old and New Contexts,” 32.

CHAPTER I

"...ALREADY FULL LARGE FOR VIGOROUS GOVERNMENT."

The 1776 constitution of the new state of Virginia began with an accusatory list of abuses suffered under the King, but concluded with a territorial claim based on the grant graciously bestowed upon the colony of Virginia by the same, purportedly tyrannical English crown.¹ The new state also took from its British antecedent a hunger for territory. It asserted a claim to a huge piece of the North American continent, encompassing the Old Northwest, the present states of Kentucky and West Virginia, and the southwestern portion of Pennsylvania. To reinforce the state's sovereignty over this far-flung domain, the new constitution stipulated any parties wishing to separate and establish a new government in any part of the state's western domain had first to obtain the assent of the Virginia legislature.² Yet in the closing years of the Revolution, Virginia's political establishment not only relinquished the state's vast claims north of the Ohio River; it also laid the groundwork for the admission of Kentucky as the fourteenth member of the Confederation. What inspired Virginia's leaders to so radically reevaluate Virginia's territorial designs and so willingly divest themselves of the Virginia empire that had been within their grasp?

The eagerness of the Virginia government to shed the Northwest Territory and Kentucky demonstrated a new two-fold understanding of territorial management. First, the autonomy of Virginia was held sacred and was to be secured at any cost, even the surrender of all land claimed beyond the Ohio River. But easing the blow was the

realization of the impossibility of governing so large an area. As a result of this new understanding, Virginia leaders rendered the state significantly smaller — a considerably different impulse from the imperial designs they harbored at the beginning of the Revolution. What had changed over the course of the war and the peace of the early Confederation period to alter Virginians' perspective so drastically? The answer is a new understanding of the relationship of the land to moral growth of the polity, and a heightened awareness of the possibilities of internal improvements as a catalyst for proper republican behavior.

In the years of the Revolution and immediately thereafter, Virginia's leaders feared the Old Dominion could not avoid the moral dissipation they associated with England. George Washington noted that the interest in fine European manufactured goods could not be restrained, and though it produced convenience and wealth, it also brought "luxury, effeminacy and corruptions."³ The Virginians' fears reflected the thinking of such European thinkers as the English preacher John Brown, who posited that the British economy had reached the third and last stage of commercial development. In the first stage, commerce provides necessities, and in the second, conveniences. But in the third stage, commercial development produces vast economic disparities as small workshops disappear and manufacturing consolidates. The wealthy owners of huge factories become avaricious and enamored of the luxuries and ostentation they can now afford, and the country produces them in ever larger quantities. The established elements of society thus lose the capacity to participate virtuously in the government. At the same time, overpopulation renders land ownership the luxury of a few, and the less fortunate

are relegated to the fate of landless, poorly paid factory laborers. Their situation renders them ill-equipped to represent their interests in the government, and they are manipulated by their employers.⁴

In this third phase, government plays an active and insidious role in the economy. Through the creation of the Bank of England and monopolies, the British government had become intimately involved with economic development. Along with economic growth came new wealth and an urban merchant class which "Country" opposition polemicists, most notably John Trenchard and Thomas Gordon, warned was using its money to influence the king's ministers. It was frequently alleged by these writers that ministers, enriched by merchant bribes, sought even more power by bribing Parliament, the protector of the people's rights. The only outcome, according to the country opposition, would be the ultimate enslavement of the people.

While the country opposition was always a minority opinion in Britain, its rhetoric provided American colonists with a perspective by which to comprehend the new taxes and the royal appointments placed in the colonial custom houses and governor's chairs. To the colonists, royal policies, influenced by British merchants, would inevitably cripple colonial legislatures and destroy representative government. The Revolution, then, was partly an attempt to free colonists from the clutches of corrupted British government. From the same perspective, the years following independence were an attempt to frame a government that would perpetuate virtuous "republican" behavior, which most understood to be incompatible with large-scale manufactures.⁵

In the 1780s Virginia's leaders wondered if their state was also doomed to

experience the consequences of commercial development. What they saw all around them compelled a disturbing conclusion. The citizenry was certainly fond of the luxuries characteristic of the third, or commercial, stage of economic development. Jefferson, who in his *Notes on the State of Virginia* spoke so passionately of the superiority of an agrarian society, observed with resignation the taste of his neighbors for foreign luxuries: "Our citizens have had too full a taste of the comforts furnished by the arts and manufactures to be debarred the use of them."⁶ And Virginians were certainly behaving no better than other residents of the union, forsaking public responsibilities and patriotism for personal gain. Legislators, rather than epitomizing republican self-sacrifice, were accused of representing particular economic interests.⁷ "Republican virtue" seemed to be in short supply. Was the Old Dominion doomed to the squalor and corruption that had sapped Britain's moral reserves?

Perhaps not. Virginia had something that England lacked — land. Despite the substantial divestment of the Northwest Territory and the resolve to allow Kentucky to separate, Virginia was by no means land poor. The Piedmont, the Shenandoah Valley, and the land beyond the Alleghenies to the Ohio River remained within Virginia's bounds and was far from fully exploited.⁸ The historian Charles Ambler has described Virginia in the 1790s as two inclined planes separated by a central valley. The tidewater and piedmont form the first or eastern plane. During the colonial period this part of the state was populated, but there was still land to be had in the western piedmont. The Allegheny highlands, the Cumberland plateau and the Ohio Valley made up the other inclined plane, with the Shenandoah Valley in the middle. While the terrains of these western parts of

Virginia were certainly more rugged than in the East, the land was quite fertile, especially near the many river and creek bottoms, and much of it still unoccupied.⁹

Unlike their British counterparts who had not the least chance of acquiring property and had no choice but to toil in the factories, eastern laborers could look to Virginia's western frontier and a seemingly unlimited opportunity to become landholding farmers. Madison expected landholding to be so irresistible an attraction that craftsmen would direct their profits into acreage rather than manufacturing and its attendant evils. As a result of western migration, labor would remain a precious commodity in the East, bolstering wages and leveling the economic inequities prevalent in Britain. Madison anticipated Virginia's frontier would bleed off surplus labor, dampening the interest of anyone in manufacturing by depriving them of the workers they would need.¹⁰

While the availability of western land would serve to avert the danger of moral dissipation in the East, how would it affect the moral character of the individuals who spilled out onto the frontier? Historian Drew McCoy notes the warning of eighteenth-century thinkers that subsistence agriculture had as debilitating effect on civil behavior as the advanced stage of commercial development. "If mankind confined themselves to the use of the bare necessities of life," argued the British political economist William Temple, "labouring one hour in a day in each family would procure them all: Where, then, and how could universal industry be excited?" He concluded in 1758 that "a simplicity of living and universal industry are incompatible and repugnant to each other."¹¹

Virginia's political elite were also concerned that individuals who moved west did

so because of their failure to succeed in the east. Once removed from the civilizing influence of the government and eastern society, these inherently inferior westerners seemed to revert to savagery. Although they decried Indian attacks on women and children as inhuman, westerners exercised the same brutality against natives, and, during the Revolutionary War, against white British soldiers as well. The question of whom they may turn on next played prominently on the minds of eastern legislators.¹²

Simply providing land for farmers was not enough. A means had to be found to allow the western expansion necessary for the perpetuation of a predominantly agrarian economy, and yet provide incentives for settlers to remain "civilized." The Virginia government's response was to promote the very kind of commercial expansion which had precipitated social and political malaise in Britain, but which in Virginia would complement western agricultural development. Among settlers who might otherwise merely practice subsistence agriculture, the chance to acquire consumer items through trade with the coast would instill the discipline of the marketplace. Commerce rewarded energetic individuals who practiced diligence, industry and frugality — precisely the "virtuous" qualities leaders like Jefferson and Madison considered the bulwark of republican behavior.¹³

Not only did commerce serve as the impetus for virtue, but it operated through motivations that were purely internal. There was no need for increased government intervention to ensure proper republican behavior. As Joyce Appleby has observed, "Where politics achieved stability by imposing its structure of power, the economy appeared to elicit voluntary participation as it wove ever more extensive networks of free

exchange."¹⁴ Commerce could thus provide greater economic "liberty," but only for the individuals who internalized standards of proper citizenship, fundamental to which was participation in the political process.¹⁵

The reliance on commerce to foster republican citizenship came at the expense of an older faith in agrarian autonomy. Thomas Jefferson most fervently believed in the redemptive qualities of the soil. He asserted "husbandmen" were the best citizens: "They are the most vigorous, the most independent, the most virtuous, and they are tied to their country and wedded to it's liberty and interests by the most lasting bands."¹⁶ But the planter elite had not risen to its lofty social position by subsistence farming. Tobacco provided the Virginia dynasties with the wealth to assert their social primacy. And without the international British trade network to market the crop, tobacco was just an inedible weed.¹⁷ Jefferson had to accept that the growth of Virginia's economy did not depend solely on virtuous husbandmen, but also on those individuals tempted away from the utopian experience of farming to engage in commerce.¹⁸

In accepting a more pronounced role for commerce, Jefferson understood well that he was unleashing economic forces that could destroy the society he sought to preserve. He continued to fear that large-scale domestic manufacturing would doom Virginia to Britain's fate. "Artificers," as Jefferson called manufacturers, were "the panderers of vice and the instruments by which the liberties of a country are generally overturned." It is not clear where Jefferson drew the line between artisans and artificers. Apparently those who performed vital local functions on a small scale were acceptable. Jefferson himself endeavored to produce nails on his plantation.¹⁹

In explaining the relationship of farming, commerce and manufacture, Jefferson clearly drew upon the Country opposition's suspicions of large-scale manufacturing and the luxury goods it produced. After the Revolution Jefferson fervently hoped a distinction between cottage production and heavy industry would provide the antidote for the growing infatuation among the people with foreign luxury items. He called for Virginia specifically, and the Union generally, to emulate the policy of China, focusing on agricultural production and relying on other nations for finished goods. Indeed, Jefferson remained persuaded that Europeans needed the foodstuffs of the United States far more than Americans needed European goods that were for them discretionary purchases.²⁰ It was the abundance of western land in America that made this perception possible.

Settlers seemed more than willing to adopt this new commercial orientation. They gladly abandoned subsistence for the conveniences made available to them by participating in the trade network. An analysis of the probated estates in southwestern Virginia between 1745 and 1786 reveals that settlers lacked the tools necessary to be the kind of jack-of-all-trades often associated with frontiersmen. Not all settlers were interested in hunting, inasmuch as fewer than half the estates' inventories included rifles, muskets, pistols or guns of any kind. Even the usual characterization of settlers as buckskin-clad pioneers is an overstatement. The inventories enumerate many items of apparel that one might not expect to find on the frontier, such as knee buckles, silk handkerchiefs, and silver shoe buckles.²¹ This consumer activity suggests settlers sought to participate in broader market exchange, and not just engage in local barter. They were aware of what these luxuries cost, and to what extent their own labors would permit their

acquisition. These settlers may not have been merchants pursuing profits, but they were seeking to do more than provide their families with what was locally available. An effective commercial network permitted them to set their sights not on goods produced by a neighbor and exchanged for a couple of chickens, but on items imported through a coastal port for a specific amount of money.²² Once establishment of a commercial network was recognized as a priority, land was no longer important in its own right, but valuable to the extent it could be developed and integrated into the network.

A review of the two largest land issues, the Northwest Cession and the separation movement in Kentucky, reveals that illusions of empire fell before pragmatic assessments of just how far Virginia's administrative, political and economic influence could be extended. Such considerations led to an awareness of the extent to which the state's resources would accommodate the improvements to the landscape necessary for an extensive and reliable transportation network. Rather than dwelling on the Virginia constitution's initial emphasis on a vast dominion, the state government came to assert a claim only over territory that could be practically managed and whose inhabitants could reasonably be expected to join Virginia's polity. Lands too distant to integrate into Virginia's political system and economic network were judged not worth holding, especially if valuable concessions could be extracted from the federal government for surrendering them. In making these calculations, Virginia's leaders ascertained the practical length of their reach and acted accordingly. But by what standard did they measure their reach? It is no coincidence that the area remaining after the state's

substantial divestitures corresponded with the courses of Virginia's waterways, the development of which (including their access to the Ohio River basin) the General Assembly aggressively pursued in the 1780s.

Concern for better "communication" thus underlay the change in the philosophy of political economy that permitted post-Revolutionary Virginians to relinquish their faith in agrarian autonomy and to pin their hope for the future on commercial acquisitiveness, which would always be restrained, it was assumed, by the availability of land. This delicate balance between commerce and western emigration, it was believed, hinged upon western access to tidewater markets. Without improvements to the river networks, neither the old nor the new model for Virginia's social, political and economic development would be possible.

The explanations for the participation of Virginia's leaders in so risky an enterprise as the American Revolution are many. But unarguably a prominent motivation was the protection of the Commonwealth's land claims. By rebelling against Great Britain and its efforts to contain western migration, Virginia's leaders hoped to secure the free use of the entire expanse granted in the colony's charter of 1609. Virginia emerged from the Revolution a powerful, autonomous state that could defend its territorial claims against all challengers, whether they be Britain, other American states, or the Continental Congress itself.²³

Whatever Virginians' imperial designs may originally have been, before the end of the war they were subjugated to the imperatives of defense against British invasion. As the British moved through the South in 1780 and 1781, Virginians began to appreciate the

defensive value of a stronger Continental union that could allocate collective resources to the state's advantage.²⁴ Defensive considerations overcame the hostility harbored against such states as Maryland, whose competing claims to the Ohio Valley had led it to hold up the ratification of the Articles of Confederation for years. Virginia's cession of the Northwest Territory and the likely creation of frontier border states between Virginia and hostile Indian nations offered an attractive strategy for the Commonwealth: the new states would bear the brunt of the attacks and absorb the costs of defense.²⁵

As Virginia's leaders looked ahead to the war's successful conclusion, the prospect of dominion over a huge expanse of territory confronted practical considerations of governing. Reflecting the widely held assumption that a republic was an inherently fragile form of government, Richard Henry Lee wondered about "the difficulty of republican laws and government piercing so far from the seat of government." For Lee, the Ohio River seemed a reasonable western boundary.²⁶ That still encompassed too much territory for Jefferson, who advocated cession of all territory west of the longitude passing through present-day Charleston, West Virginia. That option, he thought, would ensure homogeneity of interests, opinions and habits within Virginia.

Jefferson believed that if Virginia maintained its current borders the different priorities of the trans-Appalachian settlers would estrange them from the eastern government. He concluded that only "a stronger, more centralized government than desirable for republicanism" could administer a state with such disparate and widely separated regions. Better to cede the West than to surrender to greed and threaten all Virginia with tyranny. Besides, Jefferson observed, the territorial cession he proposed

retained within Virginia's borders the state's most valuable natural resources, not the least of which was its network of rivers.²⁷

By the end of the Revolution, Virginia's political leadership by and large recognized that, as House of Delegates member Joseph Jones put it, "Virginia...is already full large for vigorous government." Jones' use of the word "vigorous" merits emphasis, for it reveals an awareness of the distinction between the simple possession of territory and the successful extension of republican government. But Jones did not expect Virginia to surrender such valuable territory without obtaining concessions from the Continental government regarding state sovereignty. He recommended to Jefferson that the state "moderate her desires, and cede to the United States, upon certain conditions, her territory beyond the Ohio."²⁸

At the same time that Virginians were warming to a possible cession of land to the Union, competing territorial interests had so inflamed interstate relations they continued to endanger Virginia's ratification of the Articles of Confederation. Virginians were well aware that companies controlled by out-of-staters had purchased titles from indigenous tribes within Virginia's old borders. These land companies now desired Congress to assert authority over the disputed territory in order to gain recognition of Indian land claims.²⁹ For Virginians to acquiesce suggested that a state's borders were for Congress to establish and that a state's sovereignty was not absolute.

George Mason was particularly concerned that any Congressional intrusion upon Virginia's sovereignty would justify land grabbing by the out-of-state companies. In December of 1779 he authored a remonstrance from the Virginia General Assembly

objecting to Congress' willingness to entertain petitions from the land companies seeking to set up a government in the northwest without Virginia's assent. Mason wrote,

Should Congress assume a Jurisdiction and arrogate to themselves a Right of Adjudication not only unwarranted by, but expressly contrary to the fundamental principal [sic] of Confederation...it would be a Violation of Public Faith, introduce a most dangerous precedent, which might hereafter be urged to deprive of Territory or subvert the Sovereignty and Government of any one or more of the United States and establish in Congress a power which in process of Time must degenerate into intolerable Despotism.³⁰

Mason did not save all his ire for Congress. He characterized the efforts of the land companies as "factious, illegal & dangerous Schemes." If they should prove successful, Mason cautioned, "the Revolution, instead of securing, as was intended, our Rights and Libertys, will only change the Name & place of Residence of our Tyrants."³¹ If not stopped, he warned, the land companies' efforts to use Congress to their own ends "must end either in the Dissolution of the federal Union, or the Destruction of American liberty."³²

When Virginia finally ceded the Northwest in 1781, it did so on the condition that Congress not recognize any land company predating the cession. Predictably, Maryland, invoking the requirement of unanimity under the Articles of Confederation, blocked Virginia's terms for the cession of the Northwest. Marylanders sought the "liberal," meaning unconditional, surrender of state claims to the West.³³ Through 1783 Maryland's veto held, during which time Virginians were not enthralled with having to bear the expense of asserting their jurisdiction over territory they wanted to cede. They wanted to focus their resources on improvable territory.

Congress broke the deadlock on September 13, 1783, by adopting a committee

report calling on Virginia to cede without conditions on the understanding that Congress would itself invalidate the private land purchases.³⁴ The Virginia legislature complied with Congress' terms in December and rescinded its previous conditions. Congressional approval of the Northwest Cession became official on March 1, 1784.

By accepting Virginia's authority to cede the Northwest Territory, Congress both implicitly recognized the state's sovereignty over the rest of its holdings and established its own authority under the Articles of Confederation to adjudicate disputes over land claims between states. For their part, Virginians conceded Continental authority to define what territory a state may claim as its own, a concession made easier by Congress' disallowance of the claims of the big losers in the Northwest cession -- the private land companies. With Virginia's autonomy over its remaining territory protected, the state government turned to the business of reinforcing Virginia's territorial integrity.³⁵

The Italian traveler, Luigi Castiglioni, decided to rely on an inhabitant's account of Kentucky rather than go there himself, "both out of a fear of being surprised by the Indians and because of the hardships and discomforts of a long journey in a country still uncompletely cultivated."³⁶ Kentucky was a territory of unlimited, though as yet unrealized, possibilities. After the experience of the Northwest, Virginia's leaders were well aware of the daunting task of maintaining and improving such distant land. And having learned with the Northwest Cession that securing favorable terms could be more valuable than the land itself, Virginia's leaders were willing to accept Kentucky's separation — on certain conditions.

While the Northwest Territory was largely unpopulated at the time of Virginia's cession, the population boom in Kentucky district predated the emergence of a separation movement. In 1775 Harrodsburg and Boonesborough had become the first permanent white settlements. The Revolutionary War initially retarded emigration to Kentucky, with fewer than 200 residents located there by 1778. Louisville in 1780 consisted of just three streets and a cluster of cabins, but this newest village boasted the only store on the lower Ohio River, a portent of what was to come.³⁷

That anyone even tried to get to Kentucky is a testament to the desirability of the land and the determination of those first settlers to reap its fruits. Those not daunted by the war faced disheartening transportation options. Prospective settlers could take a road from Philadelphia to Pittsburgh, where they boarded boats for a trip down the Ohio as far as the falls at Louisville. The other choice was to take the road through the Shenandoah Valley and the frighteningly narrow Cumberland Gap in the extreme southwest corner of present-day Virginia, and then head roughly northwest, with the trail ending again at Louisville.³⁸ This latter route came to be known as the Wilderness Road.

Neither route was clearly superior to the other — settlers faced a choice between two evils. Those who traveled to Pittsburgh might have to wait several months before the river level was high enough to carry a boat.³⁹ When the passage did begin, the anxiety of the long wait was soon replaced by the fear Indians would find the slow-moving craft a target too inviting to resist. The delay and danger was enough to convince settlers from Maryland and Pennsylvania, for whom the Ohio River route was more convenient, to opt for the Wilderness Road.⁴⁰ Settlers did not have to wait to use the Wilderness Road, but,

as it was no more than a narrow pack trail with often steep inclines, travel in the winter was inadvisable.⁴¹

On the return from Kentucky, the choice of routes was reduced to one. Forcing boats up the Ohio River was arduous and slow and rendered the boats even more vulnerable to Indian attack. The Wilderness Road offered the only viable way east with promise of safety — Kentucky newspapers carried advertisements for those wishing to return to meet at specified times and places to travel in larger groups.⁴²

Despite the hardships, prospective settlers could not resist the potential that Kentucky offered. "Among all those settlements begun to the west of the mountains," noted a contemporary observer, "none hastens more swiftly to completion or is more attentively regarded by the whole of America, than the new colony of Kentucky."⁴³ Between 1783 and 1790 the population of Kentucky ballooned from 5,000 to 73,000.⁴⁴

By 1786 Louisville still had only three streets, but it now contained three hundred people and one hundred buildings. There were schools, stores, churches, distilleries and horse races, among other semblances of European civilization. This cultural advance had leapfrogged the sparsely populated trans-Allegheny region, rendering Kentucky "rather like an island of population far away from shore, only to be reached by a long, rough, perilous passage." The Kentucky border lay five hundred miles from the Atlantic coast and three hundred miles from the crest of the Alleghenies. At the same time, states such as New York and Pennsylvania had yet to experience significant movement into their western sections.⁴⁵ Kentucky's population explosion coupled with its isolation created a set of administrative problems that quickly tested Virginia's resolve to maintain

sovereignty over the district.

The first problem Virginia faced was the demand of the tide of immigrants for arbitration of land disputes in the region. In 1777 the Virginia legislature tried to intervene by giving free titles to the few who settled in Kentucky before June 1, 1776. Since the act made no mention of the state's intention to charge for subsequent grants, the law resulted in confusion by creating the impression that free land would be available for post-1776 settlers as well.⁴⁶

The land laws of 1779 endeavored to strike a compromise between the state's desperate need in the midst of war for revenue from land sales and current settlers' demands for "squatters' rights." Any claimant who settled in Kentucky between June 1, 1776, and January 1, 1778, was entitled to four hundred acres. If the claimant made improvements, he could preempt and purchase one thousand acres adjoining the four-hundred-acre homestead. Settlers arriving between January 1, 1778, and January 1, 1779, were not entitled to a homestead, but could preempt four hundred acres. Legislation also authorized the creation of a land office in Richmond to facilitate the staking of claims.⁴⁷

The Virginia legislature had more than the convenience of the Kentucky settlers in mind when it passed the 1779 land acts. In a maneuver identical to the land companies' asserting Indian claims in the Northwest, Philadelphia interests urged Congress to claim jurisdiction over Kentucky and negate Virginia land warrants. Once again, the Virginia government resisted congressional trampling on state sovereignty, and equally important, endeavored to protect the state's only means of paying bounties to veterans of the French and Indian and Revolutionary wars.⁴⁸ The government's strategy was to ease procedures

for claiming land to make settlers beholden to the state of Virginia for their stake. By popular demand, the state would then be able to press its sovereignty in the face of external challenges.⁴⁹

The land acts of 1779 procured just the result that Virginia leaders wanted — the physical possession of the land by thousands of settlers reinforced Virginia's claim on Kentucky.⁵⁰ But these settlers caused new complications. The pioneers who had shared hardships so willingly became the residents who sued one another with great frequency, creating a need for a court closer to Kentucky than Richmond. But the eastern-dominated government was interested in neither the autonomy a new court would afford the western part of the state nor the expenses associated with maintaining another court.

Kentuckians sensed foot-dragging in Richmond and were not above using the current uncertainty about sovereignty in Kentucky as leverage. A May 1782 petition for a new court begins by voicing great concern over the legislature's failure to act on a petition delivered six months earlier requesting courts of assize for Kentucky. The petition then notes rather menacingly a congressional committee resolution denying Virginia's claim to land "Northwest of the Allegany [sic] mountains." The resolution was unclear as to whether or not it referred to Kentucky, but the petitioners saw an opportunity in presuming that it did. They asserted if Virginia had no right to the land Kentuckians possessed, it must be vested in Kentuckians themselves.⁵¹

Having gained the legislators' attention with a heavy-handed threat to Virginia sovereignty, the petitioners then presented their case for courts based on familiar republican principles of representation. The petitioners stressed they considered

themselves Virginians and that they wished the protection and privileges entitled to them as Virginia citizens. However, if they were not to be afforded the legal protection granted other Virginians, they requested "an information of what they can expect."⁵² If they were to be relegated to some inferior status they wanted an admission to that fact. The petitioners implied they would then take appropriate action — a powerful suggestion in the midst of a revolution initiated in part when Parliament failed to respond to similar protests over representation that Virginians and the other members of the Union had raised. Those who drafted the petition also clearly recognized the irony that Virginians, driven in part to revolution by British efforts to control access to the West, were themselves endeavoring to control western development at the expense of the freedom-loving Americans who had moved into Kentucky. The goal of the petition was to force Virginia's legislators to face the unpalatable truth that their actions were no more justifiable than the British.⁵³

The Virginia legislature responded to the petition by creating a district court for Kentucky in 1782. To the chagrin of Kentuckians, the new district court judges and staff were to be paid by a tax levied on suits brought before the court. For Kentucky residents, this arrangement amounted to double taxation by eastern legislators who did not want state resources to flow westward. Not only did Kentuckians have to pay Virginia taxes that subsidized other district courts, they had to support their own court directly. Moreover, Kentuckians feared that if the levies on suits did not generate enough revenue, prospective judges would be discouraged by the low salary, ultimately forcing the court to close.⁵⁴

The Virginia legislature further disaffected Kentucky residents by imposing a statewide semi-annual tax of five shillings per one hundred acres on land exceeding fourteen hundred acres.⁵⁵ The legislature responded to complaints and amended the act to direct more of the revenue to Kentucky and expand the qualifications for exemption from the tax.⁵⁶ However, the amended tax bill engendered even more heated protest despite its lenience, owing perhaps to more strict enforcement than of the initial levy.⁵⁷ The new tax had the result of antagonizing two economically disparate elements in Kentucky: out-of-state speculators who were particularly subject to the tax, and residents who resented the treatment Kentucky received from the tidewater-dominated government.⁵⁸

Legal access and even fair taxation are of small consequence when life and limb are threatened. The truce with the British after the battle of Yorktown did not bring peace to Kentucky. The threat of attack by Indian allies of the British lingered without relief. In April 1784, Levi Todd informed the governor that while the British had concluded a peace, "our natural enemies have began the season with their accustomed fierceness and barbarity in...almost every part of the Kentucky Country."⁵⁹

Added to the dread of Indian attack was Kentuckians' suspicion that Virginia's policy was based on a determination to minimize expensive military expeditions. By Virginia law, no Kentucky militia officer could retaliate for an Indian attack on his own initiative.⁶⁰ Kentuckians believed the Virginia state government had decided not to absorb the expense of aggressively defending its claim to Kentucky, forcing the settlers to desert their farms for the forts at the main settlements.⁶¹ Whether or not this perception was accurate, the Kentucky settlers were of the opinion that their only legal recourse

against Indian attack under Virginia law was to "sitt still and tamely submit to their Cruelties."⁶²

Imbued with the same understanding of the physical limitations of republican government as their eastern brethren, not to mention fear for their lives, many Kentuckians soon concluded that there was no way to extend Virginia government to their settlements. The state government's actions did little to allay their fears. Between 1780 and 1784 the Kentucky district sent at least four petitions to Congress and five to the Virginia legislature complaining about the land laws and the court taxes and asking to become a separate state. Finally, in November 1784, a district-wide convention, ostensibly called to discuss the Indian threat, became a forum for discussion of separation.⁶³

A petition to the Virginia legislature from a subsequent convention in August 1785 provides a typical argument for separation, emphasizing again the temporal limitations of a republican government. Virginia's attempt to hold Kentucky, it declared, had produced "expanding and irremedial grievances," resulting from Kentucky's "sequestered and remote situation from the seat of government with the intervention of a mountainous desert of two hundred miles, always dangerous and passable only at particular seasons." Kentucky's situation thus precluded "every idea of a connection on republican principles." The only viable option as far as the memorialists were concerned was a connection to the "Federal Union" rather than to Virginia.⁶⁴

The convention delegates might have anticipated resistance to separation, but by 1785 most of the Virginia political establishment saw Kentucky's independence as a

foregone conclusion.⁶⁵ Richard Henry Lee, who had earlier advocated the cession of the Northwest, asserted to Madison, "no good exception could be made to a separation." With the cost of Indian defense clearly prominent in his thinking, Lee declared that for the foreseeable future, if not always, Kentucky would be a drain on state coffers rather than a producer of revenue. By being amenable to separation, he argued, the Virginia assembly would persuade Kentuckians to apply for separation through Virginia, thereby affirming the state's sovereignty as well as providing an opportunity to negotiate favorable terms.⁶⁶

Madison agreed with Lee that "it is the interest of the Country [Virginia] to embrace the first descent [sic] opportunity of parting with Kentucky." Madison's reasoning, too, reflected the experience of the Northwest Cession negotiations. He noted that a separation affirming Virginia sovereignty would establish a useful precedent in future dealings with Congress. Significantly, however, Madison also recognized the issue affected the entire confederation because it granted a role for Congress in the separation.⁶⁷ Madison was comfortable making this assertion because Congress, by recognizing Virginia's sovereignty as part of the Northwest Cession agreement, had proved that on such matters it could be trusted. A new notion of federal-state relations was emerging in Madison's thinking, one that accepted the legitimacy, even the indispensability, of a vigorous central authority.

James Monroe placed a greater premium on the defense of Virginia's sovereignty and opposed Kentucky statehood. Madison endeavored to convince him that separation was inevitable and that Virginia would do better to participate in the process and control

its terms. Madison reported to Monroe that the Kentucky delegates to the Virginia legislature at the Fall 1785 session were instructed to propose a separation and conveyance of the district to Congress so that Kentucky could be admitted to the Confederation. Reflecting his experience with the Northwest Cession, Madison expected the proposal to pass easily and stressed that it would "set a useful example to other western settlements which may choose to be lopped off from other states." With the Northwest Cession a fact, Madison explained he did not want any contradictory precedents, such as an attempt by Kentucky to act directly through Congress. By using such visceral language to describe the actions of westerners, Madison stressed that frontier settlers' desire, as he put it, to be "lopped off" might lead to alliance with Britain or Spain if they deemed it necessary to achieve their autonomy. If instead Virginia sponsored Kentucky's statehood, the General Assembly could avoid unwelcome precedents and create a mechanism to keep the growing western population tied to the eastern governments.⁶⁸

At the fall 1785 session, the Virginia legislature followed Madison's logic in the terms it offered to sponsor separation. The new state would have to take on a proportion of the Old Dominion's debt, guarantee free navigation of the Mississippi River, and base private rights on Virginia law. To ensure the creation of a proper republican neighbor, Kentuckians were to elect delegates by county to a constitutional convention in September 1786, and if the convention accepted Virginia's terms, and if Congress consented before June 1787, Virginia would surrender authority any time after September 1, 1787. Most important, Kentucky was not to interfere with Virginia land warrants or

with the disposition of undistributed lands that Virginia had already appropriated for military awards. The Virginia government sought to bestow upon Kentucky statehood (and all the costs of governance) while guaranteeing for itself lands that would no longer be within its borders.⁶⁹

Kentuckians were hardly monolithic in their response to Virginia's offer. "Partisans," who were supporters of the out-of-state land company interests, endorsed separation through Congress, but not on Virginia's terms. Others critical of both Congress and Virginia called for immediate independence, while those whose land claims originated with Virginia supported the proposal. Nine conventions met before final approval of Virginia's terms in July 1790. The Kentucky district at last became the Commonwealth of Kentucky on June 1, 1792.⁷⁰

Early in 1784, the Spanish endeavored to discourage American western expansion by closing the Mississippi River to American traffic. Madison was exasperated by the foolishness of the act. He had every expectation the Spanish would ultimately suffer as a result of the policy, but feared that in the interim they would deprive America of an agrarian future. Madison explained to Jefferson that the bountiful lands to the west guaranteed for at least a generation that any American who so desired could become a landed farmer, ensuring what Madison would later call a "Republican Distribution of Citizens." The western lands thus precluded the concentration of "supernumerary hands" necessary for expansion of domestic manufacture. A society of farmers would rely for its finished or manufactured items on external sources, namely Spain and its European

antagonists.⁷¹

Madison pointed out that without the Mississippi to ship produce, western lands were less attractive, and consequently the demand for eastern lands increased, overpopulation occurred and land prices became prohibitively high. The result would be the rise of the landless poor necessary for the development of domestic manufacture, and with Americans manufacturing their own goods, a decline in their need for European goods. Thus Spain's foolhardiness in closing the Mississippi would cost it a valuable market for trade, and doom Americans to the same problems already associated with the manufacturing poor in European countries.⁷²

Madison's letter reveals a clear understanding of what would produce a viable agrarian economy. His assertion that westward migration would not occur without a route to markets presumed that settlers would be entrepreneurial. Madison did not view frontiersmen as desiring strict self-sufficiency, but seeking connections to markets. He anticipated a vigorous commerce with Europe — trade with which he was comfortable so long as land remained plentiful enough to attract those whose wealth came from trade to become landholders. Indeed, the craving for the finer things in life would encourage the industriousness among Virginians upon which republican behavior depended.

A dependable transportation network permitting the reliable exchange of goods was essential for the commercial development and population expansion which Madison and Jefferson considered fundamental to the creation of an agrarian republic in Virginia. Now that the Virginia government had divested the state of those regions beyond its capacity to administer, the creation of such a network for the remainder was feasible.

Virginia had become a manageable empire that could contemplate development of a communication network capable of extending the benefits of commerce across the state.⁷³

Some Virginians even imagined that if their own transportation network was aggressively developed, it could render the Mississippi River irrelevant. Instead of flowing south to New Orleans, western produce would travel to eastern ports, from which European goods would travel back to the settlers. This perspective stood at the center of a heated dispute over the Jay-Gardoqui Treaty. Just two years after Madison denounced closing the Mississippi, he and other Virginians saw the treaty as an opportunity to expand traffic through Virginia. In August of 1785 Washington observed that the trade lost by the closing of the Mississippi River was less important than the trade of the Ohio Valley above the falls (the present site of Louisville) to the Atlantic ports. Washington asserted the flow of goods through Virginia rivers and ports was cheaper than through New Orleans. Washington's indifference to the closing of the Mississippi was shared by Richard Henry Lee, Jefferson, Madison and probably a majority of eastern Virginians. Merchants and wheat farmers among this group were more than willing to sacrifice the Mississippi trade to ensure their wartime access to Spanish ports.⁷⁴

Western settlers were not nearly so sanguine regarding Virginia's internal improvements and strenuously opposed abandoning the Mississippi. In a November 1786 petition to the House of Delegates, "the delegates from the Western Waters" stressed the prosperity and welfare of the inhabitants there depended on the Mississippi. They denied any other route was viable and insisted they had as much right to navigate the Mississippi as other Virginians to sail on the James or Potomac rivers. Clearly familiar with the

priorities of eastern advocates of waterways improvement, they claimed never to have heard of a treaty "which shut the doors of commerce to one part of a community and deprived it of its natural rights for the benefit of the other." The petitioners equated ratification of the treaty with legislating away the right to jury trial.⁷⁵

On the grounds of "equal rights" the House of Delegates adopted a resolution opposing the Jay-Gardoqui Treaty, noting "that the common right of navigating the river Mississippi...ought to be considered as the bountiful gift of nature to the United States" and that the sacrifice of the rights "of any one part to the supposed or real interest of another part" would be "a direct contravention of the end for which the federal government was instituted." Despite the resolution, Patrick Henry, who up to that time had advocated increasing the powers of Congress, was so enraged by the indifference of Washington and the Lees to western interests that he became a leader of those opposed to ratification of the federal Constitution.⁷⁶

Although internal improvements could heat up regional antagonisms, advocates continued to believe that the rewards would transcend individual regions and bind Virginians together through the wealth in which they would all share. Jefferson observed that canoes and batteaux could pass easily from Westham just west of Richmond to within ten miles of the Blue Ridge, and that as much as one ton of freight had been carried over the mountain by water.⁷⁷ He boasted that all Virginians had to do was make a few improvements to the river systems with which God had blessed them: "These works will spread the field of our commerce westwardly and southwardly beyond any thing ever yet done by man."⁷⁸

ENDNOTES

1. William Waller Hening, *The Statutes at Large: Being a Collection of all the Laws of Virginia, From the First Session of the Legislature in the Year 1619*, 13 vols. (Richmond: George Cochran, 1823), IX, 112-113, 118-119.

2. Hening, *Statutes*, IX, 118-119; Merrill P. Jensen, *The Articles of Confederation: An Interpretation of the Social-Constitutional History of the American Revolution, 1774-1781* (Madison: University of Wisconsin Press, 1963), 123.

3. Washington to James Warren, October 7, 1785, in George Washington, *The Writings of George Washington* [hereafter *Writings of Washington*], John C. Fitzpatrick, ed., 30 vols. (Washington, D.C.: United States Government Printing Office, 1931-1939), XXVIII, 290-291.

4. Drew McCoy, *The Elusive Republic* (New York: W.W. Norton, 1980), 33.

5. Stanley Elkins and Eric McKittrick, *The Age of Federalism* (New York: Oxford University Press, 1993), 6-7, 14-18; McCoy, *Elusive Republic*, 49, 110. Elkins and McKittrick provide in their pages an excellent review of the ideological causes of the American Revolution, as described by Bernard Bailyn, J.G.A. Pocock, and Gordon Wood.

6. Thomas Jefferson, *Notes on the State of Virginia*, William Peden, ed. (Chapel Hill: The University of North Carolina Press, 1955), 164-165; Jefferson to Washington, March 15, 1784, in Thomas Jefferson, *The Papers of Thomas Jefferson* [hereafter *Jefferson Papers*], Julian Boyd, ed., 25 vols. (Princeton, New Jersey: Princeton University Press, 1952), VII, 26.

7. Gordon Wood, *The Creation of the American Republic* (New York: W.W. Norton & Company, 1969), 396-398; 411.

8. As previously mentioned, Jefferson felt the Ohio Territory was still too large for one state. He urged a cession of all Virginia territory below the Ohio River and west of the longitude of the mouth of the Great Kanawha for "[f]urther she cannot govern; so far as is necessary for her own well being." See Jefferson to Washington, March 15, 1784, in Boyd, *Jefferson Papers*, VII, 25.

9. Charles Henry Ambler, *Sectionalism in Virginia From 1776 to 1861* (New York: Russell & Russell, Inc., 1964), 1-3.

10. Madison to Jefferson, August 30, 1784, in James Madison, *The Papers of James Madison* [hereafter *Madison Papers*], Robert A. Rutland, ed., 17 vols. (Chicago: The University of Chicago Press, 1962-1991), VIII, 107-108.

11. William Temple, "A Vindication of Commerce and the Arts..." (London, 1758), quoted in McCoy, *The Elusive Republic*, 81.

12. Luigi Castiglioni, *Viaggio: Travels in the United States, 1785-87*, Antonio Pace, trans. and ed. (Syracuse: Syracuse University Press, 1983), 199; Peter S. Onuf, "Liberty, Development and Union: Visions of the West in the 1780's." *William and Mary Quarterly*, 3rd ser., 43(1986), 189; Schoepf, *Travels*, I, 282.

13. McCoy, *Elusive Republic*, 66-67, 78. A poem from the period, "On LIFE, and the proper EMPLOYMENT of it," characterizes luxury as a weakness of only the very wealthy who can afford "In the soft bands of pleasure, idly gay,/ To frolic the immortal gift [of life] away." Virtue, on the other hand, is something possessed by all who work and is "To no one station, stage, or part confin'd." See the *Virginia Journal and Alexandria Advertiser*, November 18, 1784.

14. Joyce Appleby, "Republicanism in Old and New Contexts," *William and Mary Quarterly*, 3rd ser., XLIII (1986), 32.

15. Lance Banning, "Jeffersonian Ideology Revisited: Liberal and Classical Ideas in the New American Republic," *William and Mary Quarterly*, 3rd ser., XLIII (1986), 17. Banning also notes that Jeffersonian liberals were very uncomfortable "with the notion that the role of the state is to facilitate the growth of capital and credit, hurrying the community into the marketplace." We shall see that the legislative activity of the Virginia General Assembly in the 1780s, which served as the cradle for Jeffersonian Republicanism, surely did not demonstrate discomfort with governmental patronage of private companies. Not only did it charter the waterways improvement companies that are the subjects of this dissertation, it invested in them.

16. Thomas Jefferson to John Jay, in Michael Brewster Folsom and Steven D. Lubar, eds. *The Philosophy of Manufactures: Early Debates over Industrialization in the United States* (Cambridge, Massachusetts: The MIT Press, 1982), 20.

17. For a thorough review of the relationship of tobacco wealth to Virginia society, see Rhys Isaac, *The Transformation of Virginia, 1740-1790* (Chapel Hill: The University of North Carolina Press, 1982), passim.

18. Jefferson to John Jay, August 23, 1785, and Jefferson to G.K. von Hogendorp, October 13, 1785, in Michael Brewster Folsom and Steven D. Lubar, eds. *The Philosophy of Manufactures*, 22.

19. Jefferson to John Jay, August 23, 1785, and to M. de Meusnier, April 29, 1795, in Folsom and Lubar, eds. *The Philosophy of Manufactures*, 20.

20. At this early date Jefferson is already demonstrating the logic he would exercise as President in calling for an embargo as a response to the blockades of England and France.

See Jefferson, *Notes on the State of Virginia*, 164-165; Jefferson to G.K. von Hogendorp, October 13, 1785, in Folsom and Lubar, eds. *The Philosophy of Manufactures*, 21-22.

21. Mary B. Kegley, "Pioneer Possessions: A Study of Wills and Appraisals of Southwest Virginia, 1745-1786" (M.A. Thesis, Radford College, 1975), 167-169.

22. Carol Sheriff, *The Artificial River* (New York: Hill and Wang, 1996), 11.

23. Jensen, *Articles of Confederation*, 56; Peter S. Onuf, "Toward Federalism: Virginia, Congress, and the Western Lands," *The William and Mary Quarterly*, 3rd ser., 34(1977), 354-355.

24. Jensen, *Articles of Confederation*, 228.

25. Richard Henry Lee to Patrick Henry, December 15, 1778, in James Custis Ballagh, ed., *The Letters of Richard Henry Lee*, 2 vols. (New York: De Capo Press, 1970), I, 452-453.

26. Richard Henry Lee to Patrick Henry, December 15, 1778, in Ballagh, ed., *Letters of Richard Henry Lee*, I, 452-453.

27. Robert F. Berkhofer, "Jefferson, the Ordinance of 1784 and the Origins of the American Territorial System," *The William and Mary Quarterly*, 3rd ser., 29(1972), 243-244. Jefferson to Madison, February 20, 1784, in Rutland, ed., *Madison Papers*, VIII, 314. Of course, James Madison in Federalist 10 demonstrated that not only could a republican system govern a large territory, but that the diverse interests contained therein would serve to defuse, and not promote, tyranny. See, Alexander Hamilton, James Madison and John Jay, *The Federalist Papers* (New York: New American Library, 1961), 102-103.

28. Joseph Jones to Jefferson, June 30, 1780, in Boyd, ed., *Jefferson Papers*, III, 473.

29. Onuf, "Toward Federalism," 354-355.

30. George Mason to Samuel Purviance, May 20, 1782, in the Purviance Family Papers, housed in the William R. Perkins Library, Duke University.

31. George Mason, *The Papers of George Mason*, Robert A. Rutland, ed., 3 vols. (Chapel Hill: University of North Carolina Press, 1970), II, 697.

32. George Mason to Samuel Purviance, July 17, 1782, in the Purviance Family Papers, housed in the William R. Perkins Library, Duke University.

33. Onuf, *Toward Federalism*, 370; Peter S. Onuf, *The Origins of the Federal Republic* (Philadelphia: University of Pennsylvania Press, 1983), 91, 94.

34. Thomas P. Abernethy, *Western Lands and the American Revolution* (New York: Russell and Russell, 1959), 272-273.
35. Onuf, "Toward Federalism," 354, 372.
36. Castiglioni, *Viaggio*, 306, note 60.
37. Thomas P. Abernethy, *Three Virginia Frontiers* (Baton Rouge, Louisiana State University Press, 1940), 64; Charles Henry Ambler, *A History of Transportation in the Ohio River Valley* (Westport, Connecticut: Greenwood Press, 1970), 64. Buffalo were still widespread in Kentucky, travelling in herds of one hundred fifty to two hundred. By 1793 just about all the buffalo were gone, though some could still be found at the headwaters of several of Kentucky's rivers.
38. Castiglioni, *Viaggio*, 200.
39. Patricia Watlington, *The Partisan Spirit: Kentucky Politics, 1779-1792* (New York: Athenaeum, 1972), 8-9.
40. Thomas Speed, *The Wilderness Road* (New York: Burt Franklin, 1971. Reprint. 1886), 22.
41. Johann David Schoepf, *Travels in the Confederation [1783-1784]*, Alfred J. Morrison, ed., 2 vols. (Philadelphia: William J. Campbell, 1911), II, 27.
42. Abernethy, *Western Lands*, 352.
43. Schoepf, *Travels in the Confederation*, I, 260-261.
44. Watlington, *Partisan Spirit*, 70-71; Speed, *The Wilderness Road*, 7.
45. Watlington, *Partisan Spirit*, 69-71; Speed, *Wilderness Road*, 7.
46. Hening, *Statutes*, IX, 358.
47. *Ibid.*, X, 35-50, 50-65; the law provided for a land office in Kentucky, which opened in May, 1780, see Watlington, *Partisan Spirit*, 18.
48. Watlington, *Partisan Spirit*, 13.
49. *Ibid.*, 17.
50. Abernethy, *Western Lands*, 249.
51. Legislative petition, Kentucky District, May, 1782, housed in the Archives of the Virginia State Library.

52. Legislative petition, Kentucky District, May 1782.

53. For a discussion of the irony of the Revolutionaries' imperial designs, see Francis Jennings, *Empire of Fortune* (New York: W.W. Norton & Company, 1988), 457-479.

54. In fact, lacking the proper facilities and a chief judge (no one wanted to serve), the Kentucky district court did not decide any of the land cases for which it had been primarily created until June, 1785. See, Watlington, *Partisan Spirit*, 54, 73.

55. Hening, *Statutes*, XI, 121.

56. *Ibid.*, XI, 445.

57. Watlington, *Partisan Spirit*, 73.

58. Abernethy, *Western Lands*, 303.

59. Levi Todd to the Governor, April 15, 1784, in William P. Palmer, ed. *The Calendar of Virginia State Papers and Other Manuscripts*, 11 vols. (Richmond: Virginia State Legislature, 1875-1891), III, 576-577.

60. Abernethy, *Western Lands*, 303.

61. Watlington, *Partisan Spirit*, 29.

62. Levi Todd to the Governor, April 15, 1784, in William P. Palmer, ed. *Calendar*, III, 576-577.

63. Abernethy, *Western Lands*, 304. Clearly the idea of separation had been on the minds of Kentuckians before the Danville Convention. The May 1782 petition for courts asserts that the petitioners consider themselves Virginians until it will be to "their mutual advantage to separate," at which point they expected no opposition from the Virginia government.

64. Virginia General Assembly, *Journal of the House of Delegates of the Commonwealth of Virginia* [hereafter JHDV] (Richmond: Thomas Purdie, 1828), October 28, 1785, XVII (1781-1785), 10.

65. Jefferson to Thomas Hartley, September 5, 1785, in Boyd, ed., *Jefferson Papers*, VIII, 483. James Monroe was the prominent exception. See Abernethy, *Western Lands*, 304.

66. Lee to Madison, May 30, 1785, in Ballagh, ed., *Richard Henry Lee Letters*, I, 364-365. Exhibiting a bit of Virginia arrogance, Lee was further convinced of the propriety of Kentucky statehood by the presence of members of the Virginia elite in the district's leadership.

67. The Articles of Confederation granted to Congress the authority to administer an adjudication panel to resolve boundary and private claim disputes between states, but not to participate directly. See Rutland, ed., *Madison Papers*, VIII, 314. In their correspondence, Lee and Madison both use the term "country" to refer specifically to Virginia. A common usage for the day, it nevertheless emphasizes the correspondents' sense of Virginia's autonomy, and, by omitting Kentucky from the characterization, underscores their perception that Kentucky is beyond Virginia's practical borders.

68. Madison to James Monroe, May 29, 1785, in Rutland, ed., *Madison Papers*, VIII, 286.

69. JHDV, December 12, 1785, 87; Hening, *Statutes*, XII, 240-243.

70. Watlington, *Partisan Spirit*, 111, 198. Over the course of the nine conventions, the Virginia legislature passed two other enabling statutes that pushed back the original timetable but did not alter the terms of separation.

71. Madison to Jefferson, August 30, 1784, in Rutland, ed. *Madison Papers*, VIII, 107-108. The expression "Republican Distribution of Citizens" was the title of one of a series of essays Madison wrote for Philip Freneau's *National Gazette*. It appeared March 5, 1792. See, McCoy, *The Elusive Republic*, 155-156.

72. Madison to Jefferson, August 30, 1784, in Rutland, ed. *Madison Papers*, VIII, 107-108.

73. Onuf, "Toward Federalism," 372.

74. Thomas J. Abernethy, *Western Lands and the American Revolution* (New York: Russell & Russell, 1959[1937]), 295; Charles Henry Ambler, *George Washington and the West* (New York: Russell & Russell, 1971[1936]), 189; Forrest McDonald, *We The People: The Economic Origins of the Constitution* (Chicago: The University of Chicago Press, 1958), 367. Havana had been such a good port for American wheat that it was widely attributed as saving the American economy during the most desperate years of the Revolutionary War. See McDonald, *Economic Origins of the Constitution*, 366.

75. Miscellaneous Legislative Petition, November 17, 1786.

76. Abernethy, *Western Lands and the American Revolution*, 320. The Jay-Gardoqui controversy clearly left a lasting (bad) impression on the Kentucky delegates to the Virginia ratification convention. They overwhelmingly opposed ratification of the federal Constitution.

77. Rice, "Internal Improvements in Virginia," footnote #56, 22.

78. Jefferson to Madison, December 8, 1784, in Boyd, *Jefferson Papers*, VII, 558.

CHAPTER II

"...BONDS OF FRIENDSHIP AND MUTUAL INTEREST."

Jefferson might have envisioned great results from waterways improvements, but there was little in Virginia's past to indicate the plan would ever be realized. Virginia's colonial and Revolutionary legislative record on river improvements reveals a string of well-intentioned though ultimately futile gestures. Either a lack of financial or labor resources, or both, doomed all but the most limited efforts. The initiatives of the Revolutionary era attempted to rectify flaws in colonial statutes, but were only marginally successful. Of those, the most successful provided for projects endeavoring not to extend the rivers' western reaches, but simply to clear tidewater navigation of obstacles.

The local orientation of Virginia's pre-Revolutionary political culture explains much of the failure to complete river improvements. The colonial government deferred to county courts on most local matters, including internal improvements. For example, road construction and maintenance were traditionally the duty of county surveyors.¹ Waterways were tended in a similar fashion. The first recorded colonial law regarding river improvement in 1679 empowered counties to clear rivers of logs and trees.² Apparently this statute did not sufficiently ensure river navigation, for another statute passed the next year complained that "loggs, trees, roots of trees, and other rubbish hath occasioned and endangered the loss of several sloops, boats, tobaccoes, and merchandising goods, in carriage thereof to and from the ships." The county courts were ordered to appoint surveyors annually to clear the rivers. A fine of five hundred pounds

of tobacco was levied for the deliberate felling of trees into the river for the purpose of creating calm areas, or traps, where fish would congregate, facilitating their capture in nets. The legislature thought this practice grievous enough to mandate a thousand pound fine for a second offense.³ A 1705 statute suggests pollution of the most extreme sort is hardly a modern invention. The law set a fine of ten English pounds for emptying ship ballast into the river or for casting corpses overboard. The law stipulated "that when any negro, or other person whatsoever" died aboard ship, the body must be buried ashore.⁴

As Virginia's population expanded westward, the colonial government often designated rivers as borders of new counties, complicating the issue of responsibility for river clearance. A 1722 law clarified that all counties sharing a river must contribute to its maintenance. For the first time, the law authorized counties to impose a levy to pay workmen for river clearance. Overly aggressive fishermen continued to be a problem, for again river "hedges" were ordered destroyed. Violators were to be fined ten pounds of tobacco for every week the hedges remained intact.⁵

A 1745 statute suggests Virginians no longer perceived rivers as purely local conveniences, and began thinking of them instead as regional assets that required specialized treatment. The law specified the clearance of particular rivers instead of rivers in general. The law authorized the county courts of Henrico, Prince George, Amelia, Goochland, and Albemarle counties to clear the Appomattox and the James. The law also levied a tax in the aforementioned counties and made each responsible for collection of its proportion.⁶

Not surprisingly, taxes proved an unpopular method of financing river

improvements, particularly since all county residents did not use the rivers equally. In 1752, the burgesses adopted a new approach toward financing by focusing the cost on those most interested in the projects. A new law appointed trustees, rather than county surveyors, to manage the clearance of the Appomattox and Pamunkey rivers. The trustees had the authority to collect "subscriptions" in order to finance the cost of the improvement. These subscriptions were donations which carried absolutely no expectation of repayment. Everyone who would benefit from the project was expected to contribute, regardless of county of residency. The trustee/subscription approach superseded the supervisory authority of the county courts, who by this time had proved unreliable managers of river clearance.⁷ The burgesses passed similar legislation in 1765 to benefit the James River, its northern branch (also known as the Fluvanna River) and the Chickahominy River.⁸

In 1769 George Washington embarked upon his first effort to secure legislative backing for improving the Potomac River. Washington's interest in the western reaches of the Potomac began in 1752 when, under the orders of Lieutenant Governor Robert Dinwiddie, he had marched to the Ohio River to warn the French against encroaching on the area that is now western Pennsylvania. So they could reach their objective, Washington ordered his troops to widen the Indian path known as Nemaquin's Trail, which tracked a course roughly from Fort Cumberland to Fort Duquesne. In so doing he created the first military highway over the Alleghenies. In 1755, with the French and Indian war heating up, General Braddock ordered this same road widened to accommodate his force marching against the French at Fort Duquesne. It was known

thereafter as Braddock's Road.⁹ Such efforts to secure adequate supply lines for western campaigns impressed upon colonists the importance of establishing reliable transportation to the Blue Ridge and beyond.

The French and Indian War also demonstrated to Virginians the unique topographical advantages their colony offered and sparked a heightened interest in exploiting its rivers. The Potomac River, offered access to Braddock's Road, and hence a route through the Alleghenies. In 1769 Washington and Richard Henry Lee drafted legislation to open and extend the navigation of the Potomac from Fort Cumberland (the terminus of the Cumberland Road) to the tidewater.¹⁰ Passed in 1772, the act called for a subscription as the means for raising capital. Unlike previous legislation, the subscribers were permitted to elect officers to manage the project. Further, the law prescribed a lottery, a familiar method of raising funds for such local endeavors as schools. Subscribers were to receive ten lottery tickets for every one hundred British pounds invested.¹¹ In order to soothe regional jealousies, the colonial government passed similar legislation for opening the falls of the James River, noting that many persons had already subscribed large sums of money for this purpose — no doubt a reference to the 1765 James River law, from which no improvements resulted.¹²

In 1772 the colonial government first authorized the construction of an artificial canal for trade. To afford Williamsburg access to the tidewater rivers, the law provided for a canal connecting the James and York rivers through the city. The project, according to the act, "will be of great advantage to the said city, and to the trade carried on in the said rivers."¹³ The canal, had it been built, would certainly have offered great

convenience for Williamsburg residents but would probably have had little effect on overall river traffic.

With two efforts under British administration to clear the James River having failed, the General Assembly of the new state of Virginia took on the task with newfound vigor, for the hope of Virginia's leaders to instill in western farmers the industrious, virtuous behavior required of the citizens in a republic depended upon a well-developed transportation network. In 1783 the General Assembly appointed trustees to oversee opening the river's western extremities. This initiative was more ambitious than its predecessors in proposing to clear the James through the "South Mountain" near Buchanan and eventually provide river transportation into the Blue Ridge. The law initially called for clearing the river in Bedford "from the land of Nicholas Davies...to the mouth of the Cow Pasture River."¹⁴

While significant as an early attempt to improve the western reaches of Virginia's water transportation network, the 1783 law still provided financing through the conventional, pre-Revolutionary form of subscriptions. The law, however, projected a new relationship between those who depended on the river for their livelihood and those who financed its improvement. Instead of subscriptions amounting to donations for the public benefit, as before, the 1783 statute provided a mechanism for generating revenue to *repay* subscribers by requiring a fee from "every person who shall bring any hemp, tobacco, or flour, by water from either of the counties of Rockbridge, Botetourt, Montgomery, Washington or Greenbrier, through the Blue-Ridge."¹⁵ The trustees were to use the revenue from this toll to repay, with interest, those who subscribed to the project.

The new law offered a profit motive for investing that was not tied to the parochial interests of those living near the river. While those who used the river were still expected to contribute to its development, the trustees now solicited investments from individuals who lived nowhere near the rivers, but who might recognize the potential of improved river transportation. This new financial incentive remained limited in scope, lacking an economic or social imperative that would connect river improvements to the fate of Virginia as a whole. That connection would be made most effectively by George Washington.

On September 1, 1784, George Washington embarked on a journey that took him from the comfortable surroundings of Mount Vernon to the extreme northwestern part of Virginia beyond the Allegheny Mountains.¹⁶ This was no easy trip. Washington spent six weeks almost constantly on horseback, traveling into what was still a dangerous frontier. He rode from Mount Vernon to Leesburg, through Snicker's Gap and on to Cumberland, Maryland. He crossed the Youghiogeny River and traveled up to Perryopolis and northwest to Canonsburg. He rode south to Morgantown, then turned southeast to Fort Pendleton, and down to the Rockingham County court house. Washington then made his way east to the Culpeper court house and finally back to Mount Vernon. Washington had originally intended to travel even farther west to the Great Kanawha River, but reports of Indian attacks discouraged this plan.¹⁷

Ostensibly, Washington made this tour to inspect the management of his considerable land holdings in the area.¹⁸ But one could certainly understand a man of

Washington's stature delegating this arduous and hazardous mission to a subordinate. Why did Washington insist on personally leading the expedition? The general was not just interested in checking up on tenants and affirming land titles. He was applying his experience as a licensed surveyor and an experienced military trailblazer to a mission he considered of the greatest importance — reconnoitering the best means of connecting the Potomac to the Ohio River.¹⁹ Since he considered the future of Virginia tied to the successful identification of a route to the West, it is not surprising that Washington trusted no one else with the mission.

Washington had already embraced the notion that commercial development was necessary for Virginia's survival, and he long endorsed river improvements as a tool to this end, as witnessed by his support of the 1772 legislation to enhance the James and Potomac rivers.²⁰ Correspondence from Jefferson just a few months before the trip indicates that the two had been discussing the merits of easier access to the interior. Washington was disappointed that the recent agreement in which Virginia accepted a new northern boundary relinquished a block of territory containing Pittsburgh and a large portion of Braddock's Road to Pennsylvania. Clearly the General had anticipated using this route to connect the Potomac to the Ohio. Jefferson did his best to put the agreement in a positive light:

...It [the new boundary] will preserve to us all the upper parts of the Yohogany & Cheat-rivers within which much will be done to open these which are the true doors to the Western commerce...Nature then has declared in favor of the Potowmac and thro' that channel offers to pour into our lap the whole commerce of the Western World.²¹

Jefferson had asked Washington to exert his political influence in order to secure

a tax levy for opening the navigation of the upper branches of the Ohio and Potomac. But Washington emerged from the wilderness with a vision of Virginia far more expansive and dramatic than Jefferson's tax scheme. As soon as Washington returned from his cartographic exploration, he dashed off a long letter to Governor Benjamin Harrison, in which he surveyed Virginia's future. Washington outlined a new relationship between private citizens, the state government, and the regions of the state that would sustain a new program of internal improvements. That letter marks the beginning of the modern era of internal improvements in Virginia.

Washington's idea of a river route to the West was hardly new. As early as 1716, a member of Governor Spotswood's expedition across the Blue Ridge, the Reverend James Maury, had observed how close the sources of eastward and westward flowing streams, such as the James and Greenbrier rivers, were to each other and suggested it should be possible to connect them. In 1768, Colonel William Byrd III hawked lots in the then frontier settlement of Richmond by predicting that with removal of obstructions from the James and its rapids at Richmond navigation would soon be "both safe and easy for upwards of two hundred miles above the said Falls and a communication opened to the western frontier...." The route would bring "the immense treasures of that valuable country" right into the laps of those shrewd enough to buy Byrd's Richmond lots.²² Byrd was correct in his prediction about improvements to the river and their effect on Richmond, but not about the timing. He was off by about forty years.

Washington's proposals were not the result of the kind of theoretical celebrations that preoccupied Jefferson and other political philosophers who called Virginia home.

Instead, the letter to Harrison reveals Washington to have been one of the great applied political scientists of his day. Washington wanted the navigation of Virginia's main rivers to be extended westward to the Ohio River. Like Jefferson and Madison, Washington believed the combination of easy access to western lands and increased domestic commerce would provide the state with economic security and at the same time offset the undesirable consequences of wealth that social critics warned against. He advocated a more intimate economic relationship between private citizens and the state government, in which the state would not only authorize projects, but underwrite them as well. Not trusting his fellow Virginians to voluntarily subscribe to river improvement, Washington outlined a plan for a private, for-profit company, in which the state would be a shareholder.

Washington's letter to Harrison, who lived on the James, linked that river to the Potomac as offering the shortest and most expeditious routes to the "extensive country back of us."²³ If Harrison convinced the General Assembly to invest in the improvement of these waterways, Washington smoothly suggested, the achievement would "mark your administration as an important era in the annals of this country."²⁴ The task of selling the scheme should not be difficult, Washington impressed upon Harrison, for Virginia was clearly the most centrally located state in the Confederation and the best situated to attract western trade. "All the trade of the northwestern parts of the united territory must pass," he declared, and the James and Potomac rivers were 168 miles nearer to Detroit than the tidewater of the St. Lawrence, and 176 miles closer than the Hudson at Albany. Pennsylvanians might be contemplating a route westward via a canal connecting the

Schuykill to the Susquehanna, but Washington dismissed the project, for he had personally observed too many obstructions on the Susquehanna.²⁵

Despite what to Washington was abundant evidence of Virginia's geographic advantage, he knew the state's political climate well enough to recognize potential objections to his vision. Washington candidly surveyed the most prominent objections in his letter and set out to refute them. He noted that regional rivalries and "unfortunate jealousy," not felled trees, would be the greatest obstacle to river improvements. Washington shrewdly anticipated the beggar-thy-neighbor rivalry between the northern and central parts of the state and opted to promote the James River, the main waterway for central and southern Virginia, along with the Potomac River, which was his genuine passion. Washington turned the sectionalism for which Virginia was known to his advantage by inducing competition between major parts of the state for river improvements.²⁶

Having dispensed with what he expected to be the primary obstacle, regional rivalries, Washington took on other possible criticisms. For those who argued that Virginians were already heavily enough taxed, Washington stated in the letter that he refused to honor their complaints with a direct response as they demonstrated a short-sightedness he could not abide.²⁷ Instead he stressed throughout the letter the long-term economic, political and strategic value of the projects.

Washington also recognized that some would wonder whether Virginians possessed "a sufficient spirit of commerce" to undertake such a plan of river improvements, and exploit the opportunities it would provide. After all, the prominence

of Virginia's planter class was based upon the perception they did not have to exert themselves to create the wealth which subsidized their well-heeled lifestyle. An observer of the day noted: "If a [man]...has Money, Negroes and Land enough he is a compleat Gentleman." The landed gentry did not work for a living, but those involved in overseas commerce were designated "merchants," a respectable title but hardly genteel.

Washington conceded that Virginia's "commercial spirit" was not beyond question, but blurred the distinction between merchant and the landed gentry. He noted that planters like himself had operated a vast trans-Atlantic trading network for years, holding their own with merchants. How could anyone assume they would not recognize a good deal, like Washington's plan for river improvements, when they saw one?²⁸

Washington also raised the specter of competition from other states. As previously mentioned, he considered a Pennsylvania waterway to be most difficult, if not impossible, because of obstructions in the Susquehanna. He would not rule it out entirely, however, because Pennsylvanians being "possessed of the spirit of commerce ... may achieve almost anything." And, as soon as the British removed their northwestern garrisons, Washington anticipated the same effort by New Yorkers. On the likelihood of their success, Washington declared that "no person who knows the temper, genius, and policy of those people as well as I do, can harbor the smallest doubt."²⁹

Washington insisted waterways improvements would inspire in Virginians the necessary "commercial spirit" to compete with other states. Through the waterways would flow tremendous wealth, which would find its way to all parts of the state. Washington acknowledged Virginians' knee-jerk fear of the consequences of commerce,

so graphically demonstrated in London by the lavish lifestyle of the factory owner and the oppression of the factory worker. Nevertheless, he argued, failure to engage in commerce would "submit to the evils arising therefrom, without receiving its benefits." If other states controlled the flow of goods, Virginians would face the temptation of readily available luxuries, but without the industry and frugality fostered by domestic trade to temper their proclivities. Washington conceded that, if all states refrained completely from trade, and every man was either a farmer or craftsman, Virginia could do well. But that possibility was fantastic; trade and the commercial spirit were here to stay. Virginia's only hope for avoiding the social debilitations of commerce was to embrace the commercial spirit wholeheartedly. "Such stimulus should be employed as will *force* this spirit, by showing to our countrymen the superior advantages we possess beyond others, and the importance of being upon a footing with our neighbors," preferably by creating an effective domestic trade network.³⁰

Realizing that an argument for river improvements based only on commercial theories would not be entirely persuasive, Washington introduced several pragmatic political considerations. In directing the "stimulus" toward the western waters, Washington was not entirely abandoning the conventional trans-Atlantic definition of "commerce." Trans-continental trade would be a means to expand trans-Atlantic commerce, as well as an end in itself. Washington anticipated, for example, entering "the fur and peltry trade" of the Great Lakes area to Europe, for once the British withdrew from the northern forts, he expected the region to grow more rapidly than anyone could possibly imagine.³¹ With the state in a post-war depression, predictions of prosperity fell

on willing ears in the General Assembly. A port such as Alexandria, for instance, which had lost foreign trade as a result of independence, could see recouping its losses by broadening its commercial focus to include the West.³²

Washington also warned that the Spanish and British were up to no good in the West, making overtures of trade and alliances to the settlers. With westerners, in Washington's opinion, on a pivot where "the touch of a feather" would turn them against the Confederation, Washington called for a program

"to apply the cement of interest to bind all parts of the Union together by indissoluble bonds, especially that part of it, which lies immediately west of us, with the middle States."³³

Virginians must not repeat the error of the Spanish who turned away American trade on the Mississippi River.³⁴ Westerners would leap at the opportunity to conduct trade through the Confederation, provided Virginia acted wisely toward them. Given an opportunity to profit from trade, western settlers also would manifest all the positive features of commerce, including hard work, frugality, and a sense of civic responsibility.

Having demonstrated to his satisfaction the value of connecting the eastern and western waters, Washington made his pitch to Governor Harrison: the state should commission surveyors to map the Potomac and James rivers from the tidewater to their respective sources, making note of navigation, the expense of removing obstructions, and the nearest and best portages to rivers which flow to the Ohio. Of course, if a majority of legislators concluded that the project was of vital importance to the state, the improvements could begin without waiting for the results of the survey.³⁵ Wanting state funds, Washington proposed incorporation of a private company for each river, financed

by shareholding "adventurers" who would recoup their investment through tolls. Washington could not help but believe these companies would be profitable and that investors would flock to such a sure thing. He observed the Potomac River company would command the flow of trade from Fort Pitt to Alexandria, redirecting it from the present overland terminus, Philadelphia.

Washington expected that Pennsylvania might try to prevent diversion of the present trade route, but only at great risk to the state's unity. Virginia's improvements would be a boon to western Pennsylvania settlers, decreasing the cost and accelerating the transport of their goods, which would pass through Alexandria instead of Philadelphia. Washington believed that the settlers might even secede if the Pennsylvania government attempted to deprive them of the advantage. The commercial impulse of Pennsylvania's western settlers would override the economic interests of its largest city.

A major objection to the proposal that many would find compelling, Washington conceded, was the unprecedented level of state government participation required. Naysayers would claim "that we are in fact doing for others, what they ought to do for themselves."³⁶ Washington recognized the extent of state participation he proposed contravened Virginia's tradition of decentralized, locally based government, but he also knew from personal experience the record of failure of counties and public trustees at raising funds and commanding sufficient labor to complete projects. He had personally subscribed £500 (Virginia currency) to John Ballendine's abortive effort to clear the Potomac in the 1770s, but the outbreak of the Revolution posed too great a distraction for many who might otherwise have supported Ballendine's venture.³⁷ Washington's

investment was lost. In November 1784, he expressed his frustration to Madison: "[I]t should seem to me, that if the public cannot take it [Potomac navigation] up with sufficient funds, and without those delays which might be involved by a limping conduct it had better be placed in the hands of a corporate company."³⁸ In his letter to Harrison, Washington added another incentive — profit, should the General Assembly permit incorporation of privately managed joint-stock companies.

With this proposal, Washington tapped into the mercantilist spirit reemerging among his fellow Virginians. The Revolution had been, in part, a rejection of the British mercantile system, which the colonists had learned from the Country opposition was corrupt, arbitrary and contrary to their own interests. Once independent, the Virginia government became squeamish about intruding into the operation of the economy. During the Revolutionary War, for example, the General Assembly rejected petitions soliciting state investment in private linen and woolen and iron factories, despite the strategic importance of those products.³⁹ In place of mercantilism, Americans intended to develop an economy that employed commerce to cultivate republican virtue.⁴⁰

However, after the war, the state government faced a host of problems that forced a reevaluation of its anti-mercantilist posture. Virginians remained heavily indebted to British trading houses, which also continued to dominate Virginia's tobacco market, threatening to reduce the state to the economic peonage it suffered before independence. Moreover, the American states faced an economic depression after the war that demanded a response from the Virginia government beyond asserting faith in the virtue of the citizenry. In formulating a plan of action, Virginians who had declared political

independence from Britain could not as easily "dissolve the accumulated habits and patterns of one hundred fifty years."⁴¹ Virginia's leaders became more willing to steer a course between the heavy-handed government control associated with mercantilism and a complete separation of the public and private spheres.⁴² Washington effectively played on this impulse in advocating that joint-stock companies for river improvement be given monopolies over the collection of tolls on the rivers.

James Madison was another who by 1784 concluded the state had to act aggressively with regard to the West. In March 1784 Madison was apprehensive when approached by Jefferson to support the extension of the Potomac to the Ohio River. Madison doubted the state could support the project because the "commercial genius" of Virginia was "too much in its infancy," and he questioned whether Virginia could rival Pennsylvania for the commerce of the region.⁴³ Yet a few months later Madison had become Washington's champion in the General Assembly and an ardent advocate of such improvements. He strenuously refuted arguments that western development, facilitated by improved river transportation, would occur at the expense of the eastern half of the state. In a letter dated August 20 to Jefferson, Madison rejected eastern fears of depopulation and deflated land values because their argument did not take into account the economic growth that would follow geographic expansion. The march of commercial agriculture into the West, he declared, would result in a reciprocal population explosion in the East.⁴⁴ Surely these were not the observations of a man who still thought of his fellow Virginians as deficient in the commercial impulses necessary to propel robust

economic growth.

The evolution in Madison's understanding of the intersection of commerce and internal improvements culminated in his drafting a legislative resolution, as Washington had recommended, for a "survey of the rivers James and Potomac to their several sources...and how far and for what distance the land carriage may be reduced to, between the said rivers and the western waters."⁴⁵ Madison further reflected Washington's thinking by reporting the general suspicion that the Spanish were sponsoring Indian attacks along the Ohio River. Surveys of the Potomac and James would provide vital information for the state's defense against Spain and yield intelligence on Indian activity as well.⁴⁶ The General Assembly approved the resolution.

The next order of business for the legislature was to create the specific mechanisms for improving river transportation. In the case of the Potomac, the cooperation of Maryland was essential since in 1776 the Virginia General Assembly had carelessly recognized that state's jurisdiction over the Potomac, reserving for itself only the right to free navigation.⁴⁷ Virginians along the Potomac certainly wanted cooperation on the venture, as did western Marylanders who had grown politically powerful in the twelve years subsequent to the last project. Both groups saw a water route to the tidewater port of George Town as a counter to the monopoly Baltimore merchants held over the land route.⁴⁸

A petition from Maryland and Virginia citizens requested the Virginia General Assembly to create a company for clearing the Potomac. The petition, like the earlier letter from Washington, noted "one material advantage to be derived to the two

states...will consist in the progress and facility it will afford towards a commercial intercourse with the western country." The petitioners warned that any initiative taken without being coordinated with Maryland would result in different laws "and [be] productive of much delay."⁴⁹ At Washington's urging, the two states sent representatives to a conference in Annapolis in December 1784 to iron out the differences in the legislation of the two states for improving the Potomac. Horatio Gates, Thomas Blackburne and Washington himself were to represent Virginia. Blackburne did not attend, but ten individuals represented Maryland at the meeting, over which Washington presided. The conferees affirmed the importance of establishing a company for improving the river and called upon each state to subscribe shares as a testament of its confidence in the project. Such commitment would encourage private investment in the venture, and serve as "substantial proof to our brethren of the Western Territory, of our disposition to connect ourselves with them by the strongest bonds of friendship and mutual interest."⁵⁰ However, friendship and mutual interest were not the only impulses at work within Virginia.

The legislative representatives of the northern, central and southern sections of the state aggressively pursued their respective commercial interests. Lacking a central port, Virginia possessed several competing market centers along the fall line. Georgetown and Alexandria served the Potomac Valley and northern Virginia; Richmond and Petersburg controlled the trade of the central part of the state; and Norfolk, the largest port, and Portsmouth provided markets for southwestern Virginia and the northern parts of North Carolina.⁵¹ The representatives presumed any improvement to waterways in other sections

occurred at the expense their own entrepôts. Washington was acutely sensitive to these sectional jealousies, recommending in his letter to Harrison that the General Assembly create companies for both the Potomac and James Rivers.⁵²

While negotiations with Maryland over the Potomac River proceeded, James Madison, Wilson Cary Nicholas, and Benjamin Harrison, among others, began to draft similar legislation for the James. On January 5, 1785 the General Assembly passed laws creating the Potowmack Company and the James River Company. The laws were like no previous river improvement legislation. The General Assembly exercised its authority to create for the first time joint stock companies for the purpose of expanding and maintaining river clearance, putting responsibility for the rivers into the hands of investors across the state, and in the case of the Potowmack Company, across two states. The companies maintained complete control over the parts of the rivers they improved. They were free from any fiscal control the counties might exert, for the laws exempted all land and property owned by the companies from taxes.⁵³ Even physically, the law removed the rivers from the jurisdiction of the counties, declaring the improved parts of the rivers to be "a public highway, free for the transportation of all goods, commodities, or produce whatsoever, on payment of the tolls imposed by this act...."⁵⁴

Both laws open with statements about the reasons for incorporation: the Potowmack Company to extend the navigation of the river "from the tidewater to the highest place practicable on the North branch," and the James River Company to clear the James "from the tidewater to the highest parts practicable on the main branch."⁵⁵ When clearing the river proved more difficult than anticipated, the James River Company

exploited this vague language to resist making improvements west of the piedmont or east into the tidewater.

The Potowmack Company could solicit subscriptions for a maximum of 500 shares, valued at \$444 $\frac{4}{9}$ each, with a total potential capitalization of \$222,222 $\frac{2}{9}$. Since clearing the James was not anticipated to be as difficult as the Potomac, the James River Company was authorized to seek a total of \$100,000, divided into 500 shares of \$200 each.⁵⁶ The charters empowered the shareholders of each company to elect a president and four directors, who had complete authority to carry on the company's business, including hiring staff and workers, and contracting with individuals to cut canals, erect locks or perform any other works the presidents and directors saw fit.⁵⁷ The managers could also request further investments by the shareholders if the initial capitalization proved inadequate. If shareholders failed to keep their financial commitments, the managers could seize the shares and resell them.⁵⁸

Of course, what compelled potential investors to overlook the risks associated with the venture was the promise of healthy returns from the tolls the companies were empowered to collect. Both laws provided a table setting the exact rates.⁵⁹ The Potowmack Company was authorized to collect tolls at the mouth of the South Branch of the Potomac, at Payne's Falls, and at the Great Falls. The James River Company could collect a toll at whatever spot it deemed most convenient between Westham and the tidewater.⁶⁰

The companies were not able to start immediately extorting tolls from passers-by on the rivers. The laws tied the collection of tolls to the extent which the companies

improved the rivers. In order to collect the full amount, the Potowmack Company had to improve the river to the mouth of the South Branch, where a road was to be built to the Cheat River. If the company cleared only as far as Fort Cumberland, it could collect two-thirds of the designated tolls. If within three years the company failed to clear the river between the Great Falls and Fort Cumberland, it could not collect tolls on that part of the river. If it failed to provide navigation from the tidewater to the Great Falls within ten years, the company would lose its charter.⁶¹ The James River Company had to fulfill its statutory obligations within ten years as well. If the company managed to open navigation from Westham through the falls to the tidewater, even if it had not yet cleared the river above Lynch's Ferry, the law permitted it to collect tolls until the ten-year deadline.⁶²

Considering the cautious language regarding the extent of required improvements and the geographic targets in the timetables for collecting tolls, the General Assembly clearly did not expect the companies to realize the grand designs Washington laid out in his letter to Harrison. The charters did not require the companies to provide access to the Ohio River, but only to pierce the barrier of the Blue Ridge (even that goal would be disputed). While an unbroken route from the upper piedmont to the tidewater would certainly produce dramatic effects in Virginia, it was far short of tapping into the wealth of "the extensive country back of us" to which Washington referred. The companies were founded upon a more limited vision which they sought to further narrow as construction proved harder than anticipated and maintenance so expensive as to cut into potential

profits.

Following Washington's prescription, the General Assembly directly subsidized these projects by committing the state to buy fifty shares of the Potowmack Company and one hundred of the James River Company.⁶³ Interestingly, there is no evidence of opposition to this exercise of power, indicating the state's actions were not construed as particularly illicit. Perhaps that is because in creating new mechanisms for river improvement, Virginia's leaders relied on old models with which they had become familiar as subjects of the British Empire. Not that they did not approach with suspicion joint stock companies, and government investment in them. After all, the Country Opposition in England had deplored the arrangement as a corrupting connection between the English government and the new economic order. For the American colonists this commentary was particularly relevant for the bribes distributed by the companies expedited the tariffs that maintained artificially high prices for the goods the colonists imported and low prices for the produce they exported.⁶⁴

Virginians took the joint stock company, the tool of British mercantilism, and domesticated it. The river improvement companies were not chartered solely to benefit a privileged group of shareholders. Instead, the companies ensured sufficient resources would be marshaled for projects of broad public benefit. Of course, shareholders expected a return on their investments. But the profitability of the Potowmack Company and the James River Company was not dependent on the restriction and control of commerce, but rather on its expansion. The greater the traffic on the rivers, the more money the companies would generate in tolls. By improving navigation the companies

would remove impediments to trade, rather than impose them, and by doing so, give more Virginians access to the wealth available to those participating in trans-Atlantic commerce.⁶⁵

Virginia's leaders also adopted to their own ends the British model for distributing political authority with which they had become familiar as British subjects. Before the constitutional crisis of the 1760s and 1770s, the British Empire had operated on a de facto principle of federalism, with the colonial governments handling domestic affairs and London attending to continental and external matters.⁶⁶ Similarly, in Virginia in the 1780s the county courts held virtually all responsibility for local matters, while Richmond assumed control of regional projects with a statewide impact, such as the river improvements. Virginians had extensive experience with two different spheres of authority operating within the same government, and, when confronted with the realities of independence and the need for internal improvements, fell back on the system with which they had the experience. Inasmuch as the river improvements would benefit a region and not a particular county, they fell under the purview of the state government.

Recognizing the advantages the James River and Potowmack companies extended to northern and central Virginia, representatives for the southern part of the state were determined that it would not be denied the benefits of improved waterways. The General Assembly received numerous petitions for improving the Appomattox. No less a figure than Patrick Henry was a forceful advocate for improvements in the region. In 1783 he introduced the first legislation calling for a Dismal Swamp canal, and also presented bills

for improving the Dan River and the Virginia branches of the Roanoke.⁶⁷ Regional allegiances in the 1780s seem to supersede ideological convictions.

Supporters and opponents of the federal Constitution and a strong national government both endorsed state participation in the improvement of their locale's waterways. Washington, an ardent Federalist, and Patrick Henry, the prototypical Anti-federalist, were the driving forces behind the internal improvement projects that benefitted their respective regions. This consensus suggests the state government, acting as the central authority, was not threatening to individuals of Henry's ideological temperament -- even when it exercised power in a manner they would have strenuously opposed if assigned to the federal government.

In the southeastern corner of Virginia the huge wetlands and forest area known as the Dismal Swamp was capable of evoking powerful, though radically different, sentiments. Colonel William Byrd II had characterized the air as "noisome exhalations" and the swamp itself as a "vast body of dirt and nastiness." George Washington, on the other hand, called the swamp a "glorious paradise." Of course, Washington's point-of-view was heavily influenced by his heavy investment in the swamp.⁶⁸ A trip to the area in May 1763 convinced Washington to join with five associates to form the Dismal Swamp Company to drain the swamp for better access to the lumber that grew there plentifully. The company, with Washington as manager, acquired 40,000 acres. He visited the swamp at least six other times in the 1760s in this capacity.⁶⁹

As the Dismal Swamp Company and other property owners began to exploit the

resources of the region bordering North Carolina, they found Norfolk to be far less accessible than its proximity would suggest, a frustrating discovery because they could not have asked for a better port than Norfolk. By the time of the Revolution it was Virginia's most important port, serving as the headquarters for the most successful Scottish tobacco firms. The Inspector General of Royal Customs estimated that nineteenth-twentieths of all durable goods imported in the James River Valley were landed at Norfolk.⁷⁰ But the swamp proved a considerable obstacle for both its own inhabitants and northeastern North Carolina farmers, who since early in the eighteenth century had considered Norfolk their principal port. Only two roads connected the swamp and North Carolina to Norfolk. The roads began in Edenton, North Carolina, skirted either side of the swamp, and ended near Norfolk at Great Bridge.⁷¹

With the burning of Norfolk during the Revolution in the first week of 1776, all shipping in the Elizabeth River was trapped, graphically demonstrating the need for an alternative water route to Norfolk. A "back door" to the port would increase access and render Norfolk less vulnerable to hostile navies.⁷² Within a few years of the fire, the port of Norfolk had been rebuilt, but in that time Richmond had also improved its port facilities and with its proximity to the growing piedmont region was emerging as a potent threat to Norfolk's commercial prominence. The effort to improve transportation through the swamp took on new importance, both to expand the North Carolina economy and secure Norfolk's commercial status.⁷³

Efforts to realize Patrick Henry's dream of a canal through the Dismal Swamp raised internal improvement to a new level. The purpose was not merely to facilitate

navigation on an already-existing river, but to surpass nature through the construction of an artificial waterway. Virginians had little experience with canals, especially those requiring locks to pass through several elevations. To undertake such a project in an area as poorly understood geographically and generally forbidding as the Great Dismal Swamp suggests the confidence (or hubris) with which Virginia legislators of the 1780s approached the question of internal improvements.

Initial legislation, passed at the October 1783 session of the General Assembly, provided for construction of a canal east of the swamp, from the western branch of the Elizabeth River to the North River. The law appointed trustees authorized to contract for construction of the canal and to claim by eminent domain land needed for the canal. The trustees also possessed the authority to charge a toll, but with a limit clearly intended to discourage profiteering — annual revenues from the tolls could not exceed ten percent of the total annual expenditure on the canal. The law also prohibited construction of any other canal or aqueduct in Norfolk and Princess Anne counties.⁷⁴

The project, however, was shelved in January 1786, after commissioners appointed by the General Assembly to survey a second canal recommended a new, more easterly route. The commissioners reported the canal should be dug from the Elizabeth River south to "Drummond's Pond" in the middle of the swamp. The canal would emerge on the other side of the pond and head southeast to the Pasquotank River in North Carolina. The commissioners' conclusions not only redirected the course of the canal; they reoriented the financing and management of the project to reflect the innovations incorporated into the previous river improvement company legislation. The report

expresses confidence that the canal would be built with funds raised from private subscriptions, so long as the investors are authorized to collect tolls "on terms as nearly circumstances will permit to those prescribed by the laws of this State for opening and expanding the James and Potomac Rivers."⁷⁵

As with the Potomac River, the plans to build a Dismal Canal depended upon the assent of another state, in this case, North Carolina. Despite the survey commissioner's assertion that the canal "would promote an intercourse...equally advantageous to the people of each state," the approval of the North Carolina government could not be taken for granted.⁷⁶ North Carolinians had been suspicious of Virginians' motives in the region since at least the formation of the Dismal Swamp Land Company. In 1763, Samuel Johnston of North Carolina reported to Thomas Barker that Virginians were under the impression the swamp could be drained at little expense, rendering the land very valuable. Johnston recommended North Carolinians acquire as much swamp land as possible, in order to keep Washington and his partners from exclusively exploiting the swamp. North Carolinians should buy up the land, Johnston advised, "so as to render it of little value to them unless they took us in as part of the company: if they did not, we should reap the benefit of their labour."⁷⁷ When the canal itself was under consideration, Washington reported to Jefferson that North Carolinians were "luke warm" to the idea, because it would direct North Carolina goods to Virginia for marketing at the expense of Carolina coastal towns.⁷⁸

These suspicions were formally put to rest by a compact signed by representatives of both states. The terms suggest the extent to which representatives suspected each other

of seeking an economic advantage for their state. The agreement identified major waterways to which both states would have free and unrestricted use. Virginia agreed to open the Elizabeth River, Hampton Roads, the Chesapeake Bay and that part of the Roanoke River in the state, while North Carolina committed to free passage on its portion of the Roanoke, Meherrin, Nottoway, Chowan and Pasquotank rivers, as well as Albemarle Bay. The compact also prohibited either state from levying duties on goods transported through the anticipated canal. In addition, the inspection stations of both states would be available, for the cost of labor only, to shippers from either state. This last provision was intended to prohibit either state from imposing unofficial duties in the form of high inspection fees on shippers whose goods might be damaged in transit (a frequent occurrence) and in need of reinspection.⁷⁹

Having hammered out a *modus vivendi* with North Carolina, the Virginia General Assembly passed legislation creating the Dismal Swamp Canal Company that closely resembled the previous river company statutes. Interestingly, all three laws use the term "canal," whether to refer to improvement of a river or construction of an artificial waterway. In blurring the distinction between an altered natural river and an entirely artificial canal, Virginians manifested a will to take control of their physical environment, to point the "finger of heaven" in the direction they, mortal men, thought best.

The law incorporating the Dismal Swamp Canal Company permitted a capitalization of 320 shares at \$250 each, for a total of \$80,000. As with the James River and Potomac companies, a president and board of directors bore the authority to make all management decisions and enter contracts for construction and labor. They also had the

right to seek land condemnation through a method originally defined in the Potowmack Company statute, the valuation to be established by a local jury convened for that purpose.

Shareholders accepted responsibility for all future expenses authorized by the board of directors, but, like shareholders of the river companies, stood to reap any profits from the tolls. The Dismal Swamp Canal Company differed from the James River and Potomac companies in that it was authorized to collect tolls for the use of causeways running alongside the canal. Anticipating that water level in the artificial canal might be a problem, the law allowed property owners adjacent to the canal to dig "cross ditches" to facilitate the drainage of swamp water into the canal, so long as the company built adequate bridges over the ditches for the causeway.

In return for the right to collect tolls, the law required the managers of the company to construct a canal accommodating boats drawing three feet of water year round, from Deep Creek of the Elizabeth River to the highest practical point of navigation on the Pasquotank River. The canal itself had to be thirty-two feet wide and eight feet deep below ground level. Where locks were necessary, the law required them to be ninety feet long, thirty-two feet wide, and capable of handling craft drawing four feet of water. The law also set a twenty-foot width for the causeway along the canal. The company had one year to begin the work, and ten years to finish, or forfeit its charter and along with it the right to charge tolls.⁸⁰

The laws creating the James River, Potomac, and Dismal Swamp Canal

companies provide clear starting points for reviewing the post-Revolutionary efforts to improve or create the waterways with which they were associated. The story of the improvement of the Appomattox River does not offer as clear a beginning since subsequent legislation considerably revised the initial statute which provided for clearing the Appomattox River. But as with the other improvement initiatives, regional interests played a major role. Representatives from Petersburg sought to secure for their port the hinterlands of the Roanoke River system — the Appomattox could provide the access they required.⁸¹

The 1787 legislation providing for the clearance of the Appomattox River bore greater resemblance to pre-Revolutionary initiatives than to the laws creating the James River, Potowmack and Dismal Swamp Canal companies, particularly by not establishing a joint-stock company. Instead, the law appointed trustees to solicit subscriptions, not sell shares, for the cost of clearing the river from Bannister's Mill above Petersburg to a point as far upriver as was practical.⁸² The trustees were permitted to levy tolls not to exceed those of the Potowmack Company. Rather than setting depth standards, the 1787 law required that the river be cleared "to have sufficient depth and width of water to navigate boats, batteaux, or canoes, capable of carrying six hogsheads of tobacco."⁸³ In addition, while not permitting the sale of shares, the law directed the trustees to distribute any profits from the tolls to subscribers in proportion to their contribution. The law also did not provide for state investment in the project.⁸⁴

Incorporation came with a 1788 law which included the original obligation of the trustees to improve navigation above the fall line and added the requirement that the new

company provide a channel for ocean-going vessels from the mouth of the Appomattox on the James to Petersburg. The 1788 law capitalized the Appomattox Company at £10,000, distributed in two hundred shares at fifty pounds each. The law provided that the company was to construct a channel navigable by ships with a draft of twelve feet; in return the company was permitted to charge tolls on all ships over five feet in draft. The company had two years to begin the project and seven years to complete it, or lose its charter.⁸⁵

The incorporation of the Appomattox Company completed the quartet of improvement companies created in the 1780s. As a group they represented an effort on the part of the state government to put a great expanse of the state in the hands of private entrepreneurs (in two cases with the state itself participating as an investor) to foster Virginia's commercial, social and political development. As might be expected, the transition to this new exercise of state authority was neither seamless nor unanimous. Not every citizen was equally comfortable with such an expansion of state authority or with increased emphasis on commercial development.

During the same period the General Assembly was creating the waterways improvement companies to facilitate the flow of produce and goods, it also endeavored to strengthen the state's trading posture by concentrating shipping at a few ports. As a colony, Virginia had been entirely dependent on Great Britain for manufactured goods and for marketing its agricultural products. After the Revolution, citizens of the State of Virginia sought to end their economic subservience to Great Britain by developing their

own ports and shipping so as to conduct an independent commerce.⁸⁶ However, the controversy surrounding the passage of the Port Bill in 1784 demonstrated that the General Assembly could extend its authority on behalf of commerce beyond the comfort level of Virginians.⁸⁷ The first port bill, passed during the May 1784 session, attempted to concentrate trade in order to promote competition among merchants. James Madison, a major sponsor of the bill, pointed out that goods were more expensive in Virginia than in states where trade was drawn to central markets. The abundance of buyers in Philadelphia created a competitive atmosphere that drove tobacco prices in that city fifteen to twenty percent higher than in Virginia. Larger ports also attracted European ships that currently bypassed Virginia, resulting in decreased demand and lower prices for Virginia tobacco. The new law limited foreign ships to the ports of Norfolk and Portsmouth; Bermuda Hundred, downriver from Richmond; Tappahannock on the Rappahannock River; Yorktown on the York; and Alexandria on the Potomac.⁸⁸

Supporters also forwarded the paradoxical argument that the Port Bill would increase profits by reducing the planters' access to merchants. Virginia's tidewater rivers allowed British factors direct contact with individual planters, to whom they extended generous credit. Once tied to a particular factor by a large debt, planters were at his mercy, unable to solicit the best prices for their crops. By making dealings with less convenient factors, planters would be forced to come to the port, where numerous merchants would compete for their business. Madison also pointed out that the port bill would promote more sensible trading by discouraging the extension of "diffusive" credit. Factors forced to buy manufactured goods from centralized wholesalers would be unable

to amass a large cumulative credit with numerous merchants and would be unable in turn to offer generous credit to planters.⁸⁹ Freedom from debt dependence coupled with a more competitive marketplace would allow Virginians to reap greater rewards for the same level of effort.

Citizens who suffered material consequences from the proposed port restrictions were not enamored with this attempt by the General Assembly to supervise the state's economy. Petitions from residents of Fredericksburg and Prince William County noted that the loss of the benefits of navigation would result in the arbitrary devaluation of their property. They also asserted that in assuming the authority to assign trade monopolies, the General Assembly violated one of its own founding principles:

Your petitioners conceive that the security and happiness of a Republic consists in its wealth and power being divided as well among the several districts and towns as among the individuals.⁹⁰

In the minds of the petitioners, the assembly infringed upon their freedom to exercise every individual and local advantage at their disposal. Residents of Orange and Albemarle counties also noted that regions without designated ports would suffer diminished property values.⁹¹ Lancaster and Northumberland residents were not so concerned with pronouncements on the exercise of central authority as with its application. They maintained that the designation of Tappahannock was inconvenient and requested the establishment of a new town on a branch of the Rappahannock River known as the Corotoman River. Similarly, residents of Petersburg petitioned for a more accessible port than Bermuda Hundred, and if that was not feasible, they urged repeal of the entire act.⁹² The General Assembly succumbed to the many requests and designated

additional ports, utterly thwarting the original intent of the legislation.⁹³

George Mason acknowledged the practical arguments against the bill, but emphasized the broader threat it posed to Virginia's society. By promoting the creation of large commercial centers, Mason feared the port bill would accelerate social changes that would culminate in the thirst for luxury that had sapped Britain's moral reserves:

If virtue is the vital principle of a republic, and it cannot long exist, without frugality, probity and strictness of morals, will the manners of populous commercial cities be favorable to the principles of our free government? Or will not the vice, the depravity of morals, the luxury, venality, and corruption, which invariably prevail in great commercial cities, be utterly subversive of them?⁹⁴

Mason refused to accept Madison's novel assertions that such commercial development would ensure, not undermine, Virginia's agrarian republic.

Other Virginians also remained unconvinced. They saw the river improvement projects as part of a trend: their society was changing, and not for the better. By elevating material expectations for all, the commercial spirit that underlay the drive for improvements had a leveling effect that made traditional Virginians all the more nervous. A "female correspondent" in Richmond reported that the city had become overridden with bachelors because "luxury" was so pervasive "that superfluties are turned into necessaries and wedlock, in short, is perverted from all its good purposes, to a mere scheme of splendor and parade." The writer asserted ambitious suitors preferred bachelorhood to an unprofitable match because "it is thought ungentleel not to be able to make a wife appear in public with some kind of taste and pomp."⁹⁵ The writer of "Strictures on a Young Lady's Dress" recalled that dress had once been one of the most palpable distinctions of rank. Now "the servant...rivals her mistress in every species of

whim and extravagance" with the result that "All sorts of people are consequently confounded or melted down into one glaring mass of absurdity or superfluity." The writer demanded that economic opportunity not be allowed to disrupt society and advised parents to "proportion...the dress of your daughters to their situations in life."⁹⁶

In just a few years the General Assembly had enacted legislation which anticipated far reaching effects on Virginia's economy and society, and these policies were effected through a change in the role of the state government. The laws created four companies that today we would call "public utilities," privately owned and managed corporations to which the government grants a monopoly but also regulates their rate structures. Not only did the state government take upon itself the authority to designate such entities, but favored them with state financial support. By turning to the state government to play an active role in the development of the state and its economy, Virginia's leaders clearly relied upon lessons learned from the British Empire.

In the case of Virginia, however, this radical expansion in the role of state government to encompass the improvement of inland waterways was not intended to ensure the import of raw materials and the export of manufactured goods. As Washington so eloquently revealed in his famous letter to Governor Harrison, a policy of internal improvements was intended to secure Virginia's agricultural base by expanding its farming population to the full extent of its borders. Improvement advocates recognized and accepted that a consequence of this new policy would be the extension of commerce throughout Virginia, an outcome that struck the more traditionally oriented as paradoxical at best, and a menace to Virginia society at worst. In response, proponents

emphasized the many happy results of improved waterways, including greater wealth, access to a greater variety of consumer products, and enhanced defense.

But before these benefits could be enjoyed, the companies had to accomplish what their directors had represented to the investors as possible — construction of their respective waterways. That goal proved a far more difficult challenge than the companies' directors initially allowed themselves to imagine.

ENDNOTES

1. William Waller Hening, ed. *The Statutes at Large; Being a Collection of All the Laws of Virginia, From the First Session of the Legislature in the Year 1619*, 13 vols. (Richmond: George Cochran, 1823), I, 199 (1632); 436 (1651).

2. Hening, *Statutes*, II, 455-456.

3. *Ibid.*, II, 484-485.

4. *Ibid.*, III, 353-354.

5. *Ibid.*, IV, 110-112.

6. *Ibid.*, V, 375.

7. *Ibid.*, VI, 291-293.

8. *Ibid.*, VIII, 148-150.

9. I.F. Boughter, "Internal Improvements in Northwestern Virginia: A Study of State Policy Prior to the Civil War" (Ph.D. dissertation, University of Pittsburgh, 1930), 33-34.

10. John Sample and Thomas Johnson introduced into the Maryland General Assembly two different bills to clear the upper Potomac, but Baltimore merchants, who perceived the initiatives as an attempt to divert the flow of commerce from their city, blocked their passage. See Philip Morison Rice, "Internal Improvements in Virginia, 1775-1860," (Ph.D. dissertation, University of North Carolina at Chapel Hill, 1948), 62.

11. Hening, *Statutes*, 570-579.

12. *Ibid.*, VIII, 564-570.

13. *Ibid.*, VIII, 556-563. The law creating the Dismal Swamp Company, passed in 1764, is the first reference to an artificial canal, but the waterway was not intended for transport. The law authorizes the new company to cut canals "as may be conducive to the more effectual draining [of the swamp]." See Hening, *Statutes*, VIII, 18-19.

14. Hening, *Statutes*, XI, 341-342.

15. *Ibid.*, XI, 341-342.

16. This region is now part of West Virginia.

17. Charles H. Ambler, *George Washington and the West* (New York: Russell and Russell, 1971[1936]), 173.

18. Washington owned about 58,000 acres beyond the Alleghenies, including 4,695 acres in southwestern Pennsylvania, 9,744 acres along the Ohio River, and 43,466 acres in the Great Kanawha Valley. See Ambler, *Washington and the West*, 173-174.

19. Ambler, *Washington and the West*, 174-176.

20. Hening, *Statutes*, VIII, 570-579 (1772).

21. Jefferson to Washington, March 15, 1784, in Corra Bacon-Foster, *The Patowmack Route to the West* (Washington: The Columbia Historical Society, 1912), 37-38.

22. James J. Kirkwood, *Waterway to the West* (Eastern National Park & Monument Association, 1963), 3; "Letters of the Byrd Family," *Virginia Magazine of History and Biography*, XXXVII (1929), 305-306.

23. George Washington, *The Diaries of George Washington, 1748-1799*, John C. Fitzpatrick, ed. (Boston: Houghton Mifflin, 1925), 403.

24. Fitzpatrick, ed., *The Diaries of George Washington*, 403.

25. *Ibid.*, 405.

26. *Ibid.*, 406; Philip Morrison Rice, "Internal Improvements in Virginia," 1.

27. Fitzpatrick, ed., *The Diaries of George Washington*, 406.

28. Gordon S. Wood, *The Radicalism of the American Revolution* (New York: Alfred A. Knopf, 1992), 22, 36; Rhys Isaac, *The Transformation of Virginia* (New York: W.W. Norton & Company, 1982), 118.

29. Fitzpatrick, ed., *The Diaries of George Washington*, 405.

30. *Ibid.*, 406-407.

31. *Ibid.*, 407.

32. Edward Graham Roberts, "The Roads of Virginia, 1607-1840" (Ph.D. dissertation, University of Virginia, 1950), 131-132.

33. Fitzpatrick, ed., *The Diaries of George Washington*, 407-408.

34. Though the Spanish had cut off the Mississippi, New Orleans remained as clear a rival to Virginia as Baltimore and Philadelphia for the western trade, and its presence provided as strong an impetus to accede to Washington's wishes as the other cities. Again stressing Virginia's geographical advantage, Washington argued that given the choice, no one would bother to float all the way down the Mississippi when the ports of Virginia beckoned so much closer. See Rice, "Internal Improvements in Virginia," 64; Fitzpatrick, ed., *The Diaries of George Washington*, 412-413.

35. Fitzpatrick, ed., *The Diaries of George Washington*, 410-411.

36. *Ibid.*, 406.

37. Nan Netherton, et. al. *Fairfax County, Virginia: A History* (Fairfax, Virginia: Fairfax County Board of Supervisors, 1978), 203. Ballentine did realize some success on the James Rivers, constructing a dam and canal at Westham, a few miles upriver from Richmond, for which he brought a claim against the state in 1779. See Wilmer L. Hall, ed., *Journals of the Council of the State of Virginia*, 5 vols. (Richmond: Commonwealth of Virginia, 1952), III, 484.

38. Washington to Madison, November 28, 1784, in Bacon-Foster, *Patowmack Route to the West*, 45.

39. In October 1776, David Davies petitioned the state government for a five hundred pound loan to open a "linnen & woolen manufactory." Davies offered as security another property he valued at nine hundred pounds, in addition to the property he intended to buy. Despite the apparent soundness of the deal, and the value to Virginia of domestic cloth manufacturing, the Propositions and Grievances Committee of the House of Delegates rejected the petition. See Legislative petition, Fairfax County, October 31, 1776. In another petition, dated June 1779, Richardson Owen requested the state grant him land in Montgomery County surrounding his iron works, which he claimed was the first on the western waters. Owen explained that because of his investment in the iron works, he could not afford the land, which he claimed was good only for the timber on it. Again, the Propositions and Grievances Committee rejected outright subsidization of a private enterprise, but recommended that Owen be allowed to preempt one thousand acres of land around his factory, in anticipation of the day he could afford to buy the land. See Legislative petition, Montgomery County, June 6, 1779.

40. Myra Lakoff Rich, "The Experimental Years: Virginia, 1781-1789" (Ph.D. dissertation, Yale University, 1966), 32.

41. Rich, "The Experimental Years," 26.

42. Adam Smith objected to government interference which he characterized as the mercantile system, or the "policy of Europe," but he also presumed a degree of government participation in a nation's society and economy. See Drew McCoy, *The*

Elusive Republic (New York: W.W. Norton & Company, 1980), 41.

43. Madison to Jefferson, March 16, 1784, quoted in Rice, "Internal Improvements in Virginia," 65-66. Rice considers Jefferson to be the driving force behind the early internal improvement movement. While Jefferson was certainly an early advocate, he lacked Washington's background, not to mention his personal stake. Moreover, the correlation between Washington's letter and subsequent legislation creating the Potowmack and James River Companies is too direct to attribute the legislation to Jefferson's efforts.

44. These fears were substantial enough that James Monroe characterized the Jay-Gardoqui treaty as a plot to separate the West from the East in order to preclude the creation of new states that might attract settlers and inhibit the appreciation of vacant lands in New York and Massachusetts. See Madison to Jefferson, August 20, 1784; James Monroe to Patrick Henry, August 12, 1786; and, James Monroe to Madison, August 14, 1786, as quoted in Peter S. Onuf, "Liberty, Development and Union: Visions of the West in the 1780's," *William and Mary Quarterly*, 3rd ser., 43(1986), 204-206.

45. As quoted in Rice, "Internal Improvements in Virginia," 45.

46. Gaillard Hunt, ed. *The Writings of James Madison, 9 vols.* (New York: G.P. Putnam's Sons, 1900-1910), II, 90.

47. Bacon-Foster, *The Patowmac Route to the West*, 37-38, 41.

48. In discussing an effort to improve the Potomac before the Revolutionary War, Washington noted opposition from Baltimore merchants who feared a reduction in the overland traffic to their port. See, Bacon-Foster, *Patowmac Route*, 39, 42.

49. Virginia House of Delegates [hereafter JHDV], December 1784 Session, 68, Rare Books Collection, Swem Library, the College of William and Mary.

50. Bacon-Foster, *Patowmack Route to the West*, 46-47.

51. Rice, "Internal Improvements in Virginia," 14.

52. *Ibid.*, 3-5.

53. Hening, *Statutes*, XI, 516; XI, 455.

54. *Ibid.*, XI, 519; XI, 457.

55. *Ibid.*, XI, 510; XI, 450.

56. *Ibid.*, XI, 511-512; XI, 451.

57.Ibid., XI, 512-513; XI, 452-453.

58.Ibid., XI, 514; XI, 453-454.

59.Ibid., XI, 517-518; XI, 455-456.

60.Ibid., XI, 516; XI, 455.

61.Ibid., XI, 523-524.

62.Ibid., XI, 462.

63.Ibid., XI, 526; XI, 462. Recognizing the extent to which the composition of the Potowmack and James River companies reflected the thinking of George Washington, the General Assembly also bought shares of the company on his behalf. The General Assembly directed the state treasurer to buy fifty shares in the Potowmack Company and one hundred shares in the James River Company to vest in Washington. See Hening, *Statutes*, XI, 526. Washington, ever the Cincinnatus, declined the favor on the grounds he had vowed at the beginning of the Revolutionary War "to shut my hand against every pecuniary recompense," but professed anxiety over not submitting to the will of the government. In response the General Assembly directed that the shares still be bought, but assigned them to the public work of Washington's choice. As the well-known story goes, Washington awarded the shares to a small school which grew with the help of this initial endowment to become Washington and Lee University.

64.Drew McCoy, *The Elusive Republic*, 42; Jack P. Greene, "An Uneasy Connection: An Analysis of the Preconditions of the American Revolution," in Stephen G. Kurtz and James H. Hutson, eds. *Essays on the American Revolution* (Chapel Hill: The University of North Carolina Press, 1973), 77.

65.Jack P. Greene, "An Uneasy Connection," 56; Drew McCoy, *The Elusive Republic*, 88.

66.Jack P. Greene, *Peripheries and Center: Constitutional Development in the Extended Politics of the British Empire and the United States, 1607-1788* (Athens: The University of Georgia Press, 1986), 172.

67.Rice, "Internal Improvements in Virginia," 80-81.

68.Alexander Crosby Brown, *The Dismal Swamp Canal* (Chesapeake, Virginia: Norfolk County Historical Society, 1967), 21-23.

69.Brown, *Dismal Swamp Canal*, 19.

70.Ibid., 23; Brent Tarter, ed. *The Order Book and Related Papers of the Common Hall of the Borough of Norfolk, Virginia, 1736-1798* (Richmond: Virginia State

Library, 1979), 12-13.

71. Brown, *Dismal Swamp Canal*, 23.

72. Tarter, ed., *Norfolk Order Book*, 14; Brown, *Dismal Swamp Canal*, 41.

73. Rice, "Internal Improvements in Virginia," 79.

74. Hening, *Statutes*, XI, 332-334.

75. JHDV, October, 1785 Session, 149-150. Philip M. Rice, "The Early Development Of The Roanoke Waterway -- A Study In Interstate Relations," *The North Carolina Historical Review*, XXXI(1954), 53.

76. JHDV, October 1785 Session, 149-150.

77. Samuel Johnston to Thomas Barker, 1763, Hayes Papers, University of North Carolina at Chapel Hill.

78. Washington to Jefferson, September 26, 1785. Even Washington initially bore diminished expectations for a swamp canal. Originally he did not envision swamp canal as anything more than a means for bringing lumber out of the swamp. By 1784 he considered a through canal as practicable, but not as a major shipping route. Once caught up in the excitement surrounding the laws to improve the James and Potomac rivers, Washington voiced to Madison great satisfaction that the General Assembly had moved toward creating a shipping canal to connect the Elizabeth and Pasquotank Rivers. See Brown, *Dismal Swamp Canal*, 27.

79. Hening, *Statutes*, XII, 492-494.

80. *Ibid.*, XII, 478-494.

81. Rice, "Internal Improvements in Virginia," 85.

82. Hening, *Statutes*, XII, 591-595.

83. *Ibid.*, XII, 591-595.

84. *Ibid.*, XII, 591-595.

85. *Ibid.*, XII, 791-795. The law describes the route as being "from Broadway to the Pocahuntas Bridge."

86. Rice, "Internal Improvements in Virginia," 14.

87. Efforts to centralize Virginia's trade extend back to 1680 when the colonial government passed "An act for cohabitation and encouragement of trade and manufacture." The law mandated the creation of twenty towns, each with a storehouse to facilitate the sale of tobacco. Because the Lords of Trade concluded the act to be "prejudicial to his majesties customes..." it was suspended by an Order in Council on December 21, 1681. See Hening, *Statutes*, II, 471-473, 508. A law of 1705 was intended to promote lading and unlading at a single spot on rivers. A 1709 petition opposing the law noted the initiative would result in promoting towns, where residents would not grow the staple tobacco, but would instead fashion local products to compete with British imports. Again the British colonial administration found such logic compelling, effecting a repeal of the law in 1710. See William P. Palmer, ed. *The Calendar of Virginia State Papers and Other Manuscripts*, 11 vols. (Richmond: Virginia State Legislature, 1875-1891), I, 137-138.

88. Hening, *Statutes*, XI, 402-404.

89. Madison to Jefferson, August 20, 1784.

90. Legislative petition, Fredericksburg, November 28, 1785, and Prince William County, December 9, 1785.

91. Legislative petition, Orange County, December 12, 1786.

92. Legislative petition, Lancaster and Northumberland Counties, November 25, 1785, and Petersburg, November 4, 1786.

93. Hening, *Statutes*, XII, 320-323.

94. McCoy, *Elusive Republic*, 16.

95. *Virginia Gazette and Weekly Advertiser*, June 7, 1787.

96. *Ibid.*, September 6, 1787.

CHAPTER III

"IT IS A WORK SO BIG, THAT THE INTELLECTUAL FACULTIES
CANNOT TAKE IT AT A VIEW."

*-Virginia Journal and
Alexandria Advertiser
November 25, 1784*

As George Washington considered the prospects of the Potowmack Company, his enthusiasm overcame the bitterness he bore from previous experiences with river improvements. Madison observed to Jefferson in October 1785 that Washington "grows more and more sanguine as he examines further into the practicability of opening [the Potomac's] navigation."¹ Washington, however, soon found the problems that had hindered earlier projects were visited on the new companies. Securing capital, organizing labor and completing construction, all in time to comply with the schedules laid out in their charters, proved to be more daunting than river improvement advocates anticipated.

But throughout the period of construction, the almost manic optimism of the sponsors served to distract the public from the very formidable impediments facing the projects. An advertisement announcing the first subscription of stock for the Potowmack Company extolled "the great advantages that must inevitably flow to our country from the success of the scheme, joined to the private emoluments that are likely to accrue to the adventurers." The *Virginia Journal and Alexandria Advertiser*, in which the announcement appeared, pronounced as "too obvious to mention...[t]he commerce and riches that must of necessity pour down upon us." Echoing Washington, the newspaper

account stressed the Potomac project was "a work of more political than commercial consequence as it will be one of the grandest chains for preserving the federal Union." Commercial links forged entirely within the nation would not be at risk from volatile European political developments. The newspaper concluded with the wildly impractical claim that the Potomac River would be cleared as far as Fort Cumberland in three years.²

The companies' actual experience quickly shattered the illusion that they could meet such optimistic deadlines. By December 1785, the Potowmack Company directors had petitioned the General Assembly to reduce the required depths for the lock canals, thereby diminishing the amount of construction the improvement would require. The directors claimed the canal and locks at the Great Falls and Little Falls needed to be only two feet deep, rather than four as the law creating the company mandated. They argued the flow of the river into the narrow canals would naturally raise the level of water, so that the canal channels need not be cut so deep.³ The General Assembly concurred and passed a law reflecting the directors' wishes.⁴

At the same time, the directors of the James River Company requested the depth of their canals be limited to the depth of the river in the dry season, a rather disingenuous request considering the river was all but unnavigable at that time of year. Even more significantly, the directors sought clarification of the extent to which they had to provide improved navigation to the West. These queries provide the first evidence of a strategy the James River Company employed over the course of its corporate existence: limit the scope of improvements at either end of the river, where such work was most difficult, keep expenses down, and increase the company's profitability. It was a strategy that

surrendered the public benefit to the interests of private shareholders. Nevertheless, the General Assembly responded to the petition by passing legislation which declared Crow's Ferry on the mouth of Looney's Creek (the present site of Buchanan) the highest point to be made navigable, rather than a point farther west. The law also ordered the company to "proportion the depth of the canal to that of the water in the river in dry seasons."⁵ This act considerably reduced the construction demands to be placed on the James River Company.

The company still had its problems, however, particularly at the falls in and above Richmond. The falls began in the center of town and extended west about 5.3 miles. From the tidewater, shifting sandbars prevented navigation farther west than Warwick, 4.3 miles above the town.⁶ The directors soon recognized the difficulties posed by the dimensions set for a canal around the falls in the enabling legislation. Rather than erect locks, the directors petitioned the General Assembly to bring the canal into town by way of a basin. A system of locks, the directors argued, would be prohibitively expensive, particularly given the financial limits imposed by the subscription. The Committee of Propositions and Grievances, perhaps recognizing the shifting nature of the river bed rendered the wisdom of a passage without locks dubious, rejected the petition.⁷

The improvement companies also moved quickly to ensure that their monopolies on river tolls would not be threatened by their own inability to complete the projects on time. The Potowmack Company petitioned in November 1786 to extend its deadline for clearing the navigation from the Great Falls to Fort Cumberland to November 17, 1790. The directors argued they had fulfilled the purpose of the deadline to avoid delays in

executing the work and had "prosecuted the same at great expense with unremitting assiduity, with such prospect of success [that the directors] hope and expect to complete the whole navigation within the ten years allowed." Despite the best of intentions, however, the directors noted bad weather in 1785 had caused flooding on the upper part of the river and impeded work; rains during the summer of 1786 had made work impossible then as well. The General Assembly granted their request.⁸

The extension to 1790 proved insufficient and the directors again petitioned for more time. While claiming that most of the work above the Great Falls would be completed in the next year and that boats of ten tons had reached the Great Falls from as far away as the Shenandoah and Seneca rivers, the directors did not expect to complete the navigation above the Shenandoah in time. Again, heavy rains in 1787, 1788, and 1790 were branded the culprits. The General Assembly granted another three-year extension, and then in 1793 yet another extension to 1795, to complete the navigation between the Great Falls and the head of navigation.⁹

The James River Company also had ongoing problems with meeting deadlines. In 1793, the company reported it had begun the work with "promptitude and spirit" and had overcome "unforeseen and numberless difficulties" to extend navigation far enough that within a year they expected to approach the tidewater, at which point lock construction could commence. The petitioners also respectfully noted that laborers could only be employed in the summer and then only during its driest periods. Despite the directors' professed resolve, they stated a need for eight more years to clear the two hundred miles of river from the upper lock to the highest point of navigation. The General Assembly

granted a six-year extension.¹⁰

Residents were also well aware of the limitations of the companies and the improvements they endeavored. A petition from Fauquier County in northern Virginia requested the number of roads leading from the mountain passes to "the trading towns" be reduced, and the remaining roads widened and kept in good repair. By "trading towns" the petitioners presumably were referring to such fall line market centers as Alexandria. Indeed, throughout the 1780s the General Assembly directed as much of its attention to improving Virginia's network of roads as it did its river system.¹¹ Imitating the corporate model developed to improve the rivers, in 1795 the General Assembly chartered the first private turnpike company, responsible for the Fairfax and Loudoun Road to run from Alexandria to the Little River. Although this particular company ultimately failed, it marked the beginning of an explosion in the incorporation of turnpike companies in Virginia and throughout the United States.¹²

In 1792 the General Assembly revised the charter of the Appomattox Company, which to that year had made no headway at all. The charter designated new trustees and clarified their authority to collect tolls once the river was made navigable in every season for boats with a draft of nine feet. Although the company's main responsibility continued to be tidewater access, extending navigation from Broadway to the Pocahuntas Bridge, interest continued for clearing the river above the tidewater, as the Potowmack and James River Companies were undertaking.¹³ A 1795 petition from citizens of Prince Edward County declared the Appomattox Company inadequate and proposed a plan similar to those adopted for the James and Potomac rivers for the Appomattox above the

tidewater.¹⁴ Latrobe's account of his trip down the Appomattox in the Summer of 1796 corroborates the petitioners' characterization of the river as possessing frequent obstructions to navigation. The General Assembly responded favorably to the petitioners' request and in 1796 relieved the company of responsibility for upriver navigation by chartering the Upper Appomattox Company to collect tolls and extend the river's navigation as far as Farmville.¹⁵

Of the four projects, the Dismal Swamp Canal's charter contained the most clear cut requirements. From the onset, the length, depth and width of the waterway was clearly stipulated in the establishing statute, and the directors knew the precise route to be dug. Nonetheless, the company faced the same problems the river companies confronted — cost overruns and overly optimistic timetables that failed to accommodate for unexpected problems. Though the Virginia General Assembly had chartered the canal company in 1787, the North Carolina legislature did not pass enabling legislation until November 1790. The Virginia Assembly responded by passing another bill to make the laws of both states identical. The new law provided for opening an additional subscription book in Williamsburg and repealed the provisions pertaining to the regulation of commerce, inasmuch as the federal Constitution had subsequently assigned that power to the national government. The company at last was fully organized in 1792.¹⁶

Despite the state government's mandate, those who used the waterways in more traditional ways resisted the companies' efforts to alter the nature of the rivers. The

disputes pitted specific local and individual uses of the river against the commercial opportunities offered by integration into a broader trade network. As the companies began their clearance projects, they immediately found themselves at odds with local mill owners whose livelihoods depended on their river obstructions.¹⁷ By affording easier access to market centers, river clearance promised to encourage more farmers to grow more produce. While some millers might enjoy increased business, all would have to undertake expensive and difficult passageways around their dams. A group of 1787 petitions from the Appomattox River region reveals how these contradictory uses of the river gave rise to heated local disputes.

Petitioners from Amelia County who supported clearance asserted the exertions of "publick spirited men" to clear rivers in other parts of the state not only contributed to the public good, but increased property values along the rivers. Improved navigation, they claimed, would make the Appomattox River "much more advantageous, at a comparative small expense of labour and money," and referred to opponents as "the interested opposition of a few individuals," namely, "the owners of mills and their friends."¹⁸

The use of the term "interest" is significant, as it was meant to contrast the "public spirited" intentions of those seeking to clear the river. In contemporary usage, the word "interest" was defined as the "immediate augmentation of property and wealth."¹⁹ The petitioners sought to characterize the mill owners as concerned only for their own profit, and having little regard for the well-being of their neighbors. Labeling opponents as "interested" and insensitive to the needs of citizens must have been potent rhetoric. It was employed again and again in disputes over waterways improvement projects. A

Powhattan County petition pointed to the county's exhausted soil, the heavy tax burden of the county residents, and "the general impoverishment of the country, [which] all combine to show the necessity of improving our advantages, particular[ly] our inland navigation."²⁰ Despite the vital importance of river clearance, the petitioners asserted contrary priorities had so far prevailed: "...a fine navigable river is totally shut up for the emolument of a few individuals whilst the good of a great part of this commonwealth is sacrificed." While not using the word "interest," the meaning is clear.

This same petition stated milldams were "in defiance of nature...."²¹ But what was the most "natural" use of the river? Petitioners from Amelia, Powhattan, Chesterfield and Dinwiddie counties who opposed the destruction of milldams recommended being content with the river "where God and nature left it." While they would have welcomed improved navigation, they claimed the river would defy all efforts to be tamed:

But sirs! To say nothing of the innumerable shoals and rapids which are common to this river, and which cannot be removed but at an immense expense, we must observe, that the Appomattox, from its want of width, and having its adjoining hills mostly cut down, has for several years generally experienced either floods or ebbs, injurious to every thing like useful navigation.

Since clearance would be prohibitively expensive to complete and would provide only limited navigation, the petitioners requested milldam owners not be deprived of their property and its use, as already guaranteed by the local county courts.²²

Improvement projects were also perceived as a threat to fishing. In 1789, petitioners from Henrico County protested the surveying of the falls of the James River as invading their natural rights and privileges to fish. The James River Company is not referred to by name in the petition, which instead accused unnamed "speculators" of

planning to "ransack earth, air, and water for private emolument," thereby removing the advantages to fishing rocks and falls acting as natural fish traps. Clearly, the term "speculators" was used pejoratively, with the intention being to portray the James River Company as an "interest" willing to sacrifice those who depended on the river for food, just to realize a profit. As an alternative to the feared misuse of a communal resource, the petitioners recommended a more traditional solution. They requested the General Assembly declare the falls and everything in it common land, placing it beyond the ownership of any single individual or company.²³

Land condemnation was another company practice which engendered local ire. The four companies were all authorized to bring "ad quo damnum" proceedings against individuals unwilling to sell their land. Under this procedure the county appointed a jury to review the land and assign it a value, upon the payment of which the company could assume ownership. In 1812, the Dismal Canal Company was unable to come to terms with the owners of land required to cut a feeder canal from Drummond Pond. In July, two justices of the Norfolk County Court confirmed the company's need to take a three-hundred-foot-wide stretch from the pond to the canal and empowered Carter B. Poindexter, the deputy sheriff, to empanel a jury of eighteen disinterested citizens to meet on the fourth of August and appraise the land. The jurors valued the one hundred twenty-four and a half acre tract of swamp at just one cent per acre, and directed the sum to be divided among all the property owners.²⁴

The mere possibility of an *ad quo damnum* procedure was enough to bring some owners to the bargaining table. Colonel John Harris stressed to the James River

Company directors that the tract of land he was willing to sell was valuable both in terms of what it cost him and the potential appreciation he would be losing. Harris suggests in the correspondence that he offered the land at very favorable terms, knowing that the company could take much more if it wanted to and at a price a jury would set very low. He was more than willing to part with his land "to prevent a great injury which I think might be done me, if you were to make your survey so wide as the law empowers you to do."²⁵

Property owners could also use the *ad quo damnum* proceeding against the companies. James Henderson of the Dismal Land Company informed the Dismal Swamp Canal Company that it had yet to pay for timber cut from Dismal Land Company property. Henderson noted the Dismal Swamp Canal Company could only take timber by agreement or by an *ad quo damnum* proceeding. Lacking either, Henderson warned that the Dismal Canal Company directors were personally liable for the ten-dollar-per-acre value of the timber. In this correspondence, Henderson seemed so confident of the value of the timber that *he* threatened the Dismal Canal Company with an *ad quo damnum* proceeding, anticipating the jury would assign a value close to the ten dollars per acre he mentioned.²⁶

Securing sufficient labor was one of the most persistent problems facing the four companies. Each relied on different combinations of free white and black slave labor. Although the records indicate a clear preference on the part of the companies for white labor, the supply of slaves available "for hire" was more reliable, and their use became more prevalent. In 1785 the Potowmack Company decided to hire one hundred free

laborers. With the company's incorporation coming on the heels of independence, Washington and the company directors did not consider the use of indentured servants, or worse, slave labor, to be in harmony with the principles of the new Republic. But the reputed dangers associated with river clearance discouraged free laborers. Solicitations for labor went all but unanswered. Washington recommended hiring unemployed miners for they had experience blasting rock, a necessary skill for completing the lower locks at the Great Falls. The miners demanded high wages and payment by the day, instead of by each foot of progress. When their pay was not timely, they threatened the project superintendent with physical harm. The miners' association with the company was short-lived.²⁷

Unable to secure free white labor, the Potowmack Company endeavored to rely on Irish indentured servants. But the servants found the work harder than they expected and seized on the remoteness of the work sites to escape. Local papers from 1786 and 1787 are peppered with advertisements offering rewards for the return of runaway Irish servants.²⁸ Indentured servants posed other problems as well. They had to be housed during the winter months when work stopped, and some servants brought families, for whom the company was also responsible.²⁹

The James River Company also explored labor options other than hiring slaves. In the first years following incorporation, the company endeavored to use criminal labor. In 1787 the State Council directed twenty felons to "do labor as common laborers on the canal to be cut by the James River Company...." One of the criminals, John Fowler, had been assigned five years of manual labor as a condition for parole. Two others, John

Preston and Joseph Minor, had three years of work to complete.³⁰ Escape was a chronic problem. One criminal, Edward Watkins, fled the work site, only to be captured, jailed, and re-assigned to the company. By April 1789, only two parolees still worked for the company. The Potowmack Company, despite its own labor problems, politely declined the state's offer of convict labor.³¹

Both companies resigned themselves to the need for slave labor. However, slaves were expensive, and the companies could not afford to tie up their operating capital in ownership. In addition, while work on river improvements was seasonal, slaves owned by the companies would have to be fed and cared for year-round. From the onset the Potowmack and James River companies preferred to "hire," or lease, slaves rather than buy them outright. Hired slaves had the added advantage of posing a smaller risk of escape than white indentured or convict laborers who could travel unnoticed. If a hired slave did escape, the lost time was deducted from the owner's fee, diminishing the companies' risk even further.³²

By November 1786 the Potowmack Company was soliciting the hire of one hundred slaves for twenty pounds each, Virginia currency, per year. As an enticement, the company also offered to pay their levies, clothe them and furnish them with rations: "one pound of salt pork, one pound and a quarter of salt beef, or one pound and a half of fresh beef or mutton and a sufficiency of bread each day." There would even be a "reasonable quantity of spirits when necessary." Owners had to present the slaves well clothed, or the company would clothe them and deduct the expense from the hiring fee.³³

The records of the James River Company indicate that it hired individuals to

recruit slave labor. The account book for the years 1785 to 1789 records "ferriage fees" for men to go into the countryside for several days at a time in search of owners willing to hire their slaves to the company.³⁴ For some of its hired slaves, the company did not have to look beyond its own employees. The account book indicates white employees of the company, and even an employee's wife, leased out their slaves. One employee hired out nine.³⁵ The willingness of individuals intimately familiar with river clearance to entrust the company with their valuable "property" suggests the conditions were not as bad as the general public presumed. Those cases where the same slaves were hired out for several years also can be taken as evidence of tolerable working conditions.³⁶

The number of slaves the James River Company hired demonstrates the extent to which it had resigned itself to this form of labor. In 1785, the company hired only seventeen slaves. By 1786, the number had jumped to seventy-nine, and, by 1787, to one hundred twenty-nine. By 1789, the number had levelled off at eighty-two.³⁷ But hired slaves were not without problems. The persistent perception of hazardous working conditions, whether justified or not, continued to hamper efforts to secure a sufficient number. Throughout the 1790s the Potowmack Company petitioned the General Assembly for permission to hire slaves from owners in Maryland, a practice prohibited by a law intended to maintain the value of Virginia slaves. A petition in 1792 asserted "the labor of the Potowmack Company is best performed by negro slaves," and that in the course of its work the company found it expedient to move workers from the Maryland side of the Potomac to Virginia.³⁸ Expedience soon turned to desperation. In a 1796 petition, the Potowmack Company warned the Great Falls project was at risk because of

the prohibition against the importation of slaves from other states. The petition pointed out that work at the Little Falls took place primarily on the Maryland side and, when that work was completed, the company would be forced to discharge the hired slaves rather than employ them at the Great Falls in Virginia. The General Assembly granted the company permission to employ Maryland slaves in Virginia for one year.³⁹

The sudden appearance of a large number of black slaves on the river raised fears among whites living in proximity to the improvements, particularly upriver where slaves were less numerous than in tidewater. Recognizing the value of good community relations, the directors of the Potowmack Company ordered the project superintendent to "pay particular attention to the conduct of the black people on the works and prevent as far as possible any disturbance taking place between them and the people in the neighborhood and see that there be no obstruction to a proper execution of civil law among [the slaves]."⁴⁰

Larger numbers of black slaves also increased the chance of disturbances between them and the free white laborers, who were an unruly lot in their own right. An engineer for the Potowmack Company wrote the governor in 1796 to report the "low character" of the laborers and the many brawls they incited. He described the laborers as a "variety of characters...who of course are not of the best description." Fights had become so frequent that the engineer requested an appointment as magistrate "not only to check, but to secure offenders of the public peace."⁴¹

More slaves also meant more runaways. In order to improve identification, and discourage escape, the Potowmack Company shaved the heads and eyebrows of its

slaves.⁴² The James River Company account book contains numerous references to individuals paid to track down runaways.⁴³

The Dismal Swamp Canal Company encountered a lean labor market as well and experienced difficulty persuading owners to hire out their slaves to work in the swamp. The company had to offer extremely attractive terms, promising what were the highest monthly wages of all the companies for hired slaves.⁴⁴ The need for labor may also explain why Richard Blow's company correspondence suggests a very permissive attitude toward the slave labor. Blow, president of the company, noted in one letter that a hired slave, Jim Pennock, had not been at the canal since Christmas, one month earlier. Having heard that Pennock is "lurking about Norfolk," Blow recommended a constable be enlisted to bring him back.⁴⁵ That the company did not respond immediately to Pennock's disappearance, and that Blow only sought his return without mention of punishment, suggests such desertions were easily excused. No doubt the company had little choice, for if it returned the slave to his owner, the company would forsake precious labor.

The behavior of hired slaves suggests they recognized the leverage they could exert against the company. The slaves did not appear for work on time and exploited every opportunity to avoid the canal. Blow complained that the slaves directed to deliver letters to him in Norfolk would not do so immediately, instead lingering in the city. It would seem the slaves used the correspondence as a de facto letter of transit, affording them considerable liberty. The longer they held the letter intended for Blow, the longer they could legitimately remain in town. Blow instructed that the slaves be ordered to deliver his letters as soon as they got into town.⁴⁶ Liquor seemed to be one of the only

inducements the Dismal Swamp Canal Company had at its disposal to keep the slaves obedient. Blow reported he had sent liquor for the purpose of giving the workers a "dram" in the morning. However, as an incentive for the workers to behave well, Blow directed they be allowed a "gill" (one-quarter pint) a day in the winter. Those who did not work would be "debarred of their allowance."⁴⁷

The Upper Appomattox Company differed from the other three companies in that its directors initially resolved to buy slaves rather than hire them. The company's ledger for 1796-1820 indicates no more than four slaves were hired in any year, a total of thirty-two over the twenty-five years covered by the ledger.⁴⁸ Not only did the Upper Appomattox Company hire few slaves, but a few of these it bought outright. Company records indicate that it hired from Robert Atkinson "Hampton," a blacksmith, for the years 1797, 1798 and 1799. In November of 1799, the company bought Hampton. Apparently the Company concluded Hampton's skills were indispensable -- buying him was cheaper than hiring him over the next several years. Nor did the company depend on white labor. From 1796 to 1820 the company employed a total of fifty-five white men with another three listed as "sundries" and two recorded as "cash," suggesting they were part-time or short-term laborers whom the company recorded cumulatively. It never employed more than seven in any given year and after 1808 no more than two.⁴⁹

Slaves owned by the Upper Appomattox Company clearly provided the backbone of its labor force.⁵⁰ A petition in 1800 from the company requesting increased state support noted most of the clearing was done by "[f]orty young negro men who have been purchased by the company" and who represented "a large proportion of the company's

stock [capital]."⁵¹ In 1809, one source lists twenty-nine slaves owned by the company, while another suggests a total of thirty-four. The difference may represent mortalities.⁵² Considering the liabilities of ownership and the flexibility afforded by hiring, the question remains: Why did the company elect to buy slaves rather than hire slaves owned by others?

Perhaps the directors perceived slaves as an appreciable asset that doubled as labor. If so, slaves proved to be at best a spotty investment. In the period recorded in the ledger, the company sold ten slaves, although three were not recorded with an acquisition price. Of the seven that can be traced, three sold at the price for which they were bought, and one sold at a £13 profit. However, one slave was sold at a £20 loss, and another at a £30 loss; the last slave was sold at a whopping £60 loss.⁵³ A far more profitable venture for the company was to hire out its own slaves. In 1816 the company reported that it leased twenty of its slaves around Petersburg, and expected to raise £300.⁵⁴ In either case, selling or hiring out slaves, the company deprived itself of the slaves that did virtually all of the work. Not only were slaves a poor investment, but one which the company could not afford to liquidate.

The four companies also faced the prospect of undertaking their improvements with far less capital than they anticipated. Individuals proved more willing to subscribe for shares than make subscription payments. Initially investors claimed all of the James River Company's shares by the time the subscription books were closed, and the Potowmack Company sold four hundred three of five hundred shares.⁵⁵ Once beyond this

auspicious beginning, the companies had to plead incessantly with their investors for payment because the enacting legislation neglected to give them much authority to coerce subscribers. The company directors were permitted to sell at auction shares for which subscribers failed to pay, but the auction just resulted in another subscriber in whom the companies could place no greater faith.

The Potowmack Company published advertisements reporting work had begun, that it was hiring laborers on a daily basis, and that the costs were yet to be covered by the income from shares. It warned if payments were not soon made the delinquent shares would be sold at auction and, if the shares did not sell at full value, the original subscribers would be sued for the balance, as the enacting legislation permitted.⁵⁶ The James River Company published similar threats. Its directors were forced to "earnestly intreat the members who have not paid up their respective proportions of the several requisitions to make immediate payments, as the credit and interest of the company suffers [sic] very materially by their delinquency."⁵⁷

Some subscribers were probably not paying simply because they had no compelling reason to do so. On the contrary, sharp speculators recognized that under the subscription system they would be rewarded for holding back payment. Should the company prove profitable, investors could pay their subscriptions and reap the benefits of appreciated share values and dividend distributions. But should the company's future look bleak, subscribers could default, forcing the sale of their shares at auction. If the auctioned shares did not sell for full value, the original subscriber was only responsible for the difference, minimizing the loss.⁵⁸

Speculators seeking to manipulate the subscriptions were not the only ones who failed to pay for subscribed shares. Individuals truly optimistic about the prospects of the companies also had trouble paying for their shares. In their zeal, they tended to subscribe beyond their means, undermining the companies' ability to complete the improvements upon which these same investors desperately depended. Many investors were so confident of the potential of the Potowmack Company, they also bought land adjoining the river in anticipation of its accelerated settlement and increased value. But once their resources were tied up in real estate, these investors were unable to meet their subscription pledges.

An extreme case of over-extension is the Revolutionary War hero Henry "Light Horse Harry" Lee. Recognizing the potential held by Potomac River frontage, Lee bought five hundred acres at Great Falls. He planned to offer storage facilities and eventually turn the area into a milling and manufacturing center. In 1790 Lee secured incorporation of a town from the General Assembly, naming it Matildaville after his wife. Lee divided the town into lots for houses — now all he had to do was wait for the river traffic.

Not only was the volume of traffic far less than Lee expected, but the Potowmack Company was hostile to his scheme. The company feared town development at Great Falls would threaten the nearby canal works. It also wanted a portion of Matildaville for a corporate headquarters.⁵⁹ The Company exercised its *ad quo damnum* authority and condemned the land. Lee now had land that, because of the condemnation proceeding, he could not sell, which meant he could not raise the cash he needed to pay for his

subscription. While negotiating a price for the land, the company added insult to injury and sued Lee for defaulting on his subscription.

This last development was the result of a change the Potowmack Company and James River Company secured in their charters, giving them authority to sue directly for payment of subscriptions. The inability of the companies to find buyers when shares reverted necessitated the change. In 1787, when the Potowmack Company attempted to auction fifty-four delinquent shares, not one bidder had appeared. Although the General Assembly responded with permission to sue the original purchasers, the companies gained little advantage because their poor financial status precluded their tying up precious resources in legal fees. Defaults on Potowmack Company shares continued for several more years.⁶⁰ Neither civic responsibility nor the legal system could coerce the payment of stock subscriptions.

Finally, in 1795 after years of wrangling, a jury ordered Lee to pay the amount he owed on his shares, less the value of the land. That Lee was still in debt after deducting the value of the land demonstrates the extent to which he had overextended himself in Potowmack Company shares.⁶¹

The State of Virginia, too, had not been punctual with its subscription payments. William Hartshorne and Robert Pollard, the respective treasurers of the Potowmack and James River companies, persistently (but politely) requested that the state meet its obligations. Inasmuch as the state was not insulated from the general lack of money in the economy, Governor Beverly Randolph announced in his annual message to the House of Delegates in 1789 that the Commonwealth was unable to pay for its subscriptions.

Later, the state was forced to borrow or sell part of its tobacco holdings to subsidize its subscription payments.⁶²

Despite the state's spotty record as a subscriber, it was nonetheless an investor with potentially bottomless pockets. The companies treated the state as a generous patron always prepared to deliver them from financial peril. In 1790 the directors of the James River Company petitioned the General Assembly to buy another one hundred shares. The directors reported they were "greatly embarrassed to find the original stock subscribed so nearly exhausted that it was insufficient for carrying on the work another year." The General Assembly authorized two hundred more shares and agreed to buy one hundred of them.⁶³ In 1795 the General Assembly authorized the state treasurer to advance thirty dollars on each share the state owned, to be repaid from tolls, as long as half of the money was spent clearing the river from the Blue Ridge to Crow's Ferry. This proviso suggests a knowledge on the part of the General Assembly of the company's foot-dragging on its commitment to undertake the difficult and expensive route to its western terminus.⁶⁴ By 1797 the General Assembly authorized the company to borrow money privately.⁶⁵ Similarly, in 1795 the General Assembly authorized the state to buy twenty more shares of the Potowmack Company.⁶⁶

In 1801 the state bought another twenty-five shares of the Upper Appomattox Company. The amount still was not sufficient, and the state in 1807 loaned the company funds to cover one-quarter of its expenses on a bond to be repaid by November 1809. When 1809 rolled around, the company secured permission to issue another bond to repay the first.⁶⁷ In 1813, when the second bond came due, the company's directors observed in

a petition that they could not repay the bond "without great sacrifice as well in the price of property [i.e., slaves] as in being compelled to dispose of lands, that ought to be held for the public convenience." They also asserted that if the state granted them an indulgence, so would their private creditors, "until it will be in the power of the company to discharge their debts without any very important inconveniences." The General Assembly granted a five-year extension.⁶⁸ Finally, in 1819, the state bought \$15,000 in new stock and granted another three-year extension on the loan, which the company never was able to repay.⁶⁹ In 1816, the General Assembly in addition granted the company permission to run the first of four lotteries.⁷⁰

Other citizens complained the price of shares was too high. In 1785 citizens of Botetourt County in western Virginia on the upper James River argued the price of James River Company shares put them out of the reach of western citizens who had the greatest interest in the river's improvement. The petitioners claimed the high price "tend[s] too much to a monopoly" of wealthy eastern speculators concerned more with profits than navigation. The petitioners recommended a hybrid arrangement, combining the sale of shares with traditional subscriptions in a community project that held no presumption of a return on investment. The petitioners requested permission to subscribe in the traditional manner, contributing according to their means, and to have their funds applied locally to clear the river from Lynch's ferry (later Lynchburg) to the mouth of the Cowpasture River. These special subscribers would be also be considered "fractional" trustees in proportion to the share of the capital their contribution represented. The General Assembly never acted on this petition.⁷¹

The legislature ignored another Botetourt petition four years later requesting permission for county residents to apply the price of their James River Company shares to delinquent taxes. The petition called for the "public to become subscribers of thirty other shares in the James River Company, to be paid out of the taxes due [to the state] from the said county, prior to the first day of January, 1788."⁷² The petitioners sought to turn their tax liability into a James River Company asset. Again, they were not successful. The citizens of Botetourt County changed their strategy in 1790. Rather than offering cash payments, they tendered their labor on clearance projects as payment for back taxes, with the added proviso that they would be reimbursed from the first tolls collected on the river.⁷³ The General Assembly was not amenable to that proposal either.

The currency shortage bedeviled all of Virginia's citizens. The river companies offered a solution by providing an alternative means of exchange. Because of their extensive participation in the local economies through the hire and acquisition of slaves, the requisition of supplies, the payment of salaries, and the collection of tolls, the companies maintained accounts with a variety of individuals and concerns. The array of account items was extensive. The James River Company account book included the following categories: white men's wages; negro hire; petty charges; steel; iron; gunpowder; coal; pork; salt; wheat; molasses; fish; corn; meat; oats; fodder; lands purchased along the canal; timber; tanning; house rent; and tools.⁷⁴ Holders of James River Company accounts could settle debts among themselves by exchanging credits recorded in the company ledger, obviating the need to lay out hard currency. The companies thus provided an important banking function by serving as a clearinghouse for

local debt.⁷⁵

Hiring out slaves to a river company, for example, was not only lucrative but gave the owner access to the company's account network. Richard E. Meade hired out his slave to the Upper Appomattox Company in 1803 for £40. But instead of paying Meade, the Company recorded a £40 credit in the account of Joseph Eggleston, to whom Meade apparently owed money. Thus, two debts, Meade's hiring fee and his debt to Eggleston, were satisfied with no exchange of currency.⁷⁶ The James River Company acted similarly, recording payments to its workers, but crediting the money elsewhere. Local merchants received the paper wages of workers who owed them for goods. The company, diverted a portion of Chisolm Austin's pay to James Harris, from whom Austin had bought a pair of shoes.⁷⁷ Merchants such as "Venables & Womack" made good use of the toll account they maintained with the Upper Appomattox Company. Rather than issuing cash for each boat to pass down the river, the merchants deposited a sum in the toll account, which the Company periodically debited when it received a reckoning of merchants' tolls.⁷⁸

The Upper Appomattox Company Ledger Book reveals considerable sophistication in some individuals' management of their accounts. Take, for example, the case of Robert Atkinson, whose name appears from 1797 to 1811. After selling land to the Upper Appomattox Company, Atkinson did not demand the sales price of £118_6_8 in full. Instead he subscribed to two shares in the company for a total of £60, made two withdrawals of £24 and £7_16_0, and left the rest on account. Atkinson subsequently was credited £41_8_0 for carting barrels and £15 for selling to the company timber, fire

wood, and his Sycamore Island. At one point he transferred some of his credit to a Daniel Teasdale for an undisclosed reason. Atkinson never completely emptied his account, preferring instead to withdraw cash on a regular basis, treating his credits with the company as a kind of savings account. By maintaining so sizable an account for fifteen years, Atkinson also demonstrated considerable faith in the company's solvency.⁷⁹

As the companies pressed on with their clearance projects the constant shortage of funds and labor was not the only impediment to progress. The weather was little help. Work was accomplished whenever the elements permitted, the typical work season running from summer to autumn, after the spring floods and before cold weather returned. During the winter, ice demolished much of what had been constructed the previous season, and what the winter ice did not destroy, the ice flows of the spring thaw threatened. If any improvements survived the ice, the thaw also brought sudden floods, known as freshets, that acted as water-bulldozers, knocking down everything in their path. Consider the destructive potential of an uncontrolled James River after a heavy rain in the eighteenth century:

On Friday night the James River began to rise, and by Saturday morning exhibited a high freshet. Vast quantities of drift wood, and grain of all sorts, poured down the falls. [T]he part of Mayo's bridge which lays between the toll house and Manchester gave way -- about six pens of the wooden work floated down the stream, the cases of six piers were torn off, and the piers fell down. Mr. Trent's dam on the other side of the river is swept away and a great many mill dams in the upper country carried off. The injury above must be immense.⁸⁰

Structures to improve navigation were not only at the mercy of the river, as they also fell prey to the limited technical expertise of those building them. Dams and locks

endeavored to tame the river, but their technology was complex and Americans had little experience with it. John Ballendine relied on knowledge he acquired in England in his attempt to clear the Potomac before the Revolution.⁸¹ He advocated an extensive system of seventeen locks to reach the headwaters of the river. Four of the locks were to be installed at Little Falls, eight at Great Falls, one at Seneca Falls, two at Shenandoah Falls, one at House Falls, and finally one where the Antietam River met the Potomac.

Ballendine also planned a level canal three miles long from the tidewater to the locks at Little Falls and a one and one half mile "cut" or channel from the river to the lock at Seneca Falls, with shorter cuts to the other locks. The remainder of the river was to be cleared of obstructions and tow paths were to be installed.⁸² The outbreak of the Revolution just as the work was to begin prevented Ballendine from marshaling the substantial resources necessary to give substance to his vision.

The Potowmack Company directors, no doubt aware of Ballendine's failure, initially proposed improving the river without locks, even though locks were required in their charter. Washington's opposition to dams and locks demonstrated intimate familiarity with the threat posed by the elements: "canals and locks, besides the natural decay of them, are exposed to much injury from ice, drift-wood, and even the common freshes; in a word [dams] are never safe where there are such...violent torrents, as the rivers in this country are subjected to." Washington proposed to avoid the necessity of locks by building "inclined planes," or gradual slopes, over which boats could be pulled by lines and winches.⁸³ These inclined planes would have the advantage of being completely underwater, rendering them less susceptible to the elements.

Washington's reluctance to use locks was clearly influenced by Thomas Johnson, first state governor of Maryland and a prominent Potomac improvement advocate. In 1770 Johnson advised Washington against the use of locks because of their vulnerability. He recommended channeling the river through sluices made of logs bolted together and filled in with stones that were plentiful along the river bank. Sluices were short retaining walls built on both banks at an angle facing downstream, hence their other names, "v-dams" and "wing dams." A gap just wide enough for boats was left between the two walls. By forcing the river through this narrow channel, the water level could be raised by one or two feet. Sluices took the river on its own terms, urging the water flow to a level compatible with navigation. Johnson expected that the sluices would be underwater in the winter and would be less likely to sustain damage from ice or driftwood. Should the sluices be damaged they were easily rebuilt. At falls and rapids, Johnson advised blasting a passage.⁸⁴

The plan upon which the Potowmack Company directors settled was a compromise between Ballendine's system of numerous locks, and Johnson's proposal for a lock-free navigation. Nearly all of the company's capital was committed to providing a passage around Little Falls, five miles above Georgetown, and the Great Falls, seven miles farther downriver. The Little Falls presented a descent of thirty-seven feet, which was to be overcome by a two-mile canal, containing four locks. The Great Falls, with a seventy-six foot descent over 1,250 yards, would require five locks, the channel for the last two blasted out of solid rock. House Falls required a fifty-yard canal, and the company would also create passages through the Shenandoah and Seneca Falls. A final

one-mile canal would be cut above Harper's Ferry.⁸⁵

The Potowmack Company made steady, if not dramatic, progress in the first years of the project. A newspaper reported in 1789 that a boat bringing two hundred sixty-two barrels of flour from Shephard's Town easily passed the Shenandoah and Seneca Falls. Another story asserted the company had established navigation "at present upwards of one hundred fifty miles above tidewater." Both reports congratulated the company on its work and noted a savings in carriage costs of between five and ten shillings per barrel.⁸⁶

These reports were far more sanguine than the actual improvements warranted. Much work remained to be done, particularly at the Little and Great Falls. The company had yet to undertake improvements to the Little Falls, and although the directors optimistically characterized the Great Falls as "nearly completed," construction of the locks — the biggest part of the project — had yet to commence. The Seneca Falls were cleared to the extent that obstacles to navigation had been removed and the descent had been graduated, but a channel was not yet completed. The falls at the Shenandoah fork were only partially cleared.⁸⁷

By 1793, the Potowmack Company reported progress above the Great Falls, noting that work had begun on the canal and locks at the Little Falls. On that basis, the company requested that the state pay the balance of the most recent installment of its subscription.⁸⁸ A few months later the company's directors reported that they had nearly completed the project, but that difficulties associated with raising unpaid subscriptions frustrated their efforts. They requested an extension of their deadline to January 1, 1795. The General Assembly granted the request.⁸⁹

By 1795, the Potowmack Company claimed to offer navigation to flatboats as far as thirty miles above Fort Cumberland and sixty miles up the Shenandoah River.⁹⁰ However, the locks at the Great Falls were still not finished, forcing the company to offer, at cost, overland conveyance around the falls and to provide boats downriver for the final trip to tidewater.⁹¹ An advertisement for the sale of shares in 1795 stated the company collected tolls at the Great Falls and that "the capital employed in this fund will be as safe and profitable as any in our country." But the next year Thomas Mason complained to the governor that the company's directors, most of whom lived in Alexandria, were interested only in clearing navigation to that town, and, once they achieved that objective, could not be trusted to fulfill their statutory responsibilities.⁹²

Unknown to the directors at the time, 1802 would be the highpoint for the company. The directors were delighted to report the locks at the Great Falls had been completed in February. But the weather continued to hamper the company's efforts. Spring rains had been so meager that the river level was uncharacteristically low. Although the company had expected to reap considerable toll revenues with the opening of the Great Falls, less than \$4,000 had been collected. And, unfortunately, the dividend of \$5.55 per share that the company proudly paid was the only dividend the Potowmack Company ever distributed.⁹³

At the same meeting, the directors admitted they could never connect the Potomac River with the Ohio Valley and should instead focus on improving more heavily settled areas along the Potomac and its tributaries. Because of limited precipitation in the area, they also decided to discourage water-using industry in the Potomac Valley although it

would have generated supplemental income for the company.⁹⁴ At the meeting the shareholders approved suspending further dividends to extend the clearing and maintain previous improvements.⁹⁵ This action demonstrated both the shareholders' commitment to their communities and a sound business strategy emphasizing short-run investment to ensure future profits. The profits, however, never materialized, and the Potowmack Company limped along.

An 1804 newspaper article promoting the company's improvements asserted millers in the Alleghenies could ship flour two hundred miles to tidewater less expensively than fifty miles overland, the only impediment being the design of the boats. The article observed that, if boats could be built to navigate in fourteen inches of water, they would be able to ply the river ten months out of the year without incident.⁹⁶ This reference suggests that the two hundred mile navigation was only possible under ideal conditions attributable more to nature than to the efforts of the company. A petition from the Potowmack Company the next year conceded that assessment. During the spring run-off boats carrying not less than fifty or sixty barrels of flour could navigate the river at its lowest stages, passing through the Shenandoah, Seneca, Great and Little falls, a distance of about one hundred twenty miles and a descent of two hundred twenty-five feet.⁹⁷

To residents of the area, the Potowmack Company was failing to achieve even its more limited objectives. An 1810 petition from residents on the Shenandoah River complained that the company, which had already been given an extension of nine years, had not cleared navigation from the mouth of the Shenandoah River to Smith's Creek on the North Fork or from the mouth to Port Republic on the South Fork. The petitioners

requested that no further extension be granted the company because the 1811 deadline "will have the salutary effect to evince to the Potowmack Company the necessity to consult our interest and not their own convenience to execute and finish the improvement and opening of the [Shenandoah] river."⁹⁸

The Potowmack Company's response to this pressure was to divest itself of responsibility for clearing the Shenandoah River. In 1813 the company's directors informed the legislature they had reached an agreement with the residents of Augusta, Rockingham and Shenandoah counties for the creation of a new company to clear the Shenandoah. The Potowmack Company relinquished the right to clear the river and petitioned for a new company that would reimburse the Potowmack Company for the improvements already completed. The annual reimbursement would never exceed annual toll revenues. Should the new company not be formed within six months, the right to improve the Shenandoah would revert to the Potowmack Company, which would be granted a five year extension to complete the work. The General Assembly assented to the arrangement.⁹⁹

The James River presented fewer obstacles to navigation than the Potomac. While the Potowmack Company had to overcome numerous falls, the James River Company had only the falls at Richmond to conquer. Clearance was primarily a matter of removing obstructions and building sluices. The account book of the James River Company indicates clearance projects were in full operation by January 1786. The company was buying supplies and tools, providing a residence for the manager, and

securing labor.¹⁰⁰ In 1791, citizens as far west as Amherst County, at the base of the Blue Ridge Mountains, were reporting the river navigable in that part of the state even during the driest parts of the year.¹⁰¹

By 1794 the company had completed a canal around Richmond that could be navigated by boats carrying ten to twelve hogsheads of tobacco. Navigation was temporarily possible from Rockett's Landing in the lower part of Richmond to Lynchburg.¹⁰² This canal soon filled with silt, necessitating a new approach. Excavation began on the Great Basin soon after. In 1800, the company let water into the basin, marking the completion of its largest construction effort — a canal around the falls, though not around the entire city and into the tidewater.¹⁰³

The canal around the falls was actually two canals. The upper canal, about two hundred yards long, used three locks to lower boats thirty-four feet and then returned them to the river, where they could travel for three miles. The lower canal, about three and one-half miles long, carried boats to the Great Basin, without the use of locks.¹⁰⁴ Benjamin Latrobe did not think much of the works when he viewed them in 1796. He considered the most impressive aspect of the canal to be the lower portion, most of which had been blown out of solid granite. Other than that, Latrobe characterized the canal as "neither judiciously, nor ornamentally managed, and there are several most gross blunders in its execution." In particular, he disparaged the locks which he noted were made of granite block laid together without concrete. Water leakage was substantial which greatly lengthened the time required to fill the locks. "The loss of water is no consideration," reported Latrobe, "but that of time is considerably inconvenient."¹⁰⁵

It is important to emphasize the distinction between the company's accomplishments in bypassing the falls and its providing navigation through to the tidewater. With the completion of the canal and the Great Basin, the James River Company had created a waterway around the falls that ended in the western part of the city. Another canal would be required to connect the Great Basin to the river at Rockett's landing, where the city's warehouses were located and where ocean-going vessels were laded. Twenty years after Latrobe's comments, the General Assembly chartered the Richmond Dock Company to effect the tidewater connection.

1794 also marks the first year in which the James River Company collected tolls, having demonstrated to the General Assembly that it had progressed sufficiently with its improvements. At this point only half tolls were permitted; full tolls would not be allowed until 1806. The Company paid its first dividend in 1801.¹⁰⁶ Unlike the Potowmack Company, the James River Company would continue to pay dividends for twenty years.

In an 1801 report to the Virginia Senate, James River Company President William Foushee asserted that the company had largely complied with its charter, having completed the construction of virtually all locks and dams, leaving only the final clearing of the river bed in places. He noted the near completion of the navigation to Crow's Ferry, which he stressed was the highest point the company's charter required it to clear. But later in the report he admitted the clearance from Goolsby's Falls up to Lynchburg, and from thence to Crow's Ferry would require several more seasons. To temper this bad news, Foushee pointed out that the company had also cleared navigation on several

tributaries not required by the charter. He described the navigation of two hundred miles of the James River, and its cleared branches, as "stretching out their arms to some distance, thereby greatly enhancing the value of lands throughout a large extent, as well as some remuneration to the individuals who have advanced and hazarded their money on an arduous experiment, for the public good."¹⁰⁷

In a similar report that year to Governor James Monroe, Foushee observed that "there remains comparatively speaking, but little to be done for the completion of such an extensive navigation, and that the dams, locks, lower sluice canal, and basin were finished." He noted in particular the work between Lynchburg and Crow's Ferry, about two hundred twenty miles from the tidewater, and boasted that flour was routinely brought down the river from the fork at Jackson's River, forty miles farther upriver. Foushee thus credited the Company with two hundred sixty miles of navigation, though the falls at Richmond were not cleared, work also remained to be completed on the middle of the river, and the last forty miles were mostly conjecture.

Despite his rosy assessment, Foushee could not avoid conceding much work remained for the Company. He was quick to point out any further improvements were entirely dependent on the weather, and that "'tis impossible to work advantageously unless the water is low, and that generally can be calculated on for but a short period each summer." Foushee neglected to reveal the Company had no intention to undertake any clearing below Richmond to afford a true connection to the tidewater.¹⁰⁸ In 1802 Foushee reported continued progress on the river bed, rendering tolerable navigation from Crow's Ferry to the Basin. He again made no mention of the tidewater.¹⁰⁹

The resistance of the James River Company to providing tidewater access evoked an angry response in the *Richmond Enquirer*. A letter to the General Assembly pointed out the company's charter included opening the river from Westham "*to the tidewater*" [original italics].¹¹⁰ Instead of complying with the intent of the charter, asserted the letter, the company had creatively interpreted it. The eastern end of the company's canal basin was indeed beyond the falls, so the company had, technically, reached the tidewater. However, it had failed to provide a communication *into* the tidewater. Instead, all the produce brought into the canal had to be conveyed in drays to the docks at Rocketts. Should tidewater access be completed and scows used for conveyance, the letter calculated the price for transporting one hundred hogsheads to Rocketts would decline from over forty-one dollars to seven, resulting in a considerable increase in profits for the farmers using the James River.

The letter noted two objections to the connection, no doubt raised by the company. First, that the tidewater connection would impose an additional expense on the company, reducing its dividends. The letter tossed aside this argument, pointing to the company's considerable profits, and observing that, at worst, the costs of the connection would reduce dividends for just a short time. A second objection was that a connection would diminish the business of warehouses along the basin, and lower the value of adjacent property, the owners of which anticipated an appreciation when new warehouses would be built. Shifting from drays to scows would not reduce the need for the current warehouses, the letter continued, and new ones were unlikely to be built anyway. The remaining land was not suitable for new warehouses, or much else, because it was subject

to flooding by freshets, the swells from which could be as high as twenty feet.¹¹¹

Asserting the James River Company had resolved not to complete a connection to the tidewater, an 1804 petition from Powhatan County complained the company sacrificed the need of the community in favor of the interests of individual shareholders and the inhabitants of the city of Richmond. The petitioners claimed the company sought to relieve itself of an expensive project and at the same time providing Richmond, where the navigation currently ended, with a competitive advantage over other ports. As a result, citizens of the region were forced to pay trans-shipment fees from the end of the river to the sea-going docks on the other side of the city. This expense was particularly great for heavy items such as coal.¹¹²

In 1805 the company responded to these criticisms. A tidewater connection would require the construction of locks, which the company argued would be so expensive that such work would not only divert resources from removing obstructions from the bed of the river, but would absorb profits which would have been distributed as dividends. Such an expenditure, the company argued, would be to no end, for tobacco at Rockets warehouse sold for the same price as at Shockoe slip. Furthermore, though expensive locks would indeed permit river batteaux to pass into the tidewater, the passage would be to no end as merchants would resist relying upon such small boats when much larger boats in the same area were available and which offered greater security against produce damage from capsizing. The company concluded that forcing it to connect the James River with the tidewater would be "impolitic and unreasonable," for such construction would pose a cost beyond any possible benefit and would preclude state

investment in other more useful improvements.¹¹³

If the James River Company was not going to provide tidewater access, residents were determined to seek another solution. An 1805 petition from the inhabitants of the town of Manchester and Chesterfield County agreed that a set of locks through the city of Richmond would be impractically expensive. As an alternative they proposed a canal on the *south* side of the river through Manchester and into the tidewater. This canal, the petition claimed, could be dug at far less expense and would have the immediate effect of renewing Manchester's commerce, which had declined in recent years. The petition requested the incorporation of a new company, the Manchester Canal Company, on terms similar to that of the James River Company. The petition also recommended that the James River Company invest in the new venture, thereby suggesting to legislators that the existing company had no genuine intention of securing tidewater access.¹¹⁴ Another petition of that year made the same arguments and went on to commit the new company to "assisting" the James River Company in improving upper navigation once it had completed the canal.¹¹⁵

In the face of mounting public pressure, the company could no longer brush aside its responsibility to provide tidewater access. In July 1810 it announced the signing of a contract with Ariel Cooley of Springfield, Massachusetts, to build a canal from the basin to the river. Cooley's exploits demonstrate the limitations of the expertise available in this period for river improvement. Cooley was an hydraulic engineer of some prominence, having designed and overseen construction of the Fairmont Water Works in Philadelphia, a river dam on the Schuylkill River, and a canal with locks in Hadley,

Massachusetts. His \$50,000 contract called for thirteen locks, including the primary water-lock. He received a \$10,000 advance for the project, which he was to complete by May 1812.¹¹⁶

Apparently, Cooley thought he had devised a plan to complete the preliminary excavation more quickly and cheaply than the Company's directors imagined. Cooley cut a ditch along the center-line of the route for the canal, and opened a sluice from the Great Basin. Cooley expected the action of the water cascading down to the river to gouge out a canal bed. In twenty-four hours, however, the water had scoured an unusable channel and filled the James River with clay and stone that had to be removed.

Cooley overcame this initial disaster and completed the canal and locks, which were opened for the first time on October 17, 1811. A boat Cooley built to carry five hundred barrels of flour was the first to attempt the passage. The ascent and descent each took under an hour. Regarding the construction of the locks, a newspaper reported: "Time, we imagine, must test their execution."¹¹⁷ They did not pass the test. The wooden locks soon began to rot and required constant upkeep, and the canal continued to dump silt into the river, creating a navigation hazard. Only a few boats passed through the canal before the project was abandoned, ending the James River Company's efforts to comply with its charter and reach the tidewater.¹¹⁸

Throughout the period, the James River Company stressed its successes at clearing navigation on the western reaches of the river. But this, too, was a cause for contention. In an 1804 report the James River Company noted between the years 1796 and 1800 it had directed its resources to clearing the river from Crow's Ferry to

Lynchburg, and the next four years below Lynchburg. The company pointed out it had provided navigation on certain branches of the James River, including the Willis River up to Caira, the Rivanna as far as Milton, and the North River to Lexington. The company acknowledged it had not provided navigation at the two foot depth its charter required, but asserted the batteaux that plied the James and its branches required only one foot or less.¹¹⁹

The General Assembly did not seem enthused with the company's progress. In January 1805 it considered legislation prohibiting the James River Company, as of January 1, 1807, from collecting tolls for parts of the river it had not rendered navigable. The law also directed the appointment of commissioners to identify just what parts of the river had been cleared and whether the company was in compliance with its charter.¹²⁰ The James River Company directors responded to the law by admitting non-compliance with the letter of the law, but asserted the company was very close, reiterating progress on the river up to Crow's Ferry, below Lynchburg, and on several of the river's tributaries. While the directors acknowledged the river had not maintained the required depth during the drought of 1803, they offered testimony that the shallowest sluices had a depth of nine or ten inches. The company's directors also sought to defuse the criticism they were more concerned with profits than their commitments by noting it was average citizens who received dividend payments. The directors asserted "[o]ne half of all sums received by the company and disposed of in dividends, go to the public, and to those to whom they have made the donation spoken of."¹²¹

The company's statement also provides a hint as to who prompted the legislation.

The company's directors alluded to complaints by residents of Lynchburg that the company had failed in its commitments. The directors pointed out they had given the Lynchburg residents considerable latitude as to how the improvements in their area should be accomplished, and by whom. Only late in 1804 did the company's directors find out the Lynchburg residents had declined this offer, leaving the company no time to plan its own clearance efforts.¹²²

Once the commissioners completed their survey, the James River Company contacted them in an effort to put the best possible "spin" on the report. Knowing the commissioners would be critical of the company's work, Foushee and Edward Carrington requested the report include several matters to ensure a "full statement." Despite an extremely dry year, the directors asserted, a boat drawing the depth required by the charter passed from Crow's Ferry to Richmond. Only once in the mountains did low water require some of the travelers to step out of the boat to lighten it, though all the goods remained in place. In fact Foushee and Carrington argued that from Lynchburg to Richmond the river had been so improved that boats much larger than the charter required were carrying heavy loads to the state capital.

Foushee and Carrington also tried to justify those instances when the test boat struck rocks that the commissioners felt should have been removed. The occasional obstruction, argued the directors, was more the result of crooked sluices and the dams and wing-walls that provided an abundance of water, than it was from low water. These improvements, the directors asserted, could even pose a threat in themselves when barely submerged under rising water. They failed to mention the crooked sluices were ones

they built or why improvements were not substantial enough to serve in high water as well as low. The correspondence ended with a request that the commissioners convey to the General Assembly "all the information on this important subject."¹²³

The commissioners were also presented with a deal by agents for the company, who claimed to do so

in order to avoid a painful and unnecessary contest on the fact of their having complied or not complied with the terms of their charter in relation to the navigation of James River, and in order to promote the interest of the commonwealth and of the public who may have occasion to use the river.

The James River Company would agree to focus their efforts on whatever parts of the river deemed not navigable by the commissioners, in return for the repeal of the 1805 law limiting the areas where the company could collect tolls. The commissioners and the General Assembly did not nibble.¹²⁴

The Upper Appomattox Company boasted a much better record of constructing well-designed and durable improvements. It relied on sluices with sixteen foot openings to produce sufficient water flow throughout the river. On rapids as many as six pairs of sluices were built, although the company generally considered a single long sluice with stone walls to be more cost effective.¹²⁵ In order to bypass the river's falls — which in the case of the Appomattox were really a stretch of rapids — the Company constructed a five and one-half mile canal and aqueduct beginning in Dinwiddie County, with a basin in Petersburg serving as the terminus. By 1801 the company had completed about two miles of the canal and continued to extend the canal throughout the next decade.¹²⁶

The canal ultimately contained four locks, each made of stone. This form of construction was more expensive than wood, but far more durable. The locks were thirteen feet wide and two hundred fifty feet long and lowered boats a total of thirty-nine feet. The lock gates, which were v-shaped to accommodate the pointed hulls of the batteaux, were sixty-four feet long and ten feet wide — more than large enough to accommodate the largest river craft.¹²⁷ The company also built a stone aqueduct to permit the canal to pass over Indian Town Creek. By 1810 the Upper Appomattox Company boasted one hundred miles of improved navigation.¹²⁸

Digging on the Dismal Swamp Canal began in 1793. Relying upon an incomplete survey, two teams of workers began on either end of the canal route, expecting to meet somewhere in the middle. By 1796 the Duc de La Rochefoucauld reported that five miles of the anticipated sixteen-mile canal had been dug, but no levels had been taken, and the number of locks that might be necessary was still unknown.¹²⁹ By February 1799, Thomas Newton, the company's president, reported a cut running the entire length of the canal would be completed by Christmas, affording a passage to "show the utility of the work and convince those who have considered it impossible." The cut would be only half the width the company's charter required. In 1801 Newton was still anticipating completion and offered the familiar excuse of higher costs and lack of money. He was happy to note that "[b]oats like those used in the James River Canal" — no doubt batteaux — plied the canal waters on either end of the planned route. Only the middle of the canal remained to be cut, and he expected that task to take one summer.¹³⁰

The first report of a completed lock on the canal appeared in November 1801. The lock had been constructed at the south end of the route, opening a link to the Pasquotank River. The lock admitted boats similar to those on the James, five feet wide and drawing two feet of water. The report also noted the erection of a smaller temporary lock some distance north of the Great Lock which raised the water height where the ground descended, leveling that stretch of the canal. But at the end of 1802, Newton reported little additional progress because of the rainy summer.¹³¹

By 1804 the regret of the company's directors for failing to finish the canal had escalated to "mortification." One and a half miles remained to be cut to accommodate boats large enough to carry twenty hogsheads of tobacco. The directors reported the construction of a lock on the north end of the canal that raised the water level enough to allow passage of small "shingle flats," used to carry juniper shingles from the swamp. The flats were thirty to forty feet long, four to six feet wide and drew eighteen to twenty-five inches of water. The directors anticipated erection of three more locks to ensure full utilization, but meanwhile temporary locks permitted navigation on long stretches of the canal. The one and a half miles remaining would soon be open with one-half the required width to permit limited traffic. The canal would then be expanded to full width.¹³²

In a report to the Governor in the same year, President Newton admitted the canal did not maintain sufficient depth, necessitating construction of a feeder canal from Lake Drummond, about three miles west of the canal's mid-point. He projected the feeder canal could be finished in a season, at which time the company would achieve its goal of

affording access to navigation for those living near the southern waterways of the Roanoke, Meherrin, Nottoway and Blackwater rivers. "Produce that is now almost useless to the inhabitants in those places," Newton observed, "would yield them considerable profit if they had water carriage to market."¹³³

In 1805, the company's directors reported connecting the waters of the Elizabeth and Pasquotank Rivers. Four miles of the canal had not yet been cut to its required depth and width, and locks remained to be finished at either end, but shingle flats could navigate the entire length. In addition, the report boasted the road constructed along the canal's west bank would greatly shorten travel overland between Norfolk and North Carolina.¹³⁴

Two years later Blow reported to Congress that of the permanent locks on the river, only two, measuring seventy-five feet long, nine feet wide and six feet deep sills, were made of wood. Additional locks in the middle of the canal and at either end were needed. Over the next five years, the company completed eight new locks, and the feeder canal to Lake Drummond.¹³⁵ On May 12, 1812, the governor of Virginia, James Barbour, presided over a ceremony commemorating the official completion of the Dismal Swamp Canal, "amidst the shouts and applause of the spectators."¹³⁶

Nature may have provided the James River, but the James River Company's expertise enhanced it to better convey the region's traffic. In 1803, almost 17,000 hogsheads of tobacco were annually coming down the river along with 170,000 bushels of wheat, 58,000 barrels of flour, and 34,000 bushels of corn. In addition, two thousand

coal boats navigated the river.¹³⁷

Just as important as the traffic down the river was what was going up it. The increasing volume of trade meant greater access to finished goods for the farming population of the interior. In the 1780s Virginians like Jefferson had warned of the moral debilitation similar finished goods and articles threatened. By the first decade of the nineteenth century, such items were so available to so many, the danger they represented was no longer so apparent. As had already happened in Europe, the Virginia public's attitude toward luxury reflected their growing familiarity with the conveniences offered by the commercial expansion — an expansion that the four improvement companies in Virginia accelerated. "Luxury," which had been disdained as dangerous, was undergoing reevaluation in the Old Dominion.¹³⁸

River improvement advocates had initially sold their plans by tying the material impulses associated with trade to the disciplined, frugal behavior deemed necessary for a republican citizenry. But as trade increased, and luxuries became more available, the capacity to acquire became the measure of success rather than any demonstration of republican virtue. A toast offered to the Richmond Volunteer Companies during the 1809 Fourth of July celebrations boasted that the "industry and ingenuity" of Virginians procured them "every comfort and many luxuries of life."¹³⁹

The meaning of "luxury" had undergone a metamorphosis. It no longer meant the acquisition of purely frivolous items, but could refer to owning items of comfort and convenience. A series of articles in the *Richmond Enquirer* pondering the term identified four very different definitions. Luxury could refer to the pleasures associated with

intellectual refinement, or with sympathetic affections such as love and friendship. Those items that provided health or comfort, as suggested in the Fourth of July toast, could also be construed as luxuries. Only the fourth definition, articles of sensual pleasure, "fabricated, not for the purpose of comfort, utility and convenience, but for the gratification of pride, vanity and ostentation," carried a negative connotation.¹⁴⁰ By identifying multiple meanings of luxury, and asserting that only one was harmful, the author transmitted the message that luxury was not, by definition, socially poisonous. To the contrary, anyone associated with the positive aspects of luxury was clearly healthy, wealthy, and wise.

Now that the term "luxury" was no longer pejorative, Virginians had fewer inhibitions about participating in commercial activity along the improved waterways. The improvements not only enhanced commerce and access to luxuries, they also dramatically changed the landscape and undermined the traditional relationships among those who lived near the rivers or made their livings from them. Luxury came with a price — new and unexpected social, economic, and political conflicts.

Whether the improvement companies or the local users were accused of interestedness, in either case the strategy relied on the traditional presumption that interest was antithetical to public benefit.¹⁴¹ Washington's innovation was to reject this dichotomy. In his letter to Harrison, Washington explained that private interest, manifested in the shareholders of joint-stock companies, would best serve the public's needs by successfully completing river clearance — something the counties had been unable to do. The unresolved question was, would private interest remain benign so long

as it was effectively coupled to public benefit?

ENDNOTES

1. Madison to Jefferson, October 3, 1785, in Madison, *The Writings of James Madison*, Gaillard Hunt, ed. 9 vols. (New York: G.P. Putnam's Sons, 1900-1910), II, 182.
2. *Virginia Journal and Alexandria Advertiser*, January 25, 1784; February 10, 1785.
3. Miscellaneous Legislative Petition, Potowmack Company Board of Directors, December 9, 1785, housed at the Virginia State Library.
4. William Waller Hening, ed. *The Statutes at Large; Being a Collection of All the Laws of Virginia, From the First Session of the Legislature in the Year 1619*, 13 vols. (Richmond: George Cochran, 1823), XII, 68-69.
5. Miscellaneous Legislative Petition, James River Company Board of Directors, December 9, 1785; Hening, *Statutes*, XII, 116-117.
6. Philip Morrison Rice, "Internal Improvements in Virginia, 1775-1860" (Ph.D. Dissertation, University of North Carolina at Chapel Hill, 1948), 7, f.n. 4.
7. Miscellaneous Legislative Petition, December 2, 1786; JHDV, Fall 1786 Session, 93, Rare Books Collection, Swem Library, the College of William and Mary.
8. Miscellaneous Legislative Petition, Potowmack Company Board of Directors, November 9, 1786; Hening, *Statutes*, XII, 362-363.
9. Miscellaneous Legislative Petition, Potowmack Company Board of Directors, November 2, 1790; Hening, *Statutes*, XIII, 187-188; Samuel Shepherd, *The Statutes at Large of Virginia, From October Session 1792, to December Session, 1806, Inclusive in Three Volumes*, 3 vols. (New York: AMS Press Inc. 1970), I, 241.
10. Miscellaneous Legislative Petition, James River Company Board of Directors, October 29, 1793; Shepherd, *Laws*, I, 242.
11. Legislative Petition, Fauquier County, November 11, 1789. As early as 1782, the General Assembly had passed a law calling for surveys of new road routes through the Blue Ridge passes to "the seat of government and to other sea-port towns." See Hening, *Statutes*, XI, 27-28. There were also laws passed permitting various county courts to levy taxes or assign labor to build or repair roads. See Hening, *Statutes*, XI, 131, 429-430; XII, 282-283, 294, 374-376. In addition, the General Assembly enacted legislation providing for the creation of major arteries, known as "wagon roads," in the western part of the state. Greenbrier and Harrison counties, as well as Kentucky, were the focus of these efforts. See, Hening, *Statutes*, XI, 131; XII, 72-74, 282-283, 295-297, 669-670, 725-728.

12. Shepherd, *Laws*, I, 378-387; I.F. Boughter, "Internal Improvements In Northwestern Virginia: A Study Of State Policy Prior To The Civil War" (Ph.D. Dissertation, University of Pittsburgh, 1930), 80. Rice, "Internal Improvements in Virginia," 50. For a review of turnpikes in Virginia see, Edward Graham Roberts, "The Roads of Virginia, 1607-1840" (Ph.D. Dissertation, University of Virginia, 1950), passim.; Rice, "Internal Improvements in Virginia," 38-55; Daniel B. Klein, "The Voluntary Provision of Public Goods? The Turnpike Companies of Early America," *Economic Inquiry*, 28 (1990), 788-812.

13. Hening, *Statutes*, XIII, 568-570.

14. Herbert Clarence Bradshaw, *History of Prince Edward County, Virginia* (Richmond, Virginia: The Dietz Press, Inc., 1955), 290.

15. Shepherd, *Laws*, I, 390-394.

16. Hening, *Statutes*, XIII, 145-146; Rice, "Internal Improvements in Virginia," 84.

17. Nan Netherton, et.al. *Fairfax County, Virginia, A History* (Fairfax County Virginia: Fairfax County Board of Supervisor, 1978), 178.

18. Legislative Petition, Amelia County, November 6, 1787.

19. Madison to Monroe, October 5, 1786, quoted in Gordon S. Wood, "Interests and Disinterestedness in the Making of the Constitution," in Richard Beeman, Stephen Botein, and Edward C. Carter II, eds. *Beyond Confederation: Origins of the Constitution and American National Identity* (Chapel Hill: University of North Carolina Press, 1987), 81.

20. Legislative Petition, Buckingham County, November 6, 1787.

21. Ibid.

22. Legislative Petition, Amelia County, October 20, 1787.

23. Legislative Petition, Henrico County, November 14, 1789. See also, Legislative Petition, Cumberland County, December 13, 1802.

24. Dismal Swamp Canal Company Papers, July 15, 1812, housed in the Rare Books Collection of the Swem Library, College of William and Mary; Dismal Swamp Canal Company Papers, August 4, 1812, housed at the Virginia Historical Society.

25. Board of Public Works. James River Company materials (box 192), housed at the Virginia State Library.

26. James Henderson to William Cammack, July 10, 1812, in the Dismal Land Company documents contained in, *Slavery in Ante-Bellum Southern Industries, Series A:*

Selections from the Duke University Library, microfilm (Bethesda, Maryland: University Publications of America, 1991), Reel 14, frames 946-947.

27. Douglas R. Littlefield, "Eighteenth-Century Plans to Clear the Potomac River: Technology, Expertise, and Labor in a Developing Nation," *The Virginia Magazine*, 93(1985), 318-319, 321. This episode would seem to contradict Peter Way's assertion that canal laborers did not organize themselves until much later in the nineteenth century; however, that the Potowmack Company was able to end its relationship and utilize unorganized, less troublesome, labor, supports Way's thesis. See Peter Way, *Common Labour* (Cambridge: Cambridge University Press, 1993), Chapter 6, *passim*.

28. For example, see *Virginia Journal and Alexandria Advertiser*, August 24, 1786, and June 14, 1787.

29. Littlefield, "Eighteenth-Century Plans to Clear the Potomac," 319-320.

30. *Journals of the Council of the State of Virginia*, various editors, 5 vols. (Richmond: Commonwealth of Virginia, 1967), IV, 89; III, 509.

31. Littlefield, "Eighteenth-Century Plans to Clear the Potomac," 321.

32. JHDV, Fall 1790 Session, 131.

33. *Virginia Journal and Alexandria Advertiser*, November 24, 30, and December 7, 1786.

34. James River Company Account Book, 1785-1789, housed at the Virginia Historical Society.

35. *Ibid.*

36. JHDV, Fall 1790 Session, 131, notes that the James River Company had to pay above the going rate for slave hires "on account of the risk and danger of...health and life."

37. James River Company Account Book.

39. Miscellaneous Legislative Petition, October 16, 1792.

39. Miscellaneous Legislative Petitions, Potowmack Company Board of Directors, October 16, 1792, and November 15, 1796. The Potowmack Company made a similar request in 1802 because Maryland owners would not hire out their slaves without a specific exemption from Virginia law to do so. See, Miscellaneous Legislative Petition, December 15, 1802.

40. Littlefield, "Eighteenth-Century Plans to Clear the Potomac," 320.

41. Littlefield, "Eighteenth-Century Plans to Clear the Potomac," 320; *Calendar of Virginia State Papers and Other Manuscripts*, William P. Palmer, ed., 11 vols. (Richmond: Virginia State Library, 1884 [Kraus Reprint, 1968]), VIII, 372. Way notes the brawling and conflicts at the shanty towns of the canal works stemmed from old allegiances amongst the groups of unskilled workers. Their internecine rivalries, along with heavy drinking, prevented the emergence of a class consciousness among the workers that would have permitted them to organize for better working conditions. See Way, *Common Labour*, 10-11. As we will see in chapter four of this study, slaves employed more effective means to oppose or avoid oppressive working conditions than did these unskilled white laborers.

42. *Virginia Journal and Alexandria Advertiser*, January 26, 1786.

43. James River Company Account Book.

44. David Jameson reported to John Driver the difficulties faced by the Dismal Land Company in securing labor. "I am told no person inclines to hire their negroes to work at the swamp." See Jameson to Driver, January 25, 1787, in *Slavery in Ante-Bellum Southern Industries*, reel 14, 679-680; *Virginia Gazette and General Advertiser*, July 7, 15, 22, 1795.

45. Richard Blow to Samuel Proctor, January 21, 1806, Richard Blow Letterbook, 1806, housed at the Virginia Historical Society.

46. Richard Blow to Samuel Proctor, January 21, 1806, Richard Blow Letterbook, 1806.

47. Ibid.

48. Upper Appomattox Company Ledger, 1796-1820, housed at the Virginia Historical Society.

49. Ibid.

50. Bradshaw, *History of Prince Edward County*, 291.

51. Legislative Petition, Dinwiddie County, December 9, 1800.

52. Upper Appomattox Company Ledger.

53. Ibid.

54. Virginia Board of Public Works, *First Annual Report of the President and Directors of the Board of Public Works* (Richmond: Thomas Ritchie, 1817), 10; and, *Third Annual Report* (Richmond: Thomas Ritchie, 1819), 31.

55. Wayland Fuller Dunaway, *History of the James River and Kanawha Company* (New York: Columbia University Press, 1922), 26; Corra Bacon-Foster, *The Patowmack*

Route to the West (Washington: The Columbia Historical Society, 1912), 57.

56. *Virginia Journal and Alexandria Advertiser*, August 4, August 11, and September 1, 1785, and February 8, 1787.

57. *Virginia Gazette and Weekly Advertiser*, November 29, 1787.

58. Douglas R. Littlefield, "The Potomac Company: A Misadventure in Financing an Early American Internal Improvement Project," *Business Historical Review*, 58 (1984), 568.

59. Along with the headquarters at Great Falls, the Company maintained a large warehouse, a forge, a grist mill, a sawmill, shops the superintendent's residence, barracks for the laborers and boarding houses. See, Nan Netherton, et. al. *Fairfax County, Virginia: A History* (Fairfax, Virginia: Fairfax County Board of Supervisors, 1978), 206; Littlefield, "The Potomac Company," 572-573.

60. *Virginia Journal and Alexandria Advertiser*, June 14, 28, and July 5, 1787; Miscellaneous Legislative Petition, Potowmack Company and James River Company Boards of Directors, November 17, 1787; Hening, *Statutes*, XII, 508-509; Littlefield, "The Potomac Company," 571.

61. Littlefield, "The Potomac Company," 571-573.

62. Rice, "Internal Improvements in Virginia," 45; *Journals of the Council of the State of Virginia*, V, 179, 216.

63. Miscellaneous Legislative Petition, James River Company Board of Directors, November 27, 1790; Hening, *Statutes*, XIII, 163-165.

64. Shepherd, *Laws*, I, 375.

65. *Ibid.*, II, 108.

66. *Ibid.*, I, 376-377.

67. *Ibid.*, II, 344-345; III, 426. Virginia. General Assembly, *Acts Passed At A General Assembly of the Commonwealth of Virginia, 1809* (Richmond: Samuel Pleasants, 1810), 26.

68. Miscellaneous Legislative Petition, December 16, 1813; *Acts...1813* (Richmond: Samuel Pleasants, 1814), 94.

69. *Acts Passed At A General Assembly of the Commonwealth of Virginia, 1819* (Richmond: Samuel Pleasants, 1820), 56.

70. Bland Simpson, *The Great Dismal* (Chapel Hill: University of North Carolina Press, 1990), 106.

71. Legislative Petition, Botetourt County, November 8, 1785.

72. Legislative Petition, Botetourt County, November 14, 1789.

73. JHDV, October 1790 Session, 102.

74. James River Company Account Book.

75. In "Country Stores and Frontier Exchange Systems in Southside Virginia During the Eighteenth Century" (Ph.D. Dissertation, College of William and Mary, 1984), Charles Jones Farmer reviews the role of country stores as local debt clearinghouses.

76. Upper Appomattox Company ledger.

77. James River Company Account Book.

78. Upper Appomattox Company ledger.

79. Ibid.

80. *Richmond Enquirer*, August 3, 1814.

81. Douglas R. Littlefield, "Eighteenth-Century Plans to Clear the Potomac," 302.

82. Ibid., 302-303.

83. George Washington to Edmund Randolph, September 16, 1785, in Littlefield, "Eighteenth-Century Plans to Clear the Potomac," 306.

84. Littlefield, "Eighteenth-Century Plans to Clear the Potomac," 299.

85. Caroline E. MacGill, *History of Transportation in the United States before 1860* (Washington, D.C.: Carnegie Institution of Washington, 1917), 265-266.

86. *Virginia Gazette and Weekly Advertiser*, May 14 and June 18, 1789.

87. *Virginia Journal and Alexandria Advertiser*, May 21, 1789.

88. *Calendar of Virginia State Papers*, VI, 509-510.

89. Miscellaneous Legislative Petition, Potowmack Company Board of Director, November 4, 1793; Shepherd, *Laws*, I, 241.

90. Norman Risjord, "The Virginia Federalists," *Journal of Southern History*, 33 (1967), 497.

91. *Virginia Gazette and Petersburg Intelligencer*, March 3, 1797.

92. *Columbian Mirror and Alexandria Gazette*, August 15, 1795; *Calendar of Virginia State Papers*, VIII, 378-379 (July 17, 1796).

93. *Calendar of Virginia State Papers*, IX, 311-314.

94. Douglas R. Littlefield, "The Potomac Company," 576-577.

95. Virginia Board of Public Works, *Second Annual Report*, 24; Littlefield, "The Potomac Company," 577.

96. *Richmond Enquirer*, May 9, 1804.

97. Miscellaneous Legislative Petition, Potowmack Company Directors, December 13, 1805. The Potowmack Company improvements consisted of:

-At Great Falls (a drop of 76 feet, 6 inches), a canal six feet deep, twenty-five feet wide at the top and twenty at the bottom. The canal was 1200 yards long with five locks and a basin;

-At Little Falls (a drop of 37 feet) a canal similar to that at the Great Falls, 3,814 yards long with four locks;

-At falls near the mouth of the Shenandoah River a canal 1,760 yards long (a drop of 15 feet);

-At Seneca Falls (a drop of 7 feet) a 1,320 yard long canal; and,

-At House Falls (a drop of 3 feet), a 50 yard canal.

The last three canals had no locks and were between sixteen and twenty feet wide and four to five feet deep. On the river itself the Company had built sluice gates, wing dams and chutes. Board of Public Works, *Second Annual Report of the President and Directors of the Board of Public Works* (Richmond: Thomas Ritchie, 1818), 21.

98. Miscellaneous Legislative Petition, Inhabitants of Shenandoah River Inhabitants, December 10, 1810.

99. Miscellaneous Legislative Petition, Directors of the Potowmack Company, December 9, 1813. While Littlefield suggests that the right to clear the Shenandoah was wrenched from the Potowmack Company by angry inhabitants, the evidence suggests the company was a most willing participant in the negotiations. See Littlefield, "The Potomac Company: A Misadventure," 582. There is no evidence the Shenandoah Company ever began any improvements.

100. James River Company Account Book.

101. Walter Thomas Niedermayer, "Transportation On And Usage Of The James River and Kanawha Canal, 1785-1972" (M.A. Thesis, Virginia State College, 1972), 13-14; Legislative Petition, Amherst County, November 7, 1791.

102. Louis H. Manarin and Clifford Dowday, *The History of Henrico County* (Charlottesville: University Press of Virginia, 1984), 176.

103. Reynolds Metal Company, *Richmond and Its Historic Canals* (1971), 5.

104. Albert Gallatin, *Report of the Secretary of the Treasury on the Subject of Public Roads and Canals, Made in Pursuance of a Resolution of Senate of March 2*, quoted in *Richmond Enquirer*, June 28, 1808.

105. Benjamin Henry Latrobe, *The Papers of Benjamin Henry Latrobe*, Edward C. Carter II, Editor-in-Chief, 2 vols. (New Haven: Yale University Press, 1977), I, 93.

106. Dunaway, *History of the James River*, 32.

107. Virginia Senate. *Journal of the Senate of the Commonwealth of Virginia, 1801* (Richmond: Thomas Nicholson, 1802), 15.

108. *Calendar of Virginia State Papers*, IX, 222-224.

109. *Ibid.*, 333.

110. *Richmond Enquirer*, November 24, 1804.

111. *Ibid.*

112. Legislative Petition, Powhattan County, December 6, 1804.

113. James River Company, *Statement of the situation of the company from its commencement to the present day* (Richmond, 1805), 6-8.

114. *Richmond Enquirer*, August 16, 1805.

115. Legislative Petition, Chesterfield County, December 11, 1805.

116. Reynolds Metal Company, *Richmond and Its Historic Canals*, 6-7; *Richmond Enquirer*, July 3, 1810.

117. *Richmond Enquirer*, October 18, 1811.

118.Rice, "Internal Improvements in Virginia," 123; Samuel Mordecai, *Richmond In By-Gone Days*, 301-302.

119.James River Company, *Statement of the situation of the company*, 2.

120.Shepherd, *Laws*, III, 154-155.

121.James River Company, *Statement of the situation of the company*, 2-3.

122.Ibid., 6; Shepherd, *Laws*, III, 154-155.

116.*Calendar of Virginia State Papers*, X, 27-28.

124.*Richmond Enquirer*, January 5, 1809.

125.*Richard L. Jones, Dinwiddie County, Carrefour of a Nation* (Richmond, Virginia: Whittet & Shipperson, 1976), 113.

126.Jones, *Dinwiddie County*, 112; *Calendar of Virginia State Papers*, IX, 224; Bradshaw, *History of Prince Edward County*, 291; Jones, *Dinwiddie County*, 112; Upper Appomattox Company, records 1796-1935, 5, 8-9, 11-12, 13, 14-15, 16, 16-17, and 18-19, housed at the Virginia Historical Society.

127.Jones, *Dinwiddie County*, 114.

128.Kathleen Halverson Hadfield, ed. *Historical Notes on Amelia County, Virginia* (Amelia County, Virginia: Amelia County Historical Committee, 1982), 191.

129.Alexander Crosby Brown, *The Dismal Swamp Canal* (Chesapeake, Virginia: Norfolk County Historical Society, 1967), 32, 34.

130.*Calendar of Virginia State Papers*, IX, 6, 217, 221-222.

131.Ibid., IX, 221.

132.Ibid., IX, 223-224.

133.Ibid., IX, 222-223

134.Ibid., IX, 460-461; Brown, *Dismal Swamp Canal*, 39-41.

135.Brown, *Dismal Swamp Canal*, 39; Dr. William E. Trout, "The Gilmerton Lock: A Monument to the Builders of the Dismal Swamp Canal," in *An Historical Review* (Norfolk: Norfolk County Historical Society, 1966), 23.

136.Brown, *Dismal Swamp Canal*, 41.

137. James River Company, *Statement of the Situation of the Company from Its Commencement to the Present Day* (Richmond, 1805), 3.

138. Drew R. McCoy, *The Elusive Republic* (New York: W.W. Norton & Company, 1980), 23.

139. *Richmond Enquirer*, July 11, 1809.

140. *Richmond Enquirer*, October 27, 1804.

141. Wood, "Interests and Disinterestedness," 82.

CHAPTER IV

"PUBLIC EXPENSE WHEN UNCONNECTED WITH PUBLIC ADVANTAGE VIOLATES THE MOST VALUABLE PRINCIPLES OF REPUBLICANISM...."

-Legislative Petition
from the residents of the
Town of Milton, 1800.

As the companies proceeded in their work, the improved navigation permitted commercial networks to grow rapidly and settlement to accelerate, just as expected. But Virginians found themselves caught between the forward-looking initiatives and the traditional agrarian society they sought to secure. "Urban" development along the rivers gave rise to a new class of town dwellers who sought a public prominence befitting their affluence. The presence of individuals whose lives were not tied directly to land ownership created tensions in counties which had recently been utterly rural. In addition, towns, both new and old, challenged one another over which would most fully exploit the new economic opportunities carried on the rivers.

Perhaps least expected was that the primary agents of the commercial expansion were black boatmen whose expertise in navigating batteaux on the river made them indispensable. Whites who lived along the river found the constant presence of highly independent, highly mobile, and highly muscular blacks quite unsettling. They blamed the black boatmen for every misdeed on and along the river, particularly theft. Slave owners assumed the boatmen aided and abetted runaway slaves. As important as the black boatmen were to the flow of river traffic, white Virginians nonetheless perceived

them as a menace to society.

Manufacturing had also been widely acknowledged as a threat to undermine Virginia's agrarian society, so much so that internal improvement advocates in the 1780s in part justified the clearance projects as a way to promote commerce yet thwart the impulse for manufacturing such commerce might inspire. Nevertheless, Virginians readily adapted to the downturn in international trade from the Embargo of 1807 and later the War of 1812 by looking to integrate domestic manufacture into the state's economic base. Rather than a threat, manufacturing came to be perceived as complementing agrarian society. Domestic manufacture would permit a well-rounded trade network to exist entirely within the state -- Virginia's planters and farmers would no longer suffer the vicissitudes of foreign conflicts.

Having embraced domestic manufacture as a liberating force, Virginians cast a jaundiced eye on foreign commerce, which perpetuated their participation in international trade and was the cause of their current woes. The international trade network promoted dependence on foreign finished goods and reinforced the subordinate economic status of Virginia to the European nations. So important became internal trade as a response to foreign commerce that the General Assembly expanded the state's role in improvements, creating in 1816 the Board of Public Works and the Internal Improvement Fund.

River improvement had a dramatic effect on settlement patterns in Virginia. In the early 1780s, Johann Schoepf observed Virginia's lack of towns in comparison to the northern states. Schoepf, however, found very appealing Virginia's decentralized

settlement and, in quoting Justus Möser, echoed a classic agrarian theme: "About his house he has his lands and woods, carries on his tillage as it pleases him and in time of need has always something at hand to tide him over." But the Virginia that Schoepf considered so attractive was found less frequently along its navigable rivers. Towns were popping up both spontaneously and by the design of land owners hoping to increase the value of their land.¹

The *Richmond Enquirer* in 1804 carried a series of articles entitled "Progress of Improvement" seeking to convince its readers this "urban" development and commercial expansion, while discomfiting, was nonetheless necessary to perpetuate Virginia's brand of agrarian republicanism. According to the articles, settlers initially spread out as far as the navigation of tidewater rivers permitted, so they might have enough land to farm and a means to carry produce to market. Farmers were soon followed by merchants and mechanics, carried to "clustered habitations" by "the spreading sails of indefatigable commerce."²

These small settlements then acted as "commercial colonies," providing the nuclei for flourishing towns. But as settlers were attracted to the region, they had to find for themselves new arable land to till, forcing them to move farther up the rivers. "It is in this manner that agriculture, as it ascends the confines of the navigable rivers, occasions the selection of *new* places of deposit, and the establishment of new towns; and it is for this reason, that in every civilized country so *many* towns may be traced on the map of its navigable rivers." In other words, the best sign of a healthy agrarian economy was the appearance of many new towns.

As settlers continued to seek land, they eventually moved beyond the fall line, traveling as far as canoe and boat could take them. According to the author of the articles, settlements both at the highest point of navigation and at the fall line grew considerably because they were the departure points for river transportation. Batteaux at the head of navigation travel downriver to the fall line town which "becomes the emporium of all the exports of the upper districts of the country, and, of course, of all the valuable imports which it receives from distant markets." Between the upriver and tidewater termini many small towns would spring up along the river to carry on trade. In conclusion the author observed, "Where can we meet with a more satisfactory illustration of these abstract theorems, than in the history of our own state?"³

"Abstract theorems" connecting river navigation to town development were even more concretely illustrated in advertisements promoting the sale of town lots. The advertisement for Columbia, a town laid out at the junction of the James and Rivanna rivers, boasted good boat navigation was possible upwards of two hundred miles on the James River into the counties of Botetourt and Rockbridge, "thereby opening an easy communication with the western country." Richmond was only fifty miles away and, the advertisement claimed, could be reached by larger batteaux capable of delivering goods directly to ocean going ships. The advertisement hastened to note the canal around the falls to Richmond would be finished in just three years, and in another three years a communication would be opened directly to the tidewater. It also strongly suggested that those who bought lots in Columbia were getting in on the ground floor of a town that would be booming in just a few years.⁴

A petition from the residents of Loudoun County requesting establishment of a town at the Great Falls of the Potomac also employed the logic of the "Progress of Improvement" articles. The petitioners asserted the need for a new place of deposit for the larger number of boats coming down the river which had to wait for passage through the locks at Great Falls. The petition also requested inspection stations for produce, particularly hemp and tobacco.⁵ Similarly, a petition from residents of Powhatan County observed that as a result of the improvements to the James River, "most of the produce of the upper country has been and will continue to be carried to market through this channel" and that towns will arise to provide storage during the passage down the river. Naturally, the land for which the petitioners requested town establishment was a very eligible spot and particularly deserving of the General Assembly's sponsorship.⁶

The increased pace of town development might have been a natural and predictable result of agricultural expansion, commercial growth, and improved river navigation, but it did not occur without turmoil. The rush to settle promising points of deposit on the rivers generated sometimes vicious regional rivalries. The residents of Amherst County petitioned the General Assembly in 1791 for establishment of a town directly across the river from Lynchburg, which was already rapidly emerging as the head of navigation "emporium" of which the "Progress of Improvement" articles spoke. Why the need for another town? After all, Lynchburg was a town on the rise. The settlement received a tobacco inspection in 1785; the first tavern, which also contained a store, was established in 1788. The first stand-alone store opened in 1790. By 1801, one thousand individuals signed a petition seeking another inspection, and in 1806 there were five other

inspections. By 1816, Lynchburg boasted a population of 1,765 whites, 256 freemen and 1,066 slaves.⁷

The petitioners acknowledged the rise and growth of Lynchburg in Campbell County, but asserted they were "inconvenienced" by having to cross the river with their produce to reach the town's market. Stressing that they were from the rich and fertile counties north of the river, the petitioners requested permission to administer their own inspections which would more conveniently serve Amherst, Rockbridge and Augusta counties. The petition neglected to state the obvious reason for a new town — stopping the stream of commerce in Amherst County rather than letting it pass across the river to Lynchburg.⁸

A similar conflict arose over the establishment of a new town across from Milton on the Rivanna River. The petitioners for a new town readily conceded the inspections of flour and tobacco at Milton had served as a convenient point of deposit for produce coming down the river. But they complained Milton's services were not quite convenient enough because the town lay on the wrong side of the river — more than half of the produce arrived on the river bank opposite Milton. According to the petition, the river's banks were rugged and steep, its bed very rocky, and the stream subject to sudden swells. Crossing the river was undertaken at the peril of the goods and those trying to transport them. As a solution, the petitioners recommended the establishment of a new town on their side of the river, with inspections for flour and tobacco. The petitioners were quick to stress that their plan would not be realized at the expense of Milton's economic development. Because of the overall growth, they observed, the new town would not

reduce Milton's market. There was enough for everyone.⁹

The citizens of Milton disagreed strenuously, building an argument around the rhetoric of interestedness. A counter-petition refuted the suggestion that most of the produce came from north of the river, estimating fully two-thirds came from the area to the south of Milton, and crossed the river "with great convenience and small expense to the proprietors of tobacco." Instead, they argued the expenses to the state associated with a new inspection would exceed the advantages because only a small part of the community could benefit, while rendering the majority "materially impaired" by the competition. The Milton petitioners concluded the advocates for a new town had put their own zeal for profit above their civic responsibility:

Public expense when unconnected with public advantage violates the most valuable principles of republicanism and is calculated to defeat those rules of economy which has heretofore been the peculiar [i.e., unique] boast of your honorable House.¹⁰

As far as the Milton residents were concerned, a new town was only not only an imprudent waste of money; it was unpatriotic.

One of the most conspicuous consequences of waterways improvement was the growth in the number of highly independent groups of freemen and slaves -- boatmen who operated the batteaux that plied the rivers. Their skill at navigating the craft through rapids, shallows, and narrow sluice gates, made possible the vision of a commercial republic which had inspired the improvements in the first place. One historian, noting the importance of the rivers to improving the connections between the eastern and western parts of the nation, credits the boatmen with contributing mightily to the development of an American nationality.¹¹ For white Virginians, particularly those along the river, this

contribution did not come without a price.

An anecdote in a 1790 petition from residents of Powhattan, Goochland and Cumberland Counties graphically illustrates the tension between black boatmen and whites along the shore. We are presented with the scene of a growing mob of whites walking along the river, restricted to its bank, hoping to gather enough individuals to challenge a group of blacks they suspect of theft, who are literally and legally just beyond their reach, floating down the river, eventually out of the jurisdiction of the county sheriff.

The white petitioners were highly appreciative of the benefits afforded by the improvements to the James River, but they observed the boats that traveled upon it were operated by individuals characterized as "without property and as we have experienced without principle." The petition noted that a boat discovered along the shore with stolen stock or property could not be detained if the particular offender could not be specifically identified. And when the offender was known, none dared approach to point him out, as several boats together contained a large and intimidating number of boatmen. All that could be done was to follow the boats "until a sufficient number of neighbors can be collected to carry the offenders before some magistrate....," presumably when the boatmen came ashore.

The petitioners feared continued violations unless the General Assembly adopted a speedier means for bringing the transgressors to justice. As a solution, the petition recommended registering all boats in use on the James River above the falls, and requiring the owners to deposit a security for the behavior of the master and crew. All

boats would be numbered and marked in large characters on the side. The petitioners believed that if the owners could be easily and speedily held financially accountable for damages by their crews, "more caution would be used in hiring the crew of these boats and better discipline would be kept up by the masters of them."¹²

Despite the fears, the volume of traffic on the James River grew, and the batteaux and their boatmen became an evermore dramatic presence on the rivers. In 1819, the *Richmond Enquirer* reported a survey of the river estimating the number of boats that operated between Lynchburg and Richmond to be around five hundred. If each boat bore the typical compliment of three, approximately 1,500 boatmen were constantly traveling the three hundred miles between the two cities. One individual recalled the river being crowded with boats, "and its shores alive with sable boatmen — Such groups! Such attitudes! Such costume! Such character! They would have been worthy subjects for the crayon of a Darley or Gavarni!"¹³

Night "was the glorious time," according to a contemporary writer using the pseudonym Porte Crayon. The batteaux often traveled in groups of three, and at dusk a fleet of fifteen or twenty would at times come ashore together. They would eat well, helping themselves to whatever produce, molasses, coffee, sugar or salt was part of the cargo. Theft was narrowly defined as taking from another slave, which permitted as an ethical option "taking [the master's] meat out of one tub, and putting it in another." After dinner, the whiskey jug would be passed, and banjoes and fiddles would be played while all sang.¹⁴ Such recollections glamorize the boatmen as heroic figures. They were mythic in their physical strength, renowned for their skills and enjoyed a lifestyle everyone —

black and white — envied.

After the Civil War, the black boatmen were romanticized in antebellum river folklore.¹⁵ In 1884, Dr. George W. Bagby in a chapter of his memoirs entitled "Canal Reminiscences" recalled:

Those were the "good old days" of batteaux — picturesque craft that charmed my young eyes more than all the gondolas of Venice would do now. True, they consumed a week in getting from Lynchburg to Richmond, and ten days in returning against the stream, but what of that? Time was abundant in those days. It was made for slaves, and we had the slaves...I want the beat back again, aye! And the brave, lighthearted slave to boot.¹⁶

One can practically see the moonlight and smell the magnolias.

Bagby claimed that "if ever a man gloried in his calling, the negro boat-man was that man."¹⁷ The work was hard, and sometimes very dangerous; however, the lack of white oversight afforded black boatmen unrivaled freedom. But the same (stereotypical) group of happy-go-lucky, banjo-playing boatmen of whom Bagby spoke, were in the eyes of many whites who lived along the river, a band of fifty or so physically powerful, unscrupulous blacks who lacked sufficient supervision. Not only were the boatmen of necessity highly mobile but the state itself had afforded them a degree of autonomy. The charters of the improvement companies had designated their waterways "public highways" and therefore beyond the jurisdiction of counties. While the intention was to ensure no counties attempted to set up their own tolls or tariffs, or impose arbitrary standards on the companies, the designation also restricted the authority of county sheriffs to arrest and remove anyone from the river. Added to the boatmen's intimidating presence and their practice of traveling in groups, this immunity meant boatmen had little

reason to fear anyone while on the river.

Rather, the boatmen elicited considerable consternation, and at times outright fear, from the whites who lived along the river. A contemporary observation painted a far less pretty picture of the boatmen than did the fonder reminiscences. While Bagby and Crayon dismissed the penchant of the boatmen for petty theft as harmless and even endearing for those who shared in their ill-gotten bounty, General John Hartwell Cocke described the boatmen as "slaves of the worst character" whose owners were willing to be rid of them by hiring them out to shippers. Cocke claimed that "no man's stock of cattle, sheep or hogs are safe in a pasture bordering on the river," casting the boatmen in a far harsher light than Porte Crayon, who suggested they pilfered only what they needed to fill their bellies. Cocke went on to report the primary business of the many groceries being licensed along the river was trafficking goods stolen by the boatmen. He wanted all groceries banned and the boats prohibited from touching shore except in bad weather and then only at public landings.¹⁸

The leadership of the Potowmack Company was similarly displeased with the reputation of the boatmen. A 1793 petition from the Potowmack Company complained the boatmen on the newly navigable parts of the river "are ignorant and careless to an extreme." They took little care of their cargo, which often arrived damaged, and often attempted to overcharge the recipient of the goods. The company was very concerned that potential customers were discouraged from using the Potomac River and recommended licensing the boatmen, as was in the practice in Pennsylvania on the Delaware River.¹⁹

White Virginians also frequently associated the waterways and the boatmen with attempts to escape slavery. Newspapers of the day are filled with advertisements referring to the boatmen or the rivers as a means of escape for runaway slaves. But to speak of boatmen running away is not entirely accurate, for, even in flight, many stayed on the river. The boatmen recognized their skills were much in demand, and they did not seem to have any problems finding desperate boat owners who, needing a crew, did not ask too many questions. Other runaway advertisements mentioned the fact that the slave in question had formerly been a boatmen and would no doubt attempt to hire himself out — boat owners were specifically cautioned against harboring such runaways.²⁰

The river also provided runaways of all sorts with considerable mobility. One advertisement suggested an escaped slave might be in Powhatan or Cumberland counties, in Lynchburg, in Richmond, or he might be at the coal pits where he worked for many years, and would no doubt be harbored. The slave owner had narrowed the search to the entire expanse of the river made navigable by the James River Company.²¹ The owner of another runaway, known to have "a considerable acquaintance with boatmen that run the James," suspected the slave was associated with the two crimes slaveowners most feared - arson and theft. The owner suspected the slave's escape had something to do with a fire that drew the owner from his house, leaving it prey for robbers. The advertisement suggests that boatmen would be sensitive to the runaway's plight and abet his escape. The slaveowner had no trouble believing boatmen were of such low repute they would provide assistance to so wayward a slave.²²

One particularly informative advertisement noted the escape of a slave hired out

to the armory on the canal basin in Richmond. Here she labored outside the direct purview of her owner and in the company of numerous other slaves hired out to work in the Armory. Apparently believing her obligations to her master superseded any marital bonds, the slaveowner asserted she had been "inveigled off" by her husband who was a boatman for the coal pits in Westham on the James River. As runaways, the couple could rely on two support networks of which they were a part, his stemming from the coal pits and hers from the armory. In either case, the James River created the means to maintain their marriage, and as the advertisement suggests, other kinship and friendship ties. It reported she might be in Chesterfield or Powhattan counties where she had many relatives, or at a plantation in Henrico where she and her husband were known.²³

Water travel might have been quicker than other modes of transportation, but it was by no means fast, particularly when going upstream. It took about ten days to proceed upriver from Richmond to Lynchburg. It would seem that someone on horseback would have ample time to catch up with a batteau poling upriver. But runaways did not have to stay on the river -- they were not escaping into hostile territory. One historian has asserted the *Africanization* of the piedmont during the third quarter of the Eighteenth century.²⁴ After the Revolution, more slaves lived in the piedmont than the tidewater, and the overall density of black population was high in both regions. In 1782, one-third of the counties between the fall line and Blue Ridge, compared to forty-seven percent in the tidewater, contained more blacks than whites, and the heaviest concentrations of black population followed the courses of the James, Potomac and Appomattox rivers.²⁵

The manner of slaveholding in the piedmont also created inviting prospects for prospective runaways. By the mid-eighteenth century, tidewater planters need not buy more slaves because the slaves they had inherited were reproducing at a rate more than supplying their labor needs. And those the masters did not need, they sold or transferred westward to plantations they established in the piedmont. These new plantations tended to be of middling size (eleven to thirty slaves), and became so numerous that by 1780 the concentration of such plantations differed little from the tidewater. By the beginning of the nineteenth century, the slave populations in both the tidewater and piedmont were concentrated in plantations sizable enough to grant slaves a fair degree of autonomy from whites, and sufficient opportunity to build kinship ties and friendships that afforded community solidarity to the slaves of the "Africanized" piedmont.²⁶

At the turn of the nineteenth century, the piedmont was heavily populated by slaves who had been fully acculturated to life in Virginia and could take advantage of numerous opportunities to circulate without supervision. In the aftermath of the American Revolution, slaveholders in Virginia temporarily liberalized manumission laws, creating the impression that freedom was in reach. The slave trade had been restricted, and many masters felt an obligation to keep slave families together when they were sold. Whites also often ignored the requirement of written passes for slaves to travel alone, were lax in supervising slave gatherings, and overlooked prohibitions against engaging in commerce with slaves; masters would permit slaves to hire themselves out.

This more permissive servitude afforded a slave named Gabriel the means to improve himself, but demanded he accept a system that would never fully appreciate his

talents. After the Revolution, there might have been a new birth of freedom, but there was also a great expansion, and entrenchment, of slavery. Gabriel faced a contradiction: he was permitted to cultivate his talents, but he would never achieve the social status he felt he deserved.²⁷ Gabriel's solution to the contradiction he faced was not to run away, or burn down a barn, or steal, but to rebel.

Gabriel was a skilled carpenter and blacksmith; what is more, he knew how to read and write. These abilities placed him in a growing class of slave-tradesmen who were literate, skilled, and mobile, and worked in a commercial environment that rewarded ability. They were also sophisticated enough to recognize the deck was stacked against black slaves, and that most whites around him were unaware they were dealing with slaves capable of resistance to the system that put them in bondage.²⁸

In the language of criminology, Gabriel had motive *and* opportunity. Gabriel might have been a rural slave, but the agriculture of the James River region's depended on a variety of crops which forced planters to rely on more skilled, less well supervised, and more privileged slave labor. Gabriel, for example, was able to visit Richmond every Sunday. Moreover, it was the custom among slaves in the area to gather in Richmond every Saturday night. Gabriel, his brother Solomon and Jupiter, the core of the conspiracy, all knew Richmond well and masterfully set up a network of recruiters to inform sympathetic slaves of their plan. Naturally, boatmen were key to the coordination of the rebellion, providing transportation and acting as recruiters in their own right. After the rebellion, a boatman named "Stepney," was arrested for recruiting in Cartersville, Cumberland County, but it was discovered his influence stretched along the James River

from Powhattan County to Buckingham County.²⁹ Additional organizers worked among the slaves at the canal project at the Falls of the James River, and the coal pits above Westham.³⁰ The James River was the conspiracy's artery. Without the waters of the James, the rebellion could not have been planned. Ironically, water -- rain water -- would be the rebellion's undoing.

Gabriel had selected the night of Saturday, August 30, for the rebellion. By noon of that day heavy rains had begun to fall. The storms swelled streams and washed out roads and bridges. A few slaves who were able to rendezvous at Gabriel's plantation were told to come back the next evening, but no one showed up the next night. The rebellion which had taken months to plan had dissolved in a matter of hours. Along with the rain, betrayal dampened whatever enthusiasm might have remained. On the day of the rebellion, at least three slaves informed their masters, who contacted Governor James Monroe. Monroe dispatched two cavalry troops to sweep the area. In a few days, twenty slaves had been arrested and ten had been executed.

Considering the importance of the river to the rebellion, it was only fitting that Gabriel had sought escape by boat. Having eluded capture for over two weeks, Gabriel jumped on board a boat at Ward's Reach, four miles below Richmond. The captain of the craft, Richardson Taylor, was an anti-slavery Methodist who asked no questions when Gabriel claimed to be a freeman named David. On September 28 in Norfolk, the boat was boarded and inspected without incident, but Isham, a slave, brought the officials back believing he had identified the fugitive slave for whom a handsome reward was offered. Gabriel was removed in chains.³¹

Gabriel remained silent throughout his trial, and went to the gallows without publicly stating his motives. But a few years later, another slave offered the following testimony during his conspiracy trial:

I have nothing more to offer than what General Washington would have had to offer, had he been taken by the British and put to trial by them. I have adventured my life in endeavouring to obtain the liberty of my countrymen, and am a willing sacrifice in their cause; and I beg, as a favour, that I may be immediately led to execution. I know that you have pre-determined to shed my blood, why then all this mockery of a trial?³²

The slave's comparison of himself to Washington and his reference to fellow blacks as "countrymen" are most compelling evidence that well-informed slaves, like Gabriel, were immersed in the political thinking of the Revolution. The use of the word "adventured" deserves particular focus. As previously noted, the contemporary definition of the term "adventurer" was closer to the modern "entrepreneur." While it is disputable whether Virginia's white founding fathers were more influenced by classical references or by contemporary liberalism, Gabriel would seem to possess a thoroughly forward-looking political perspective. Gabriel had struck against the old order which denied him the freedoms championed by the American Revolution. He sought a new order, one in which he would be measured by his earning potential, and not the color of his skin. He was quoted as saying that after taking Richmond (and presumably killing as many whites as he could) he "would dine and drink with the merchants of the city," who were to be exempt from the wrath of his compatriots.³³ The merchants and Gabriel had something else in common -- they both sought material gain, and both depended on the river for the success of their enterprises.³⁴

Whites found Gabriel's Rebellion particularly jarring because the conspirators

were slaves who had distinguished themselves by their skills and intelligence, and had most benefitted from their owners' tolerance. Rather than accepting their relatively comfortable situation, or even opting to run away, these slaves organized a rebellion.³⁵ Post-revolutionary idealism had led to a relaxation of slavery in Virginia, but because of Gabriel's activities and those of other independent-minded slaves, the General Assembly returned to the colonial brand of slavery in order to better discipline slaves. Gabriel's efforts had the opposite intended effect; rather than securing justice for slaves, he delivered them into a more restrictive servitude.³⁶

In 1802, Governor Monroe established the Public Guard of Richmond, a night-time police force authorized to protect public buildings and militia arsenals. It also was available to enforce the new law forbidding slave assemblies at night. In addition, justices of the peace were empowered to break up evening meetings at houses of worship and "inflict corporal punishment on the offenders."³⁷

Boatmen, some of the most skilled and autonomous slaves who participated in the conspiracy, received special attention from the General Assembly. No black or mulatto, including freemen, was permitted to obtain a pilot's license. In 1808, Potowmack Company officials expressed concern for the large quantities of flour and other articles brought down the Potomac and Shenandoah rivers "which are exposed to injury from the inattention of boatmen and want of protection from the weather." The company's directors sought a legislative act by the General Assembly "authorizing the Potowmack Company to make by-laws for the safe conveyance of produce and other articles in boats and generally for regulating the boating business in the Potowmack and Shenandoah

Rivers and the branches thereof." The Committee on Propositions and Grievances concluded the petition sought too much authority for the company over a public highway and rejected it.³⁸

Possibly owing to the larger volume of traffic on the James, and that its waters had nurtured Gabriel's Rebellion, the General Assembly took more aggressive action toward the boatmen on that river. In 1810 it passed an act that addressed the most pressing concerns of both those who lived on the river and those who depended on it for the transport of produce and goods. No free negro or mulatto was permitted to carry a gun or rifle on a boat, and any white who seized the gun was permitted to keep it. Any boatman who was found away from his boat on the banks of the James River or its branches, during the trip or during loading, could legally be taken by any citizen to the local magistrate, who was authorized to dispense a punishment of no more than twenty lashes. A payment of two dollars "for the use of the poor" could secure a release, not to mention deliverance from the lash.

The owner of any slave caught stealing lumber, produce, livestock or any other goods upon the slave's conviction had to repay the owner the value of the stolen item. The slave received twenty lashes for the first offense and forty for the second. The third offense also earned forty lashes, but the slave's owner had to pay triple damages. However, in a provision intended to discourage accusations against boatmen for the purpose of making a profit on the damages, if the testimony of the property owner were required to secure a conviction, the compensation paid went to the poor of the locality.

The statute also endeavored to reduce the perceived thievery of boatmen,

particularly on the busy docks of Richmond. Manifests were required of all boats heading upriver, which the "inspector of boats" stationed at the upper locks of the canal reviewed to ascertain whether all goods on the boat were listed. The inspector had the authority to seize unlisted items and advertise them in the local papers for the rightful owner to reclaim. Free blacks had to have "some respectable white person" vouch for any personal property or goods they transported.³⁹

By the first decade of the nineteenth century, Virginia had achieved an economic success that was due in no small part to the development of an infrastructure of improved waterways. United States Secretary of the Treasury Albert Gallatin considered the improvements of waterways in Virginia to have had so dramatic and positive an impact that they warranted replication by other states. They were, most notably in New York. Gallatin's 1808 *Report on Roads and Canals* offered a survey of the internal improvement projects in the United States that might warrant the sponsorship of the federal government. The report was an effort to rise above inter-state rivalries and develop a coherent plan for a national infrastructure and market system.⁴⁰

Virginia's improvement projects appeared prominently in Gallatin's report. Of the four major canals he recommended be cut across capes and necks in order to enhance the coastwise traffic, only the Dismal Swamp Canal had actually been begun.⁴¹ Gallatin also envisioned several trans-Appalachian river networks, which, complemented by strategically placed canal systems, would be capable of reaching the Ohio River from the east. One network was the Monongahela and the Potomac; another, the Kanawha and the

James.⁴² Regarding the Potomac, Gallatin noted the river required a series of canals and locks and reported with a sense of awe that the lower locks of the Great Falls works were excavated out of solid rock. Gallatin argued that if the Potomac, one of the fastest moving rivers on the Atlantic coast, could be subdued, so could any other river. The James River received special attention from Gallatin not only for the extent of the improvements to navigation, but because it was the only system that afforded tidewater access to significant deposits of coal.⁴³

Gallatin laid out a plan for the development of an infrastructure that could accommodate an entirely self-sufficient American economy, an objective to which the improvements in Virginia seemed very much to lead. But economic independence would require the development of domestic manufactures to replace the products currently imported. Despite the Virginians' commitment to expanded commerce and an acceptance of the "luxury" it brought, at the turn of the nineteenth century most remained dubious of permitting English-type factories into their agrarian republic.

With the improved navigation of the waterways and the sudden expansion in the number of towns in the state came a growing awareness among Virginians that they had to rethink their state's commercial posture, and, most significantly, reconsider the state's manufacturing potential.⁴⁴ A series of articles on the "Progress of Improvement" in the *Richmond Enquirer* in 1804 spoke of a "new era" unfolding in agricultural Virginia. As a country becomes more settled, the article's author postulated, foreign commerce becomes less advantageous. Agricultural surpluses result in price decreases while the prices of foreign finished goods increase due to heightened demand. In an effort to maximize

profits, domestic farmers naturally begin to allocate resources to domestic manufacture. Towns begin to appear, not to facilitate international trade, but as factory centers. Domestic manufacturing becomes "the nucleus of a diversified population and increasing wealth," the series concluded.⁴⁵

In 1815, a report of the House of Delegate's Committee on Roads and Internal Navigation went so far as to conclude the establishment of new towns had become so integral to Virginia's development that "whatever contributes to increase the population and wealth of the towns, must contribute to the growth and improvement of the country."⁴⁶ Along with merchants, mechanics and artisans were the most prominent residents of these towns. In fact, many legislative petitions had come to use the presence of mechanics and artisans to justify their request for town establishment. A petition for the establishment of a town in Albemarle County in 1804 reported considerable improvements to the settlement, resulting in a great population expansion, "consisting chiefly of mechanics and manufacturers, the surest presage to the prosperity of an inland town."⁴⁷

A powerful new incentive for expanded domestic manufacture came in December 1807 with President Thomas Jefferson's embargo.⁴⁸ In response, manufacturing societies sprang up in cities across Virginia. The newly formed Richmond Friends of Manufacturing Association asked, "Are we capable of being entirely independent, or are we not?" If the nation chose not to, the association warned in a published address, the flag would be insulted, entangling foreign alliances might become necessary, and foreign trading partners would exert monopolistic control over shipping. Considering the

international situation, the address set out plainly that "agriculture...can no longer supply all our wants — we must of necessity become manufacturers."⁴⁹

The nation should look to its own internal resources "with which the bounty of Heaven has so abundantly blessed us," the Richmond Friends of Manufacturing pointed out. Virginia possessed vast natural resources and fine sites for manufacturing, not to mention a mechanical genius on the part of the inhabitants that was beyond doubt. The only problem Virginia faced in cultivating domestic manufacture was securing sufficient labor. But the address claimed that manufacturing's need for an overflowing population was a myth the British and French propagated for fear of competition. Many industries had developed labor-saving devices, it was observed, which Virginians could utilize to compensate for a smaller population than that of European manufacturing nations. Since foreign commerce would be eliminated, there would be, the address assumed, a reduced need in Virginia for the crops formerly sent abroad, creating a surplus of farming labor at home that could be redirected to manufacturing.

Having rejected the arguments against manufacturing, the Richmond Friends' contended all that remained was to summon the necessary will to achieve complete economic independence. The question was, could Virginians muster the civic virtue that had made victory in the Revolution possible and apply it to securing manufacturing independence? The address played on the sense of inferiority of the post-Revolutionary generation: "If we possess the patriotic self-denial, the constancy, the enterprise and perseverance, of which our fathers in 1776 gave us so illustrious an example, then indeed we shall be independent."⁵⁰

The Petersburg Manufacturing Society, also in a published address at the time of the Embargo, stressed the opportunity presented to Virginians by their state's improved navigation, which provided the kind of unifying interest of which Washington had spoken in 1785. The Petersburg society declared:

Let us then throw ourselves on our vast interior resources in this great western hemisphere, develop our energies and avail ourselves the proper use of them. Domestic manufacture and internal trade will yield benefits that will more than supply the wants of foreign commerce. Internal trade, by combining and identifying our interests will produce the most happy results: it will make secure and call into action, an insecure and dead capital; it will give the means of employment and gain to all men, especially the needy; it will insure the enjoyment and cultivation of our peaceful habits and disposition; it will promote the harmony of social life and improve our morals by the exclusion of foreign fashions, vices and luxuries; it will revive our republican manners, simplicity and frugality...⁵¹

The address of the Surry Manufacturing Society lacked the lofty rhetoric of its Richmond and Petersburg counterparts, but demonstrated its members were prepared to accept the implications of domestic manufacture. The members of the society had for the most part clad themselves in homespun, with the intention of doing so entirely in the near future. A committee of the society was also investigating machinery with the intention of buying whatever was necessary to permit them to make their own clothes.⁵² In an address to the General Assembly, Governor John Tyler also spoke of temporary inconvenience for long-term economic security. "Can we not be content to wear a coat of our own manufacturing," he asked, "though not so finely and handsomely wrought? or must it be touched with the finger of a foreign artist to make it pass current among the Beau Monde?" He encouraged Virginians to focus their efforts on projects that advanced domestic production and consumption so that the state's wealth would increase and "our

citizens be diverted from seeking their fortunes on a tempestuous sea."⁵³

If the embargo had been strong incentive for the development of local manufacturing capacity, the War of 1812 created a sense of absolute urgency. Thomas Jefferson, who had spoken so unequivocally against domestic manufacture in his *Notes on the State of Virginia*, had been wrestling with the role of manufacture in Virginia since his imposition of the Embargo on the country. In 1809 he suggested that domestic manufacture was acceptable to the extent it processed domestically available raw materials: "I do not think it fair in the ship-owners to say we ought not to make our own axes, nails, etc., here, that they may have the benefit of carrying the iron to Europe, and bringing back the axes, nails, etc."⁵⁴

The war forced Jefferson to reconsider his position further. In response to a letter asking him to explain his remark in *Notes* that "the work shops of Europe are the most proper to furnish the supplies of manufactures to the United States," Jefferson observed the world had become far different from what he had expected. "We have experienced what we did not then believe, that there did exist both profligacy and power enough to exclude the United States from the field of intercourse with other nations." Jefferson could come to only one conclusion, "that to be independent for the comforts of life we must fabricate them ourselves." He went on to assert, "he therefore, who is against domestic manufactures, must be for reducing us to a dependence upon foreign nations — I am not one of these." Jefferson, who had built his vision of Virginia upon the citizen farmer, initially had modified his philosophy to provide a role for commerce and merchants. Now he believed that "we must...place the manufacturer by the side of the

agriculturalist."⁵⁵

In endorsing domestic manufacture Isaac Briggs, a noted engineer of the day, went so far as to characterize it as a moralizing influence, using language similar to that of Jefferson and Madison when they described the positive effects of commerce on backcountry farmers. He observed that child labor may be abused in European factories, but he was confident that "a course of the purest moral, and religious instruction may, with great facility, be connected with these establishments." In addition, the factories would render productive those who had been contributing nothing to society: "A great portion of the lame, poor, and (otherwise) idle persons are employed in our manufactories -- [i]dleness, crimes poor-rates, and taxes diminish."⁵⁶

With the notion of domestic manufacture no longer antithetical to the country's interests, foreign commerce became the threat to the American, and Virginian, way of life. Writers distinguished between foreign commerce, which increased dependence on imported goods, and domestic trade, which promoted internal trade and self-sufficiency. Starting in the 1780s, Virginia newspapers began to explore the virtues of domestic production and to disparage the foreign trade it would obviate. One article distinguished foreign commerce as "the avenue of foreign vices." Another criticized planters for abetting foreign trade by presuming goods could be bought abroad cheaper than they could be made domestically. Although not going so far as to advocate the development of domestic manufacture, the article's author pointed out that sufficient numbers of artisans could be attracted from Europe by higher wages, lower taxes, bountiful food supplies, and the right to vote — of all of which denied them in Europe. And considering

that domestic production would "save the foreign taxes, freights, luxuries, and insurance, surely artisans might live better here, and supply us cheaper."⁵⁷

At the turn of the nineteenth century, the diplomatic crises with Great Britain and France drove home the importance of developing internal commerce. Trade restrictions and the loss of foreign markets forced commercial interests to look westward rather than across the Atlantic. Indeed, traffic on Virginia's principal rivers rose almost in direct proportion to the drop in external shipping. Richmond and Lynchburg in particular experienced dramatic growth during the first decade of the nineteenth century.⁵⁸ After a temporary boom in 1810, Virginia suffered four years of restriction, depression and war.⁵⁹ With the economic disruptions of the War of 1812 still fresh in the minds of Americans, Hezekiah Niles, editor of *Niles Weekly Register*, asserted: "[International] Commerce produces nothing...whereas agricultures and manufactures contribute so much to the wants, the conveniences, the luxuries or the wealth of a country."⁶⁰

Internal improvement advocates such as Niles were stunned when President Madison, whom they considered one of their own, obstructed federal participation in the plan by vetoing the Bonus Bill in 1817. Madison's veto message provided a strict constructionist explanation for his action:

The legislative powers, vested in congress, are specified and enumerated in the 8th section of the first article of the constitution; and it does not appear that the power, proposed to be exercised by the bill, is among the enumerated powers; or that it falls, by any just interpretation, within the power to make laws necessary and proper for carrying into execution those or other powers vested by the constitution in the government of the United States.⁶¹

The message went on to explain that the commerce clause does not include the power to

construct roads and canals. Furthermore, if the power to construct roads and canals is absent, even the assent of those states directly affected cannot confer the power.

Henry Clay took the President to task over the veto. In remarks before the House of Representatives (and prominently reprinted in Niles' magazine) Clay observed that Madison's esteemed predecessor, Thomas Jefferson, recognized the power of the federal government to enter into compacts with states for the construction of roads and canals, and willingly signed the bill creating the Cumberland Road. Clay also noted Madison expressed no qualms regarding the establishment of the Second Bank of the United States, despite there being no reference to creating a national bank in the Constitution. "If ever there were a stretch of the implied powers conveyed by the constitution," asserted Clay, "it has been thought that the grant of the charter of the national bank was one."⁶²

Clay found particularly frustrating Madison's veto of a bill which Madison had called for just months earlier in his annual message to Congress:

I particularly invite again the attention of congress to the expediency of exercising their existing powers, and where necessary, of resorting to the prescribed mode of enlarging them, in order to effectuate a comprehensive system of roads and canals, such as will have the effect of drawing more closely together every part of our country, by promoting intercourse and improvements, and by increasing the share of every part in the common stock of national prosperity.

Clay agreed with Madison that Congress could use its existing powers to create a system of roads and canals, but took exception to Madison's suggestion that a constitutional amendment might be required. Neither in the message to Congress nor in the veto message did Madison offer a single example of the type of "defect" that would necessitate a constitutional amendment, because, according to Clay, there was none.⁶³

Clay's characterization of Madison's opinion was not entirely accurate. In both the message to Congress and the veto message, Madison made quite clear his position that the federal government's participation in the construction of roads and canals required a constitutional amendment. In the message to Congress, Madison reflected on the difference of opinion as to the right of Congress to establish internal improvements. After due deliberation, Madison reported "a settled conviction in my mind that congress do [sic] not possess the right."⁶⁴

Madison certainly had support in Virginia for his position. Thomas Ritchie in the *Richmond Enquirer* said of the veto: "Never has the constitutional veto been more properly exercised. Never had the friends of State rights more reason to rejoice. Never have we witnessed more sincere congratulations from their lips." Ritchie described the rejected legislation as a "splendid bill," the attraction of which made it all the more dangerous. "But had that bill been passed into a law," asked Ritchie, "where would the proud waves of federal usurpation have been stayed?"⁶⁵ The majority of the Virginia delegation in the House of Representatives seems to have agreed with Ritchie. Fourteen out of twenty (with 3 absent) voted against the Bonus Bill.⁶⁶

There were also less high-minded reasons for Virginia's congressmen to vote against the bill and for Madison to veto it. Virginians like Ritchie had ardently supported enhancing Virginia's economic competitiveness through internal improvements. He did not want to see the federal government underwriting internal improvement projects in other states that would draw the flow of trade from Virginia. Ritchie and Madison may have harbored constitutional concerns regarding the Bonus Bill, but they also knew of

New York's plans for the Erie Canal and feared that Virginia would not be able to compete for federal patronage with that project.⁶⁷ In 1811, the *Richmond Enquirer* reported that DeWitt Clinton and Gouverneur Morris were in Washington to petition Congress for assistance in their plan for a canal between the Great Lakes and the Hudson River. "Will these gentlemen be so good," asked the report, "to lay their fingers upon that clause of the constitution which authorizes the U.S. to meddle with canals?"⁶⁸ Historian Robert Wiebe calls this state-oriented impulse "expansive provincialism:" each state capital endeavored to coordinate local development proposals so that "they did not smash one another in wild ambition."⁶⁹ In order to provide the largest possible economic base, and thereby reduce intrastate rivalries, each state sought to siphon business from "foreign" states; any initiative that held the potential to expand the economic base of another state — such as the Bonus Bill — Virginians naturally would oppose.

After surveying the exploding interest in internal improvements and economic development after 1815, Wiebe characterizes "expansive provincialism" as a post-War of 1812 phenomenon. In Virginia, however, the centralization of power in the state government and its application to improve the state's transportation network was an idea dating back to Washington's famous 1785 letter. Washington enunciated issues Wiebe suggests do not become prominent for another thirty years: the emerging economic contest with other states; the unlimited wealth to be secured from gaining access to the West; and the importance of submerging intrastate regional rivalries through state patronage of improvement projects within Virginia.

As we have seen, the rest of Virginia's political leadership all but immediately

adopted Washington's model of a robust central state government aggressively pursuing internal improvements. Individuals from all points on the ideological spectrum recognized the value of the state government's participation in development of an infrastructure. No representative questioned the legitimacy of the state's actions, so long as his region received attention. Orrin Libby, one of the first modern historians to review ratification of the federal Constitution in Virginia, concluded that support for the Constitution was found along "the great highways of commerce" that followed the natural contours of the land. In other words, individuals who benefitted from the commercial networks, such as those in the fall line cities and the ports, tended to be Federalists. Conversely, Antifederalists came from remote areas.⁷⁰ What Libby failed to recognize is that virulent Antifederalists such as Patrick Henry sought similar commercial access for their own regions and supported state participation in internal improvements with an enthusiasm equal to that of Federalists.

Jeffersonian Republicans inherited the Antifederalist mistrust of the federal government and opposed initiatives which expanded its authority, but they had no qualms when similar powers resided in the state capital.⁷¹ The existence of a strong central authority was not the point of dispute between Jeffersonian Republicans and Federalists in Virginia. The location of that central authority -- Richmond or Washington D.C. -- most certainly was. Fortifying Jeffersonian Republicans' constructionist understanding of the Constitution was their fear that any federal usurpation of power over the construction of roads and canals would advance some other state's economic position. From this perspective Madison's veto was neither a rejection of his earlier support for internal

improvements nor a repudiation of government sponsorship of such projects. Instead, the veto reflected Madison's long-held conviction that the Constitution invested the responsibility for internal improvements in the individual state governments, who could further their own interest by participating in activities denied the federal government. He would not intrude without the express permission that only a constitutional amendment could grant, and by doing so, refused to allow the federal government to put his own state at a material disadvantage.

The extent to which the attitude toward domestic manufacturing had changed in Virginia since the 1780s is evident in an 1815 report of the Virginia House of Delegates Committee on Roads and Internal Navigation. The report called "the duty, and the interest of every good government to facilitate the necessary communication between its citizens," a fact "too obvious to require much illustration. By extending commerce, these improvements "promote the agricultural and manufactures of a nation, and thereby ... augment its wealth and population." The importance of domestic manufacturing to Virginia's future was now recognized, and the relationship between its development and internal improvements taken for granted.

The report credited the internal improvement companies with greatly contributing to the economic revival after the Revolutionary War and commended the farsightedness of the legislators who committed state resources to the projects. Although these investments have not paid handsome returns,

Your committee, however, confidently believes, that there is not an individual with the Commonwealth alive to a sense of her true interests, who would have desired, for the sake of a higher profit to the treasury upon the stock of the public in either of those works [the James River and

Potowmack Companies] to withdraw the funds which were required for their completion, and permit those noble rivers to return to a state of nature.

The report then described how such internal improvements benefitted all Virginians, not just those directly affected by them. For example, farmers far from the improved rivers enjoyed expanded markets and the higher prices for their produce. Those in the tidewater should certainly recognize the advantage of improvements to western waters that directed commerce toward eastern Virginia rather than Baltimore or Philadelphia. As it was, the report asserted, "there is scarcely a village to the West of the Blue Ridge, and very few above tidewater, from the Roanoke to the Potomac, which derive any part of their supplies of manufactured commodities, either foreign or domestic, from the seaports of Virginia."⁷²

The report also referred to an "unexpected Revolution" in transportation beyond the Alleghenies, which turned the thoughts of westerners away "from their place of nativity" toward other ocean outlets. The committee could not impress enough upon the General Assembly the seriousness of the threat New Orleans posed -- steamboats from that city were already plying the waters as far north as Pittsburgh.⁷³ A series of "warnings" in the *Richmond Enquirer* underscored the importance of the state's continued commitment to internal improvements. The newspaper reprinted a number of articles from western papers heralding the steamboat and the opportunities for trade with New Orleans that it made possible.⁷⁴ The editors hoped to arouse Virginians to this technological threat to their western trade in order to reinvigorate efforts to extend navigation on the state's rivers to the West. One reprinted article, from the *Cincinnati*

Gazette, went so far as to suggest resources expended on transporting goods over the Appalachian Mountains, or improving river navigation through highlands, would be better spent on the construction of steam boats to connect the western parts of the nation with New Orleans. Cincinnati's potential was evident in its tremendous growth, more than tripling in size between 1810 and 1820, from 2,500 to 9,600. Failure to tie such a growing region into Virginia's trade network would be a lost opportunity of tremendous proportions.⁷⁵ Western farmers and manufacturers, another article asserted, would benefit greatly from a steamboat connection to New Orleans and direct dealings with British merchants. Such an arrangement would eliminate factors on the Atlantic coast who only served as middlemen, driving up prices and charging interest on British credit that westerners could access more directly through New Orleans.⁷⁶ Both Virginia farmers and "middlemen" had cause to be nervous.

The 1815 committee report recognized the value of internal improvements in the more efficient administration of government. Internal improvements, the report declared, "expedite the communication between the seat of its government and its remotest extremities." In a republic, where "public virtue should be the spring of all public action," internal improvements were integral to "political liberty," for they "strengthen the cords of social union, and quicken that generous feeling of patriotism."⁷⁷ Thirty years later, Washington's original arguments to Governor Harrison still bore repeating.

Despite the best efforts of the companies the General Assembly had chartered, the committee report noted, improvements had been halting. The report commended the directors of the companies, who worked without compensation, as "public-spirited private

gentlemen," but pointed out that they were not professional engineers and did not have the experience to guard against fraudulent individuals who claimed to be engineers. Because of limited resources, observed the report, no single company could afford to employ a reputable engineer full-time, "yet, without the previous surveys, plans and estimates of such an officer, no very arduous public work could be confidently begun or successfully executed."⁷⁸

These observations by the committee served as a long preface to the real point of the report — the General Assembly should create an internal improvement fund to finance future projects and create an oversight board to manage it. The recommendations of the committee were incorporated into the law creating the Internal Improvement Fund and the Board of Public Works. The passage of this legislation resulted from the successful collaboration of two political and regional opposites: Wilson Cary Nicholas and Charles Fenton Mercer. Nicholas, a Republican and staunch backer of the James River Company, firmly believed in the superior commercial position of Richmond; Mercer was a Federalist whose financial interests were tied to the fate of the Potowmack Company. However, they shared a strong belief in Virginia's future lying to the west.⁷⁹ Like Patrick Henry and George Washington a generation before, their cooperation signaled bipartisan support in Virginia for internal improvements.

In the spring of 1815, Governor Nicholas relied upon Mercer to devise a new financial mechanism for subsidizing internal improvements. Relying upon Mercer made good sense; he had proposed in 1812 creating a fund for internal improvements, overseen by a board of public works. The proposal received backhanded compliments from

delegates who complained their regions would not sufficiently benefit from the plan -- they would not have protested so vigorously on behalf of their regions unless they expected the plan to work. Notwithstanding local interests, the British blockade in February of 1813 ended consideration of the bill.⁸⁰

Later, in the midst of a booming post-war economy, the General Assembly was receptive to the proposal, especially since Nicholas and Mercer included road and canal improvements that would benefit Norfolk, Fredericksburg, Alexandria, the Valley, and the Trans-Allegheny. No region could claim to be excluded. The proposal was first referred to the Committee on Roads and Internal Navigation, which was chaired by Colonel William Lewis of Campbell County (just south of Lynchburg), a supporter of the initiative. Mercer also sat on the committee which submitted to the General Assembly the aforementioned report, along with the proposed legislation. "An Act to create a Fund for Internal Improvements" passed on February 5, 1816.⁸¹

The act designated the stock that the state government currently held of a group of publicly chartered companies as the capitalization for the Internal Improvement Fund. The stock was valued at \$1,249,211 1/9, of which \$938,100 currently provided an annual income exceeding \$98,000.⁸² The members of the Board of Public Works, which acted as the trustees of the fund, included the governor as president ex-officio, the attorney general, and the state treasurer. Ten elected members, who were private citizens, represented the four major regions of the state: three from west of the Allegheny Mountains; two from the area between the Alleghenies and the Blue Ridge; three from the Piedmont, defined as the region between the Blue Ridge and the post road along the

fall line; and two from the tidewater.

The Board of Public Works was authorized to perform several duties that would facilitate the efforts of internal improvement companies. As the committee report recommended, the Board was empowered to appoint a principal engineer to make his services available to the various projects, which otherwise could not afford to secure such expertise. The Board could also purchase as much as two-fifths of the stock in internal improvement companies, but only after it was authorized to do so in each instance by the General Assembly. In theory, the Board would insulate from political calculus decisions regarding the investments of the Internal Improvement Fund, but in practice the General Assembly could not bring itself to relinquish all authority. The Board also could not purchase a company's stock until three-fifths had been subscribed privately and one-fifth paid for or adequately secured.⁸³

The three-fifths clause was intended to be both carrot and stick. It demanded local commitment to justify state investment, but that requirement could hamper improvement efforts in the poorer, less well populated sections of the state, where private investors might find the investment prohibitively speculative and expensive. In order to provide added incentive for private investment, the law offered a carrot: the Board was directed each year to distribute to private subscribers the first six percent of the dividends the Internal Improvement Fund earned on stock it held *before* the state realized any income from its holdings. As Mercer later explained, the state would consider itself "amply compensated" by the completion of projects that would have been impossible to begin without the Fund's participation. In Mercer's words, the state subscription would operate

“as a modest insurance against loss to the private adventurers, who are expected to be attracted to all such enterprises by the hope of gain, and is thus calculated to elicit the subscription of individual wealth to public use.”⁸⁴

To ensure the integrity of the companies in which the Internal Improvement Fund invested, the Board was empowered to appoint up to two-fifths of a company's board of directors. However, the Board of Public Works could not appoint directors to existing companies without the specific authorization of the General Assembly. Further, the Board of Public Works received the authority to secure information on internal improvements for its annual report. Among the types of information it could demand of companies was financial statements. It could also direct the principal engineer of the Board of Public Works to investigate private companies' projects and verify their claims. By creating the Internal Improvement Fund and the Board of Public Works, the Virginia General Assembly had taken to a logical conclusion Washington's recommendations a generation earlier. The state's participation in private internal improvement companies and commercial expansion was now formalized, along with the means to ensure that the state's investment was wisely allocated.⁸⁵

Despite all the lofty rhetoric advocating domestic manufacturing, this period of Virginia's history produced no enduring monuments to economic independence in the form of large factories. After a phase of unbridled enthusiasm for manufacturing during the years of the Embargo and the War of 1812, most Virginians tended to recalibrate their endorsement of domestic manufacture to fit more comfortably into their understanding of a fundamentally agrarian society. Jefferson, for example, readily acknowledged the

importance of domestic manufacturing, but envisioned its organization on a small scale. He continued to fear the corrupting influence of manufacturing in Virginia, preferring to keep as decentralized as possible any means of production that may have developed. Virginia should exploit labor-saving machinery, he argued, but ought to locate it in a number of new towns and not let it become concentrated in large factories. Such manufacturing ought not to produce fine silken garments, but rough homespun cotton goods, which Virginia already turned out in a large supply. According to historian Drew McCoy, Jefferson "had visions of literally domesticating the industrial revolution."⁸⁶

Advertisements demonstrate that the kinds of business springing up along the waterways conformed to this more sober expectation for domestic manufacture. The Upper Appomattox Company advertised "valuable seats for mills or manufactories" along its canal near Petersburg, where a drop in altitude of one hundred feet provided ample water power. The advertisement emphasized the company's interest in attracting "manufactories of cotton and wool" by which it meant those engaged in spinning yarn. There were already a saw mill and a grist mill on the canal, but opportunity remained, the advertisement declared, for much of the wheat coming down the river still had to be transported at great expense to Richmond, Petersburg's "only rival."⁸⁷ On the James River, a group of individuals advertised the sale of property adjacent to the town of Manchester across from Richmond. The advertisement stressed that the land, being on the falls, offered an "excellent situation for the various kinds of mills and other works operated by water." The landowners also spoke of the existence of numerous ironworks, fueled by the seemingly inexhaustible supply of coal found along the river. These works

did not produce steel, but pig and bar iron for export to those factories (no doubt in Great Britain) where they could be smelted into steel.

These two advertisements presented a vision of domestic manufacturing far more expansive than anything imagined in the 1780s. Still, the manufacturing they depicted engaged in the processing of raw materials rather than the production of finished goods. Virginians were as yet unwilling to undertake a system of large factories such as Britain's, producing the kind of fineries Virginians coveted but also encouraging the social dissipation Virginians still dreaded.

The internal improvement theories of the 1780s had turned out to be as often wrong as they were right. By the second decade of the nineteenth century, better navigation had created the more extensive trade network Madison and others considered fundamental for instilling the values necessary for an agrarian republic. But once the genie of commerce was out of the bottle, nothing could contain it; Virginia changed in ways the General Assembly had not expected when it enacted the charters of the improvement companies. While still largely agrarian, the landscape had endured an explosion in the number of towns, and the state experienced a host of new regional conflicts. Perhaps most unsettling, black boatmen, accountable to virtually no one, became simultaneously a necessary but forbidding presence on the rivers. Attitudes of supporters toward the improvement companies also changed. Virginians who had pinned their futures on the rivers became deeply resentful when the companies failed to maintain the waterways as promised. The years following the War of 1812 became a period of such intensive scrutiny that only one of the original four companies survived.

ENDNOTES

1. Johann David Schoepf, *Travels in the Confederation [1783-1784]*, Alfred J. Morrison, ed., 2 vols. (Philadelphia: William J. Campbell, 1911), II, 47, 23. The editor postulates that the Möser reference may have come from "Patriotic Fences" (1775). There is considerable debate as to what constitutes a "town." Joseph A. Ernst and H. Roy Merrens railed against evaluations of southern urban development based on northern templates. Scottish stores, they maintained, may have lacked the well-scrubbed aspect of a New England town, but they provided many of the same services. In a lively response to Ernst and Merrens, Hermann Wellenreuther admitted that there was urbanization in the South. However, he demanded a more rigorous standard than Ernst and Merrens, one that would emphasize the role of infrastructure settlement patterns and political development as well as economic behavior. Similarly Charles J. Farmer recognized that stores provided many of the services noted by Ernst and Merrens, but concluded the stores were not towns and in fact discouraged urban development. The stores served as a clearinghouse for the local debt network by providing book credit, marketed farm products (often through the barter system), and served as a cultural gathering point. Carville Earle and Ronald Hoffman discuss a continuum of urban development ranging from isolated taverns and stores to the bustling cities of the seacoast. For Earle and Hoffman the growth of towns and cities depended upon the predominant staple of the region — in the case of the antebellum South, rice, tobacco and wheat. When expanding markets increased staple flows, and where the commodities required "forward linkages" in the transport, manufacturing, and service sectors, towns and cities grew rapidly. See Joseph A. Ernst and H. Roy Merrens, "'Camden's Turrets Pierce the Skies': The Urban Process in the Southern Colonies During the eighteenth Century," *William and Mary Quarterly*, 3rd ser., 30(1973), 555; Hermann Wellenreuther, "Urbanization in the Colonial South: A Critique," *William and Mary Quarterly*, 3rd ser., 31(1974), 667; Charles J. Farmer, "Country Stores and Frontier Exchange Systems in Southside Virginia During the Eighteenth-Century" (Ph.D. thesis, University of Maryland, 1984), 390-391; Carville Earle and Ronald Hoffman, "Urban Development in the Eighteenth Century," *Perspectives in American History*, 10(1976), 62.

2. *Richmond Enquirer*, December 1, 1804, December 6, 1804. This model for settlement corresponds quite closely to that constructed by Robert D. Mitchell. Mitchell, who asserts permanent agriculture should be the focus of a frontier economic model, contends subsistence and commercial agriculture were aspects of the same phenomenon, rather than rigidly differentiated stages. For Mitchell, early settlers in the Shenandoah Valley may have been subsistence farmers, but they were hardly self-sufficient. According to Mitchell, their early trading patterns indicates an early priority placed on establishing contacts with outside markets. See Robert D. Mitchell, *Commercialism and Frontier* (Charlottesville: University Press of Virginia, 1977), 133, 152.

3. *Richmond Enquirer*, December 1, 1804, December 6, 1804.

4. *Virginia Gazette and Weekly Advertiser*, February 5, 1789.

5. Legislative Petition, Loudoun County, October 28, 1790, housed at the Virginia State Library. For a more complete review of the establishment of a town at the Great Falls of the Potomac, see Chapter 3.

6. Legislative Petition, Powhattan County, November 13, 1794.

7. Philip Lightfoot Scruggs, *Lynchburg, Virginia* (Lynchburg: J.P. Bell & Company, 1973), 7, 10, 18, 56, 138.

8. Legislative Petition, Amherst County, November 3, 1791.

9. Legislative Petition, Albemarle County, December 5, 1800.

10. Legislative Petition, Albemarle County, December 9, 1800.

11. Charles Henry Ambler, *A History of Transportation in the Ohio Valley* (Westport, Connecticut: Greenwood Press, 1970[1931]), 77.

12. Legislative Petition, Powhattan County, November 6, 1790.

13. *Richmond Enquirer*, February 6, 1819; Porte Crayon, *Virginia Illustrated: Containing A Visit To The Virginia Canaan, And The Adventures of Porte Crayon And His Cousins* (New York: Harper & Brothers, 1871[1857]), 231.

14. Ann Woodlief, *In River Time: The Way of the James River* (Chapel Hill: Algonquin Books of Chapel Hill, 1985), 98; Crayon, *Virginia Illustrated*, 232; Bagby, *Miscellaneous Writings*, I, 124; Kenneth M. Stamp, *The Peculiar Institution* (New York: Alfred A. Knopf, 1965), 126-127.

15. Ellen Miyagawa, "The James River and Kanawha Canal," *Bulletin of the Fluvanna County Historical Society*, 33(1982), 8-9.

16. George W. Bagby, *Selections from the Miscellaneous Writings of Dr. George W. Bagby*, 2 vols. (Richmond, Virginia: Whittet Shepperson, 1884), I, 123, 125.

17. Bagby, *Selections*, I, 123.

18. Miyagawa, "James River," 8-9.

19. Miscellaneous Legislative Petition, The Potowmack Company, November 4, 1793.

20. *Richmond Enquirer*, June 20, 1809; March 16 and May 14, 1813.

21. *Ibid.*, January 13, 1816.

22. *Richmond Enquirer*, July 30, 1819; Stamp, *Peculiar Institution*, 127.

23. *Richmond Enquirer*, May 26, 1812. Stamp, *Peculiar Institution*, 112.

24. Philip D. Morgan and Michael L. Nicholls, "Slaves in Piedmont Virginia, 1720-1790," *William and Mary Quarterly*, 3rd ser., 46 (1989), 215.

25. Morgan and Nicholls, "Slaves in Piedmont Virginia," 217, 243; Richard S. Dunn, "Black Society in the Chesapeake, 1776-1810," in Ira Berlin and Ronald Hoffman, eds., *Slavery and Freedom in the Age of the American Revolution* (Charlottesville, Virginia: University Press of Virginia, 1983), 59-60.

26. Morgan and Nicholls, "Slaves in Piedmont Virginia," 222, 239, 215; Dunn, "Black Society in the Chesapeake," 58. In addition, evidence suggests that in the late eighteenth century slaves introduced into the piedmont from both the African trade and from the tidewater were disproportionately composed of young and female slaves. Consequently a "baby boom" of young creole slaves was maturing at the turn of the Nineteenth century. See, Morgan and Nicholls, "Slaves in Piedmont Virginia," 227.

27. Philip J. Schwartz points out that previous to his more infamous activity, Gabriel had been prosecuted for striking a white man in an incident involving the another slave's theft of a hog. The hog's owner whom Gabriel had assaulted, Absalom Johnson, was a former overseer, and in Virginia society, not much higher the social ladder from Gabriel, a skilled artisan. Nevertheless, Gabriel was forced to endure the indignity of face execution for an act, if it had been committed against him by Johnson, would not even have been a crime. See, Philip J. Schwartz, "Gabriel's Challenge: Slaves and Crime in Late Eighteenth Century Virginia," *Virginia Magazine of History and Biography*, 90 (1982), passim.

28. Schwartz, "Gabriel's Challenge," 287, 301; Gerald W. Mullin, *Flight and Rebellion: Slave Resistance in Eighteenth Century Virginia* (New York: Oxford University Press, 1972), 157-158. See also, Sylvia Frey, *Water from the Rock: Black Resistance in a Revolutionary Age* (Princeton, N.J.: Princeton University Press, 1991).

29. Mullin, *Flight and Rebellion*, 143.

30. Schwartz, "Gabriel's Challenge," 287, 293-294; Mullin, *Flight and Rebellion*, 143. A runaway advertisement asserted the slave was either "working some boat" on the James River or "lurking about" Richmond, see *Richmond Enquirer*, July 18, 1817; June 24, 1817; October 9, 1818.

31. Mullin, *Flight and Rebellion*, 152-154.

32. Schwartz, "Gabriel's Challenge," 301.

33. Gabriel also directed that Methodists be spared, apparently because he perceived them as sensitive to the plight of black slaves. See Schwartz, "Gabriel's Challenge," 284; Mullin, *Flight and Rebellion*, 158.

34. Douglas Egerton goes so far as to suggest Gabriel possessed an understanding of the partisan politics swirling around Richmond. Egerton asserts Gabriel believed a civil war between Federalists and Republicans was imminent. Gabriel would offer Federalist merchants the support of his legion of urban slaves in return for the guarantee of justice for his brothers and sisters. See Douglas Egerton, *Gabriel's Rebellion: The Virginia Slave Conspiracies of 1800 and 1802* (Chapel Hill: University of North Carolina Press, 1993), x., and, Egerton, "Gabriel's Conspiracy and the Election of 1800," *Journal of Southern History*, 56 (1990), passim.

35. White Virginians might have passed stringent laws against fugitive slaves, but, like the laws requiring travel papers, they were largely ignored. Slaveowners simply did not consider runaways to be a very serious breach of security. Their casual attitude could have been based on their familiarity with the practice of "lying out," during which the slaves were technically runaways, but remained local and sooner or later returned. See, Mullin, *Flight and Rebellion*, 121, 141.

36. Egerton, *Gabriel's Rebellion*, xi.

37. *ibid.*, 164-165; "An Act Further Declaring What Shall be Deemed Unlawful Meetings of Slaves," Virginia, *The Statutes at Large of Virginia, From October Session 1792, to December Session, 1806, Inclusive in Three Volumes*, Samuel Shepherd, comp. (Reprint. New York: AMS Press Inc., 1970), III, 108.

38. "An Act to Amend and Reduce into One the Seven Act Concerning Pilots," Shepherd, *The Statutes at Large of Virginia*, II, 313; Miscellaneous Legislative Petition, The Potowmack Company, December 12, 1808. In 1772 the House of Burgesses had addressed the problem on the James River in the law providing for improved navigation. A provision of that law made every boat owner "responsible for any damage or mischief that shall at any time be done by his or their boat or vessel, or by any person belonging to, or navigating, any such boat or other vessel..." see, Hening, *Statutes*, VIII, 568-569.

39. Virginia, *Acts of the State of Virginia, 1810*, 56-59.

40. Ronald Shaw, *Canals For A Nation: The Canal Era In The United States, 1792-1838* (Lexington: University Press of Kentucky, 1990), 23.

41. The other three canals were: the Cape Cod canal; the Delaware and Raritan Canal in New Jersey; and, the Chesapeake and Delaware Canal. See Shaw, *Canals For A Nation*, 23.

42. The other projects were: the Allegheny-Juniata and Susquehanna; the Tennessee-Savannah and Santee; and the Hudson River to the Great Lakes in New York. All these systems would require roads to cross the mountains, with the exception of the last, where a continuous canal could be constructed from the Hudson River, through the mountains to the Great Lakes.

43. Albert Gallatin, *Report On The Roads And Canals*, as reported in the *Richmond Enquirer*, June 28, 1808.

44. From the founding of Jamestown to 1775 the colonial government established forty-seven towns. During the Revolutionary War seventeen requests for establishment received favorable responses. But in a little over five years, from the spring of 1783 to the end of 1788, thirty-eight acts of establishment passed the General Assembly. Between 1776 and 1801, the General Assembly established no fewer than one hundred twenty-five towns. See L. Jeffrey Perez, "Promises Fair to be a Flourishing Place": Virginia Town Establishment in the 1780s and the Emergence of a New Temperament," *Locus*, 6 (Spring, 1994), 136; E. Lee Shepard, "Courts in Conflict: Town-County Relations in Post-Revolutionary Virginia," *Virginia Magazine of History and Biography*, 85(1977), 188.

45. *Richmond Enquirer*, December 6, 1804.

46. JHDV, 1815, 74.

47. Legislative Petition, Albemarle County, December 20, 1804.

48. The embargo also inspired increased interest in smuggling. Exports from Richmond and Petersburg chiefly passed through Amelia Island and the northern part of East Florida, which was then a Spanish colony and neutral. Goods arrived there partly in small vessels through inlets and sounds of North Carolina, South Carolina and Georgia, and partly by wagon. High prices provided handsome compensation for those willing to take the risk. See Samuel Mordecai, *Richmond In By-Gone Days* (Richmond, Virginia: The Dietz Press, 1946[1860]), 327.

49. *Richmond Enquirer*, July 22, 1808. Robert D. Mitchell notes a similar impulse for manufacturing self-sufficiency after the non-importation agreements of 1774 and the commercial disruptions resulting from the Revolutionary War. See Robert D. Mitchell, *Commercialism and Frontier* (Charlottesville: University Press of Virginia, 1977), 201.

50. *Richmond Enquirer*, July 22, 1808.

51. *Ibid.*, May 31, 1808.

52. *Ibid.*, June 17, 1808.

53. JHDV, October 1810 Session, 6. While Nathan Miller stresses a mercantilistic impulse in providing for domestic manufacture and internal improvements, this rhetoric strongly suggests self-sufficiency, and not a positive trade balance to be a primary motivating factor for Virginia's leaders of the period. See Nathan Miller, *Enterprise of a Free People* (Ithaca, New York: Cornell University Press, 1962), 258.

54. Jefferson to David Humphreys, January 20, 1809, quoted in Michael Brewster Folsom and Steven D. Lubar, *The Philosophy Of Manufactures: Early Debates Over Industrialization In The United States* (Cambridge, Massachusetts: The MIT Press, 1982), 27.

55. *Niles Weekly Register*, February 24, 1816. Just how much Jefferson had turned over a new leaf is evident in his 1817 election to the American Society for the Encouragement of Domestic Manufacturers, along with John Adams and James Madison. See *Niles Weekly Register*, August 23, 1817.

56. *Niles Weekly Register*, November 29, 1817.

57. *Virginia Gazette and Independent Chronicle*, August 29, 1787; *Virginia Gazette and General Advertiser*, February 11, 1790.

58. Rice, "Internal Improvements in Virginia," 97-98.

59. *Ibid.*, 110.

60. *Niles Weekly Register*, December 13, 1814.

61. *Ibid.*, March 8, 1817.

62. *Ibid.*

63. *Ibid.*

64. *Ibid.* In reality, constitutional considerations were greater than the potential impact of the Bonus Bill, which merely distributed a windfall among the states and did little toward promoting the kind of national improvement policy advocated in the Gallatin report. The bill created a fund to divide the bonus revenue into portions for the several states. Within each state improvements would be undertaken with the approval of both Congress and the respective state legislature. Clay and Calhoun pointed out this arrangement would make it very difficult to establish multi-state projects of national importance. All Clay and Calhoun could secure in the bill was a proviso permitting a state to ask Congress to spend a portion of its share of the bonus within the borders of another state. See Carter Goodrich, "National Planning of Internal Improvements," *Political Science Quarterly*, LXIII (1963), 33.

65. *Richmond Enquirer*, March 11, 1817.

66. Rice, "Internal Improvements in Virginia," 168.

67. Shaw, *Canals For A Nation*, 26-27; George Rogers Taylor, *The Transportation Revolution, 1815-1860* (New York: Holt, Rinehart and Winston, 1966), 21.

68. *Richmond Enquirer*, December 26, 1811.

69. Robert Wiebe, *The Opening of American Society* (New York: Vintage Books, 1985), 204.

70. Orrin G. Libby, "The Geographical Distribution Of The Vote Of The Thirteen States On the Federal Constitution, 1787-8," *Bulletin of the University of Wisconsin, Economics, Political Science, and History Series*, 1(1894), 47-49.

71. Only a minority of pro-Constitution advocates in Virginia became Jeffersonian Republicans, while Antifederalists in Virginia overwhelmingly joined that party, and comprised at least half, and perhaps as many as two-thirds of its voters in the mid 1790s. See Norman Risjord, "The Virginia Federalists," *Journal of Southern History*, 33(1967), 488.

72. JHDV, 1815, 73-74.

73. *Ibid.*, 73-74.

74. Steamboats could travel from New Orleans to Pittsburgh, a trip of about 2,300 miles, in thirty-six days. See *Niles Weekly Register*, July 1, 1815.

75. *Richmond Enquirer*, November 15, 1815. Taylor, *Transportation Revolution*, 9.

76. *Richmond Enquirer*, September 30, October 4 and 11, 1815; August 3, 1816. Steamboats did not catch on immediately in Virginia. Laws were passed in 1812 creating the Potomac and James River Steamboat Companies. See *Acts...1812*, 84-85. But the first reference to steamboat use on the James is not until 1814, and on the Potomac in 1815. See *Richmond Enquirer*, July 8, 1814, and Nan Netherton, et. al., *Fairfax County, Virginia: A History* (Fairfax, Virginia: Fairfax County Board of Supervisors, 1978), 202.

77. JHDV, 1815, 73-74.

78. The committee's report was transcribed in the *Richmond Enquirer*, December 30, 1815.

79. Rice, "Internal Improvements in Virginia," 134-135.

80. *Ibid.*, 127.

81. *Ibid.*, 135-139.

82. The publicly chartered companies whose state-owned stock provided the initial capitalization of the Internal Improvement Fund were:

- The Roanoke Company
- The Dismal Swamp Canal Company
- The Upper Appomattox Company

- The Potowmack Company
- The James River Company
- The Shenandoah Company
- The Little River Turnpike Company

See, Board of Public Works, Letterbook "A" (1816-1832), housed at the Virginia State Library.

83. Philip Morrison Rice, "Internal Improvements in Virginia, 1775-1860 (Ph.D. Dissertation, University of North Carolina at Chapel Hill, 1948), 141.

84. Ibid., 141. Goodrich Carter, "The Virginia System of Mixed Enterprise," *Political Science Quarterly*, LXIV (1949), 361.

85. Ibid., 142.

86. McCoy, *The Elusive Republic*, 230-232; Louis D. Rubin, Jr., *Virginia: A History* (New York: W.W. Norton & Company, 1984), 94.

87. *Richmond Enquirer*, February 12, 1813.

CHAPTER V
"AN ODIIOUS MONOPOLY"

-Legislative Petition
from the residents of
Chesterfield County
commenting on the James
River Company, 1816

Throughout the second decade of the nineteenth century, Virginians continued to enunciate the goals for waterways improvement first voiced by Washington. Governor Wilson Cary Nicholas in his 1815 address to the General Assembly considered the economic and political effects of internal improvements as "too obvious to escape notice." Such improvements, he asserted, acted as a bond for the Union and could not be rivaled as a source of wealth and prosperity. The first president of the Board of Public Works, James Preston, stated in the agency's inaugural annual report that "to open the navigation of those rivers which penetrate deep into the interior of the country; to unite, by commercial and political ties, the widely extended territory of the Commonwealth, are in the estimation of the Board, objects of the first magnitude in the scale of importance, contemplated by the General Assembly."¹ And the Marshall Commission report of 1812 demonstrated that the expectation of Madison and Jefferson for internal improvements and commerce to spread republican virtue persisted into the nineteenth century: "Agriculture would mingle more than heretofore with grazing; and industry [translate: hard work] would flourish when the reward of industry would be attainable."²

Despite the lofty rhetoric, the companies proved far less capable of addressing the

mundane responsibilities associated with clearing waterways and fulfilling their corporate charters. The Potowmack Company did a creditable job of providing navigation around the falls, as required by its charter, but its sorry financial affairs utterly disappointed shareholders who enjoyed only a single stock dividend. The James River Company produced frequent and ample stock dividends, but had to answer widespread public criticism for failing to maintain the river and for resisting completing the navigation of the river to the extent required by its charter. Those Virginians who still embraced Washington's vision, and those who simply looked forward to an easier way to transport goods, found themselves increasingly at odds with the companies. The entrepreneurial impulse that improvement advocates hoped would cultivate civic virtue, moved the James River Company's directors instead to place greater emphasis on the well-being of the company's shareholders than on clearance of the river. The company's arrogance led in time to a state takeover.

The Upper Appomattox and the Dismal Swamp Canal Companies were less susceptible than the James River Company to criticism for failing to improve navigation, for two reasons. First, both companies were chartered with far more limited missions. The Upper Appomattox Company was not expected to reach the Blue Ridge, and the Dismal Swamp Canal Company had the charge of cutting a single canal less than 30 miles in length. Secondly, both these companies were more successful in completing their assigned tasks. The Upper Appomattox Company made the investment in durable stone improvements and the Dismal Swamp Canal Company actually brought about an improvement beyond what its charter required, increasing the dimensions of the canal.

However, the Dismal Swamp Canal Company was the only one of the four companies to survive beyond the 1820s as originally chartered. As the joint-stock companies failed to fulfill the expectations laid out in their charters, the General Assembly adapted its internal improvement policy to provide an even more profound role for the state government than that exercised by the Board of Public Works.

The Board of Public Works was clearly dissatisfied with the management of the Potowmack Company. The company had proven unable to provide the agency with timely reports of its progress and its fiscal status. In 1818 the directors of the Board of Public Works recorded the Potowmack Company had failed to submit a report, charitably allowing that the omission had "probably arisen from accidental causes." In reality the Potowmack Company was all but an empty shell, having no remaining resources and unable to maintain responsibility for the navigation on the Potomac, much less consider plans for a connection with the Ohio River.³

The company attempted to explain its failures to the Board of Public Works. In 1817 the company emphasized its good intentions but noted the fiscal stresses produced by the massive scale of the project and the nagging technical problems of river improvement and lock construction. Nevertheless, the company's directors persisted in the delusion "that the day is not very distant" when the company would pay off all debts and return large dividends to investors.⁴ The directors of the Board of Public Works had no doubt that, where cleared, the Potomac River afforded significant benefits to those regions of the state, but the directors were not convinced the Potowmack Company was

up to the job still before it.⁵ The Board of Public Works noted the company had run out of money and was unable to go on with the improvements. Deeming it “conducive to the interest of the community, and in all probability most to the ultimate advantage of the Potowmack Company,” the Board suggested disposing these works, for greatly less than they cost, to a new company duly incorporated for the purpose of improving the river.”⁶

Why had the Potowmack Company fallen so far short of the grand and noble designs that inspired its charter? Twenty years earlier prospects were still glowing. In 1795 an advertisement for the sale of company shares bragged that tolls were being collected at the Great Falls and that “the capital employed in this fund will be as safe and profitable as any in our country.”⁷ But not until 1802 did the directors approve the company's first and only dividend — three percent on each stockholder's capital investment, a total distribution of \$3890.55. At the same meeting the shareholders approved a suspension of further dividend payments in favor of extending cleared navigation and maintaining previously completed improvements.⁸ This was a sound business decision, based on a strategy of emphasizing capital investment in the short run to secure reliable profits in the future. However, the profits never materialized, and the Potowmack Company continued to limp along.

On August 23, 1815, the first boat passed through the Seneca locks, the last of the major works required by the Potowmack Company's charter. The boat was loaded with almost one hundred people and passed a great number of spectators along the banks of the Potomac.⁹ The celebration was the last hurrah for the Potowmack Company, which soon faded out of existence. The company statistics, as reported in the Board of Public Works

annual reports, were not nearly as gratifying as attending the first use of the Seneca locks. The 1817 report noted navigation had been cleared for two hundred twenty miles on the Potomac itself, but that considerable work remained on tributaries such as the Monocacy, the Conogochague, and Patterson's Creek. Throughout this period the Potowmack Company dutifully maintained navigation by clearing obstructions and replaced aging or damaged locks.¹⁰ Toll receipts from 1799 to 1817 amounted to \$162,379.95, but total expenses "as nearly as can be ascertained" totaled \$650,000, plus an aggregate debt over the period of \$140,200, largely in the form of bank loans obtained when state support was no longer forthcoming.¹¹

The public had also become frustrated with the Potowmack Company. From 1813 to 1816 the residents of Jefferson and Frederick counties undertook an effort to secure from the General Assembly permission to dig a canal from the head of the Seneca Falls into Huntington Creek, or some other part of the Potomac River within the District of Columbia. The Frederick County petitioners asserted the poor state of navigation on the Potomac River was attributable to the Potowmack Company's "radical error" to try to force navigation on the river despite even a cursory view demonstrating such a project to be impractical and prohibitively expensive. The river, they claimed, could not be navigated after the month of May, and seldom longer than the beginning of that month. Even when the river was navigable, it could only be traveled by those who were familiar with its many channels. And while the petitioners proclaimed their only intention to be "affecting a work of such great national advantage," it could not have been lost on legislators that the course of the proposed new canal lay entirely within Virginia.¹²

The Potowmack Company directors responded that the river had been navigated in every month except the preceding two dry summers by boats with cargoes averaging about fifty barrels of flour. The directors also complained a new canal would not only violate its charter rights, but would draw both water, and water-borne traffic, from the Potomac River. The opening to the proposed canal would be constructed, the directors noted, just above the Great Falls, where the Potowmack Company collected tolls, permitting craft to avoid payment to the company for the use of the river. The directors implored the General Assembly not to change the grounds on which chartered companies such as the Potowmack Company stood, for it would "dampen enterprise as to future undertakings," and thus undermine any future growth in the state.¹³

In this case the General Assembly sided with the Potowmack Company, but events would soon force the state government to explore other options. First, the national economy collapsed in 1819, suddenly depleting the Internal Improvement Fund on which the Potowmack had depended for its survival. Then in 1821 Thomas Moore, chief engineer of the Board of Public Works, submitted a report highly pessimistic of the company's prospects. Moore concluded that a stillwater canal could be more easily constructed, would be more reliable in all weather, and could be used for a far greater portion of the year. The final blow came from both Virginia and Maryland commissioners who had been appointed to ascertain whether the company was still worthy of their states' patronage. The commissioners concluded the company was hopelessly insolvent and would never fulfill its charter. They suggested the company's charter be revoked and agreed with Moore's recommendation a separate canal be built.¹⁴

Another survey by Moore (who died during the project) reported to a joint Virginia-Maryland Committee in December 1822 that a canal thirty feet wide in the tidewater and twenty feet at its western terminus, with a depth of three feet, would cost about \$500,000. Based on this report the Virginia General Assembly on February 22, 1823, approved legislation incorporating the Chesapeake and Ohio Company and in 1824 permitted any Potowmack Company shareholder to exchange stock and bills of credit for shares in the new company. The Maryland legislature, now satisfied it would not have to completely write off its investment in the Potowmack Company, incorporated the Chesapeake and Ohio Company in 1825. Lacking government support and forced to face the fact that they would never complete the project, the Potowmack Company surrendered its charter in August 1828.¹⁵

The James River Company did not adopt the apologetic demeanor of the Potowmack Company in responding to requests for information from the Board of Public Works. To the contrary, it exuded the arrogance of a highly successful company that saw no reason for such bothersome oversight. When the company failed to provide information for the first annual report in 1816, the Board of Public Works demanded information on the present state of improvements, existing obstructions, the total cost, revenues, and debts. The James River Company replied by sending data that was one year old. The company did the same in 1818, submitting information that should have been included in the 1817 report. Finally, in March 1819, the legislature enacted a statute requiring every company to submit an annual report on or before December 7.¹⁶ But by

then the point was moot, for the days of the James River Company were numbered. The company's hostility to providing an east-west connection was well-documented, as was its failure to maintain navigation on those parts of the river it claimed to have improved.

The James River Company wanted nothing to do with tidewater access. It had submitted to public pressure once before, resulting in the Ariel Cooley debacle. Interest in tidewater access increased after the War of 1812, as those with interests in Richmond sought to ensure their city emerged from the war as Virginia's principal seaport.¹⁷ The James River Company was able to avoid responsibility for tidewater access by employing a strategy similar to that of the Potowmack Company in the Shenandoah Valley — get another company to do the work. In February 1816, the General Assembly chartered the Richmond Dock Company to extend navigation of the James from Rockett's Landing, where the city's warehouses were located, to the basin of the James River Company. The canal was to range from thirty-six to seventy feet in width with a minimum depth of seven feet at the basin. The enacting legislation noted the consent of the James River Company to the new company, provided boats that paid a toll to the James River Company would not have to pay one to the Richmond Dock Company. The law also clarified that the Richmond Canal Company bore full responsibility for building and maintaining the navigation up to the James River Company's basin. The last clause was important to the James River Company because, after Cooley's efforts, it no doubt sought to avoid responsibility for any damages caused by the flow of water from the basin into the Richmond Dock Company works.¹⁸

Nor was the James River Company interested in a connection to the western

waters, even though the Kanawha River system passed within miles of the headwaters of the James. The General Assembly in February 1811 appointed five commissioners to identify the best route for a road connecting the mouth of Dunlop's Creek (considered the highest navigable point on the James River) to the Greenbrier River. From there the commissioners were to follow the Greenbrier to the New River and on to the great falls of the Kanawha.¹⁹ The commissioners met in Lexington, but inasmuch as the General Assembly had failed to provide for their expenses, they did nothing more than authorize the building of a boat and hire a crew.²⁰

Having learned from its mistakes, the General Assembly created a new commission of twenty-two members, led by Chief Justice John Marshall. The new commission was allocated seven hundred fifty dollars to defray expenses. It convened in Lynchburg on September 1, 1812, and set about measuring the James River by sections up to Dunlop's Creek. The commissioners then marked out what they considered the most direct route for a turnpike over the Alleghenies: from Dunlop's Creek on the James to the most convenient navigable point on the Greenbrier River, the mouth of Howard's Creek, whence they then followed the Greenbrier to the New River and on to the Great Kanawha and the Ohio River.²¹

The Commissioners concluded the turnpike was possible because it would largely follow the course of an already existing road. The Greenbrier would pose no problem because the Commissioners found it could be made as navigable as the James. Their estimation of the Greenbrier's prospects would appear to have been rather optimistic, considering it took them ten days to cover the forty-eight miles from Howard's Creek to

the mouth of the Greenbrier, and then only with the assistance of extra men and the occasional use of horses. The commissioners explained away their difficulties by the fact that they had traveled the river at the driest period of the year.²² They believed the falls of the Greenbrier, really a set of rapids, could surely be made navigable through the use of sluice gates or locks. The last leg, the Kanawha, once its falls were traversed, was ample and smooth.²³

The middle leg, the New River, was the main problem. Its rapids, known as Lick-Creek Falls, included a waterfall of 23 feet which forced the commissioners to portage for the first time during the expedition. The New River also posed a challenge far different from that of the Greenbrier — it had too much water. The New River possessed a fast current which shot water through gaps in and between its numerous rocks, making down river travel treacherous. The commissioners were not at all confident the New River could be traveled at all upriver, for the current was too rapid for rowing and the water too deep to pole. The commissioners proposed upriver traffic could be rendered viable by the use of steam boats, or by harnessing the boats to horses who would follow a towpath. The commissioners even suggested boats could be brought upriver by pulling on chains attached to large rocks along the banks.²⁴

The commissioners' report echoed Washington's sentiments in his letter to Governor Harrison almost 30 years earlier. The General Assembly faced a choice. It could act conservatively and extend the highest point of navigation on the James to Dunlop's Creek and build the turnpike road to Howard's Creek with no further improvements beyond there. Such a project would certainly have a dramatic effect on the

region. The commissioners believed that "a considerable impulse will be given to agriculture, a valuable effect produced on the wealth and population of a considerable tract of country."²⁵ The counties of Bath, Botetourt, Greenbrier, Monroe, and even Giles, according to the commissioners, would all experience an increase in agricultural production as well as population, owing to the greater ease of transporting goods.²⁶ Again we see the imperative of providing an economic incentive for behaving like frugal, hard-working republican citizens.

On the other hand, the General Assembly could act boldly and undertake the improvement of the western waters all the way to the Ohio River:

Not only will that part of our own state which lies on the Kanawha and on the Ohio Receive their supplies and send much of their produce to market through James River, but an immense tract of fertile country, a great part of the state of Kentucky and Ohio, will probably give their commerce the same direction.²⁷

The commissioners hastened to point out such a course of action would place the route in competition with improvements to transportation contemplated in other states. In order to secure the business, the James River route would have to be the most convenient, and convenience would not come cheaply.²⁸ One of the commissioners who was involved in improving the Rivanna River, estimated the total cost at \$190,000. But other commissioners, though the report characterizes them as possessing "too little experience" to guess, placed the figure at \$600,000.²⁹

The commissioners also emphasized that the importance of these improvements transcended the commercial intercourse they would generate. A reliable connection would cement the interests of the West to the East by improving social and political

intercourse. As had Washington, the commissioners expressed a concern that the West was still but tenuously tied to the East. In their report they feared if the West were not provided with sufficient reason to remain with the eastern states, some incident could easily result in West's disaffection, much as Washington had spoken of a "touch of a feather":

At all times, the cultivation of these dispositions must be desirable; but in the vicissitude of human affairs, in the mysterious future, which...is yet hidden from us, events may occur to render their preservation too valuable to be estimated in dollars and cents.³⁰

As far as the commissioners were concerned, if a connection to the Ohio River averted a secession of the western states, it would clearly have paid for itself.

In making this argument, the commissioners again echoed Washington and stressed the perils of relying solely on the Mississippi River for transportation. While during times of peace westerners could get by with a single channel for commerce, the commissioners warned that in time of war the Mississippi might be cut off, and the West's "whole trade might be annihilated."³¹ The War of 1812, declared just months earlier, lent a sense of urgency to the commissioners' argument. They reported arms had to be transported by wagon all the way from Richmond to the falls of the Great Kanawha, an observation that might also be taken as an indictment of the James River Company.³²

The report of the Marshall Commission inspired the imagination of the General Assembly in much the same as had Washington's letter. After the distraction of the War of 1812 ended, the report was reprinted and generated considerable public interest.³³ It seems to have inspired Governor Nicholas' remark in 1815 that the benefits of internal improvements "too obvious to escape notice." The Committee on Roads and Inland

Navigation used the Marshall Commission's findings to recommend the creation of the Board of Public Works and the Internal Improvement Fund. Just as Washington's letter served as the initial impetus for chartering the waterways improvement companies, the Marshall Commission report was in a large part the reason for the expansion of state participation in internal improvements manifested by the Board of Public Works and the Internal Improvement Fund.

In its first annual report, the Board of Public Works recommended the State of Virginia communicate with the federal government and the states of Ohio, Indiana, and Kentucky to cooperate in uniting the Great Kanawha with the James River. It also contacted the James River Company in order to find out on what terms it might be willing to take on the extension of the river to Dunlop's Creek. Characteristically, the James River Company responded, while it had accomplished much, it still had considerable work to do in order to fulfill the requirements of its original charter. Once again it recommended the formation of a new company, in which it would be willing to invest should sufficient tolls be provided.³⁴ In response to these recommendations, the Board of Public Works directed its chief engineer, Loammi Baldwin, to survey the land from Crow's Ferry on the James to the mouth of the Kanawha River to identify the best route for a turnpike between the two rivers.³⁵ In directing Baldwin to bypass the New River, the board seems to have been influenced by the Marshall Commission, which found that river virtually impassable.

Baldwin conducted his survey in 1817, and his findings, which appeared in a

report by the Committee on Roads and Internal Navigation of the House of Delegates, reiterated the sentiments of the Marshall Commission. Baldwin calculated improving the Kanawha from its mouth to its fall could cost as little as \$45,000, but to maintain sufficient depth at all times of the year to accommodate steamboats as well as keelboats, would cost \$100,000. A turnpike from the falls to the mouth of Dunlop's Creek would cost \$500,000. Improving the James River from Crow's Ferry to Dunlop's Creek could be accomplished for as little as \$58,000, but again, Baldwin suggested a navigation to accommodate steamboats would cost much more, totaling \$400,000. Baldwin explained the figure of \$58,000 was for a product "equal to the present state of the navigation of James River within the company's limits." The much higher estimate for steam navigation (\$400,000) suggests Baldwin did not think much of the James River Company's efforts to date.³⁶

Eager to act on these surveys, the Board of Public Works pursued the James River Company with the prospect of connecting the eastern and western waters. The company laid down extravagant terms for its participation, including: permission to issue an additional \$1,500,000 in stock to which the Board of Public Works would subscribe two-fifths; receipt of dividends of six per cent during construction, and not less than ten nor more than fifteen per cent after completion; doubling the current tolls on the James River; and, no change in the company's existing charter to make the company responsible for the improvements. The Board presented the proposal to the Committee on Roads and Internal Navigation which dutifully delivered a bill to the floor of the House of Delegates. On the floor, the bill faced vigorous opposition as a unilateral agreement that acceded to

the company's excessive demands. It was defeated. Considering the company's aversion to extending its charter requirements, the demands would appear to have been deliberately extreme to ensure their rejection by the General Assembly.³⁷

The General Assembly wanted an east-west connection and would not be thwarted by the James River Company. In February of 1819, it ordered the Board of Public Works to engage its engineer in identifying "the best practicable communication, for the purposes of trade, between the waters of the James River and those of the Great Kanawha."³⁸ The new principal engineer, Thomas Moore (Loammi Baldwin had rejected the Board's offer to continue) was given a more extensive charge than Baldwin. Moore and his assistant, Isaac Briggs, were to consider all means of transportation to connect the eastern and western waters, including even that part of the James under the control of the company.³⁹

Moore and Briggs delivered their report to the Board of Public Works on January 14, 1820. They offered two alternatives. The first, similar to the Marshall Commission's and Baldwin's recommendations, called for sluice navigation to Dunlop's Creek, a turnpike to the Kanawha Falls, and improved Kanawha River navigation to the Ohio River. The other more ambitious option was the same route with a stillwater canal from the basin in Richmond to Dunlop's Creek. Though a stillwater canal would cost ten times more than the sluice navigation — \$1,927,000 as compared to \$191,421 — Thomas Randolph, President of the Board of Public Works, asserted the more reliable transportation the stillwater would provide would so stimulate economic growth that tolls would easily finance the project.⁴⁰

The survey also noted the strategic importance of the James River. The Erie Canal, then under construction in New York, would offer western access via the Great Lakes -- but they were vulnerable to British attack if hostilities should once again erupt. Although the British had successfully blockaded the Chesapeake, the James River system could access the Dismal Swamp Canal, which emptied into Albemarle Sound. The survey reported the Albemarle Sound discharged into the Atlantic "through narrow and difficult passes, safe to our experienced seamen, but often disastrous to our enemies." Such a secure passage would be vital to the nation in a time of war.⁴¹ This line of argument implied the efforts of James River Company to avoid responsibility for tidewater access not only inconvenienced those who hoped to rely on the improvements but actually undermined the nation's defense.

Moore's proposal for a stillwater canal was a bold plan to realize the east-west connection Virginians had dreamed about for thirty years. The proposal was particularly well received, for it was delivered at a time when Virginians believed that the interior trade was slipping quickly from their grasps. Towns and cities along the Ohio and Mississippi Rivers were grabbing the western trade. And what commerce did not flow down the Mississippi might very well be attracted to the Erie Canal. However, if Virginia could complete a central water line to the Ohio, its superior ports, and longer transport season, not to mention its proximity to Europe, might prove attractive enough to regain the western trade before the Erie canal became operative.⁴²

The proposed central water line was also an unmistakable encroachment on the James River Company's chartered privileges and a repudiation of the company's efforts to

clear the river. Board of Public Works President Randolph recognized Moore's proposal would require an "equitable arrangement" with the James River Company, but he also asserted "the Board of Public Works have supposed it to be beyond their province to negotiate any terms with the James River Company." This remark could be taken as recognition of the Board's limited powers, or it could mean that Randolph was well aware the James River Company was at that moment in negotiations with the General Assembly over its very existence.

In 1812, the same year as the Marshall Commission expedition, the General Assembly appointed a set of commissioners to review the status of the James River. Starting from Crow's Ferry, these commissioners loaded a boat to draw twelve inches of water and proceeded down the river. While giving the company credit for a significant number of improvements, the commissioners also observed many sluice works on the river, especially below the mountains, "are so crooked, meandering, and shallow, as to render the navigation difficult and dangerous, and not such in the unanimous opinion of the commissioners, as is contemplated by the charter." This finding in itself might very well have been enough for the General Assembly to revoke the company's charter, but the War of 1812 distracted the state government.⁴³

The commissioners were not the only ones dissatisfied by the efforts of the James River Company. In 1816 "A Farmer" reported in the *Richmond Enquirer* that he decided to personally accompany his produce down river. When he arrived at the lock gates the lock keeper informed him "nothing was more common than to see boats in tolerable tides grounded a hundred yards or perhaps less from the toll gates." The keeper said he had

informed the company officers of the sand bars, but they had done nothing.⁴⁴

The condition of the company's improvements in and around Richmond moved the inhabitants of Chesterfield County to renew their campaign for a southern bank canal.⁴⁵ They charged the James River Company with being "an odious monopoly," which a new canal would break by offering planter, farmer and merchant alike a choice of markets. This petition also noted the superior nature of a stillwater canal, claiming it would be available at all seasons of the year, and would offer an easier and safer navigation. Commenting on the James River Company's efforts to pass through the city of Richmond, the Chesterfield petitioners reported the water level was often insufficient, the locks frequently out of repair, and the navigation generally hazardous. The petitioners concluded by appealing to the "liberal spirit for internal improvements, which has of late years distinguished the Virginia Legislature."⁴⁶

The issue of a Manchester canal inspired a spirited debate in the *Richmond Enquirer*. "Juriscola" turned "the finger of heaven" argument against the company, asserting that the residents of Chesterfield should have the same opportunity to improve what nature had bestowed upon them as the one given the James River Company. The petitioners should not be deprived of their rights to improve their geography, the author argued, when permission had been so willingly granted to the James River Company. Noting the "beneficial consequences of competition," Juriscola pointed out the James River Company's charter gave it the sole right to improve the river, not a monopoly over water transportation in the region. He conceded this interpretation would benefit those who held property in Manchester and who had been strong advocates of the canal, but

countered these individuals have the same right to pursue their interests as the advocates with property on the north side of the river.

Juriscola labeled "blasphemy" assertions the proposed canal threatened Washington's legacy of company shares to the Lexington Academy. The value of dividends paid out to the Academy, and to all shareholders for that matter, ought not to outweigh the advantages to the public of securing all means of efficient transportation. While particular members of the public may have derived some benefit from the distribution of James River Company dividends, these profits were not evenly shared by all members of the Commonwealth, as would, for example, reduced taxes. Washington's true legacy, Juriscola concluded, was the constitutional rights upon which the petitioners' memorial for a new canal was founded.⁴⁷

A response on behalf of the James River Company appeared shortly. "Virginian" expressed confidence the General Assembly would reject Juriscola's arguments, which would "undermine the basis of free government." He called the James River Company's charter a "solemn grant" to improve the river undertaken at the behest of the General Assembly, as opposed to the Manchester petition, which sprang from the vested interests of a few local residents. This petition, according to "Virginian," called upon the General Assembly to violate the constitution and undermine the judiciary's authority to decide upon the legitimacy of contracts. Moreover, the General Assembly as a party to the contract with the James River Company would be acting as a judicial body despite a clear conflict of interest. "Virginian" also tossed aside the notion that the James River Company represented a limited public benefit — did not two hundred fifty miles of

improved navigation allowing a healthy commerce where there had been none constitute a considerable public advantage? And now, after the state and investors had committed resources totaling four times the initial estimate of the expense, the petitioners wanted to deprive the James River Company shareholders of the remuneration so solemnly promised them by the General Assembly thirty years earlier.⁴⁸

Despite the best efforts of the Manchester petitioners, they were unable to convince legislators a new canal would not violate the James River Company's charter. The General Assembly's Committee on Roads and Internal Navigation rejected a Manchester canal petition brought during the 1817 session on the grounds that charges against the James River Company for not complying with its charter "[w]ould be more properly made before the Judiciary than the Legislature..." A delegate from Chesterfield then pursued an amendment to the resolution focusing on the assertion that the James River Company was not acting in the interests of constituents in Chesterfield and surrounding counties. Although this amendment also failed, the consideration of it demonstrated the General Assembly's growing dissatisfaction with the James River Company.⁴⁹

That same year the General Assembly's Committee on Roads and Internal Navigation also received testimony from individuals critical of the operation of the company and from company officials in response. The affidavits included in the report to the 1817 legislative session presented a picture of a company producing greater profits than any other company in Virginia, yet failing in its fundamental responsibility to provide navigation from the tidewater to Crow's Ferry. The report reiterated previous

findings that in many places along the river the company had failed to meet the objectives of its charter. The committee also noted the 1816 petition for the Manchester canal and the complaints that accompanied it.⁵⁰

The affidavits attest to the general failure of the James River Company in a number of areas related to navigation. Caleb Stone stated he had navigated the river from Lynchburg to Richmond at least four times during the summer and noted several places where the river was only six or seven inches deep. He had resorted to doubling the number of hands on the boat and employing hand spikes to keep it moving. Other captains also reported resorting to similar measures to get their boats down river. Besides finding low water, Joshua Casey characterized the sluice works as generally in bad order and often not providing more than six or seven inches depth. He was never able to bring more than seven hogsheads, and usually only five, down the river in a boat.⁵¹ Others testified to problems associated with the canals. John Staples reported the canal was shallow in the summer of 1816 because of both the drought and the amount of water diverted from the canal by mills. Echoing the complaint of "A Farmer," he charged that boats were frequently grounded near the upper locks at Westham, and the use of the canal was limited by the buildup of sand which could not be washed away because of the lack of water. Boats were reduced to carrying only five hogsheads of tobacco rather than the ten or twelve they were supposed to be able to carry in the dry season.⁵²

Thomas Ladd was particularly frustrated by the state of the Ariel Cooley's lower canal. Ladd had several boats constructed for the express purpose of carrying produce through the lower locks to Rockets landing. The boats were about nine feet wide and

drew two feet, four inches. Because of the lack of water, he had never been able to use them. Other affidavits repeated the low canal level was the result of too much water being diverted for mill use. While the use of the canal as a source for water power produced revenue for the James River Company, the practice seemed at cross purposes to the company's primary mission of facilitating navigation.⁵³

William Archer, who was engaged in the transportation of coal, reported boats which usually carried one hundred eighty to two hundred forty bushels could only take sixty or seventy. Even then, navigation was difficult, requiring "skillful and experienced hands to manage the boats." While Archer acknowledged the lower locks were a cheaper method of conveying his coal to Rockets, he preferred the more reliable carting. In fact, he had never used the lower locks. Archer also noted the dissatisfaction of flour millers with the poor navigation of the river and, in particular, the canal. Rather than risk delays in the upper locks, and having to pay a toll for their inconvenience to boot, millers were stopping their boats above Westham to carry the flour to Richmond by wagon.⁵⁴

Witnesses who testified on behalf of the James River Company tried to portray the critical affidavits as holding unreasonable expectations for the river improvements, the canal, and the locks; their testimony succeeded only in confirming the company's failures. Orris Paine, who was in the coal business, described one hundred fifty bushels as an average load, rather than upwards of two hundred forty as Archer stated. Paine, however, would also prefer to rely on drayage rather than hazard the lower locks which he conceded were often out of order due to bad work. James Tally, a company superintendent, complained he was unable to secure sufficient labor to properly clear the

river beds. He eagerly reported one hundred hands had been employed in clearing the lower locks, but had to admit that for a month during the summer of 1816 boats could not pass through the canal until the armory and mill works ceased operation for the day.⁵⁵

The conclusions of the committee did not bode well for the James River Company:

Upon deliberate consideration of the foregoing evidence, your committee are of opinion that the James River Company have not complied with the terms and conditions of their charter; but they are at the same time of opinion that, under the bill of rights and constitution of Virginia, the question cannot be conclusively settled without the intervention of a court and jury.

The committee decided the issue was a "controversy respecting property" because the charter of the James River Company specifically defined the river and its canal works, as well as any profits, to be the property of the company, as long as they completed the improvements specified in the charter. Therefore, any complaints regarding the company's compliance with its charter involved the company's property. A court alone could decide which improvements the company was bound to make and whether, in fact, it had made them. The committee concluded the Virginia Constitution prevented the legislature from intruding into this process.⁵⁶

Nevertheless, the committee was not about to let the company off the hook for its negligence and submitted the following resolution:

Resolved, as the opinion of this committee, that the James River Company have not complied with the terms and conditions of their charter, and that the attorney general be directed to institute the proper proceeding against them, for such non-compliance, in some court authorized to take cognisance of the subject.⁵⁷

The General Assembly approved the resolution, which was expanded by the

Senate to enunciate its own dissatisfaction:

Whereas it is alleged that the James River Company have failed to perform the conditions on which they were authorized by the laws regulating their charter, to demand and receive tolls, and it is desirable to ascertain by legal proceedings, whether such allegation be true or not; therefore,

Resolved, that it shall be the duty of the attorney general to institute the proper proceedings against the said company, for the purpose of ascertaining the truth of the allegation aforesaid, and to prosecute such proceeding to a judgment, as soon as may be; that when such judgment shall be rendered, the executive shall cause the record thereof to be certified and laid before the General Assembly, at their ensuing session; and that if such judgment shall be against the said company, the effect thereof shall be suspended until the pleasure of the Legislature thereupon be declared by law.

Resolved further, that it shall be the duty of the Board of public Works to take such measures as may seem to them best, to cause an accurate survey to be made of James River and its branches, for the purpose of ascertaining the best means of improving the navigation thereof; and especially of ascertaining the practicability and expense of procuring a navigation of said waters, or any part of them, for vessels drawing three feet water; and that the said board report thereupon to the General Assembly, at their next session.⁵⁸

The General Assembly had thrown down the gauntlet. From the moment the resolution passed, the James River Company would not be negotiating to enhance its financial status. It would be fighting for its corporate survival.

The General Assembly continued its assault on the James River Company while the Board of Public Works was conducting surveys to identify alternatives to it. In response to the resolution, on September 24, 1818, the attorney general obtained a ruling against the James River Company from the superior court of law for the County of Henrico. The court ordered the company's officers to appear and explain why a writ should not be brought for suspending its tolls as well as its charter.⁵⁹ The legal

proceeding had been framed such that the burden of proof lay with the company to justify its continued existence rather than with the state to prove non-compliance with the charter.

The charges against the company asserted it had failed to make the river navigable in dry season by vessels drawing one foot of water; it had neglected to remove obstructions such as rocks and gravel, which rendered navigation difficult, if not dangerous; and, the company had failed to make the canal from the falls into Richmond capable of carrying traffic as stipulated in the charter. Numerous witnesses testified against the company, adding damaging evidence to what had been reported to the General Assembly. Rebuttal witnesses did not so much prove that the company had fulfilled its duties as attempt to justify and explain its failures. In particular, the company witnesses stressed the impossibility of providing the required river depth in the dry seasons and the damage to the river works caused by floods.⁶⁰ To further impress upon the James River Company the resolve of the legislature, the General Assembly passed a resolution in February 1819 authorizing the lowering or suspension of the tolls on the James River should the legislature conclude that the navigation and works of the James River Company were not in the condition required by the charter.⁶¹

With the prosecution pending and the General Assembly clearly willing to press the issue, the James River Company negotiated a settlement with the state for the company to relinquish control of its charter. But of even greater importance to the directors than overall control of the company was ensuring the integrity of the shareholders' investments.⁶² Once again, the Company was able to snatch victory from

the jaws of defeat. Enacted on February 17, 1820, the new law, called a "compact" between the state and the company, stipulated the James River Company was responsible for all communication from the tidewater to the Ohio River, including a road from Dunlop's Creek to the falls of the Kanawha. The company also had to effect such improvements as the General Assembly would require and under the supervision of individuals appointed by the General Assembly. Only after the James River Company completed all the projects the General Assembly assigned to it would the writ brought against it by the General Assembly be dismissed.⁶³

On the other hand, the company was permitted to borrow \$200,000 annually, at an interest rate not to exceed six percent. Before any interest was paid, the company had to return its shareholders an annual dividend of twelve percent until 1832, when the dividend would increase to fifteen percent annually. Any surplus was to be deposited in the Internal Improvement Fund. Should the tolls and all other income of the company prove insufficient to pay the dividend and the interest, the president of the Board of Public Works was authorized to draw whatever amount was necessary from the Internal Improvement Fund. Not only were the company's shareholders guaranteed a rate of return, but a new source of state funds was available to secure that guarantee.⁶⁴ The experiment in public-private cooperation which the James River Company embodied had failed. The state had taken over the enterprise, but not at the expense of the shareholders.

Newspaper reports on the deal suggest an ambivalence over the fate of the James River Company. A legislator from Greenbrier County, Mr. Smith, praised the new law as proof that the interest in internal improvements had reawakened in Virginians. He

attributed new interest to the challenges posed by other states, particularly New York. Smith stressed that Virginians did indeed possess the "energy and enterprise" for a connection of the eastern and western waters, the objects of which are "[t]he political, commercial and agricultural prosperity and advancement of the state." While Virginians had rekindled their interest in internal improvements, "these great natural advantages with which our country everywhere abounds, require the fostering and protecting care and attention of the government." Smith might have believed Virginians possessed the initiative to tap the state's great natural potential, but, like Washington before him, he was not so sure they would be able, or willing, to make the necessary personal investment to do so.⁶⁵ Hence, the need for the state to step in and ensure both the continued navigation of the James River and the integrity of the James River Company's shares.

Despite the limited extent of the James River Company's improvements, the high volume of river traffic made the deal viable. Another *Richmond Enquirer* article calculated tolls would produce sufficient revenue to distribute the twelve percent dividend on company shares, pay off the interest on loans permitted under the terms of the compact, and still realize a surplus of \$12,000. The state, with its new supervisory authority, would be in a position to lower the tolls on the river to more accurately reflect the company's costs.⁶⁶ However, another writer voiced concern the Board of Public Works' estimates for the costs of the connections of the James River Company were grossly underestimated. If anything, tolls would have to increase.⁶⁷ But such details were no longer the concern of the James River Company. Its dividends were guaranteed.

Traffic volume was a more serious consideration for the Upper Appomattox Company than for the James River or Potowmack Companies. The Appomattox was much shorter, limiting the total agricultural area feeding into it. In addition, farmers who might potentially use it could be drawn away by the larger rivers, the James and Roanoke, which ran along either side of the Appomattox.⁶⁸ Developing access to Norfolk as well as Petersburg was vital to the company's survival. Not surprisingly, the company advocated connecting the Appomattox to the network of rivers running through southern Virginia and northern North Carolina. This network would then connect to Norfolk, via the Dismal Swamp Canal. The Board of Public Works in its second annual report announced it had directed its engineer to survey the route of a canal between the Roanoke and Appomattox Rivers. The suggestion for this canal had come from "certain inhabitants of the Town of Petersburg," no doubt Upper Appomattox Company shareholders.⁶⁹ And engineers appointed by the North Carolina legislature to review the best route for a canal linking the Roanoke River to the Meherrin River reported receiving much assistance from "a number of gentlemen of great experience, and who were the most active Directors of the Appomattox Company."⁷⁰

Despite all the interest in southwestern waterways, the work of the Upper Appomattox Company waned. The 1818 report of the Board of Public Works contained discouraging news for the company. Contrary to earlier, rosier surveys, the board's sober-minded engineer, Loammi Baldwin, reported his own pessimistic survey of the roughly fifty-seven mile route proposed for the Appomattox to Roanoke canal. Not wanting to be the doomsayer, Baldwin refrained from completely rejecting the idea, but

his words make quite clear what he thought: "Although the survey now brought before the Board exhibits many obstructions which appear to be great, it ought not to be considered conclusive either as to the practicability or expense of the contemplated canal." Considering his estimated expense for the project was two million dollars, Baldwin was being quite kind in his evaluation of the project.⁷¹

The same report of the Board of Public Works noted suits associated with the canal were cutting into resources desperately needed to improve navigation on the Appomattox proper, as were debts the board absorbed from the old Appomattox Company. The company's managers concluded work could not proceed for a few years. This information was provided by an "unofficial" report of the company President, James Venable, which he submitted when the official report of the managers did not reach the board's secretary in time.⁷² The company was in disarray and never did return to its previous vitality.

The river, however, kept rolling along, as did the boats navigating it. The company might not have endured, but its improvements survived to provide a public benefit. References dating from the 1830s indicate that as many as forty batteaux, each carrying five to seven tons, were regularly plying the waters of the Appomattox.⁷³

Unlike the experiences of the river improvement companies, the efforts of the Dismal Swamp Canal Company largely managed to avoid public criticism. The company's charter clearly defined its objective — creating a stillwater canal from the Elizabeth River to the Pasquotank River — wording that precluded the kind of disputes

over the extent of navigation that the James River Company faced. The Dismal Canal's reputation also benefitted from the services, though limited, it provided during the War of 1812.

Governor William H. Cabell had anticipated the canal's value in his December 1807 address to the General Assembly, just before the declaration of the embargo. Cabell predicted that a connection between the Albemarle Sound and Chesapeake Bay would become vital should an embargo cut off trade with Britain. Even worse, "the clouds which we see now see collecting in our horizon, indicate the approaching storm of war," which Cabell predicted would seriously limit all trade. Congress also requested a report from the company on the status of the canal, recognizing the potential strategic value of an alternative route to the Atlantic.⁷⁴ When the European war expanded to the American continent in 1812, the British did indeed blockade the Chesapeake Bay; Albemarle Sound, with its shallow depth and several passages to the ocean, was more difficult to effectively patrol. Unfortunately, the Dismal Swamp Canal at that time could only accommodate flat boats carrying juniper shingles out of the swamp. Nevertheless, the first report of the Board of Public Works asserted that the canal, "limited as it was, was of essential service during the late war."⁷⁵

Beginning in 1814 reports appeared in the newspapers of successful trips down the Roanoke to Norfolk via the Dismal Canal. In June of that year, a twenty-ton ship set off fifty miles below the falls of the Roanoke and used the canal to reach Norfolk. However, the boat had to be lightened to pass a stretch of two hundred yards where the canal was too shallow.⁷⁶ A year later, three men, setting out on the northern leg of the

Roanoke, known as the Staunton River, passed through the Roanoke falls, down to Albemarle Sound, up the Pasquotank, and through the Dismal Canal to Norfolk. While the type of boat is not described, their trip "excited much interest."⁷⁷

A reason for the great interest in the canal was the promise it offered to free Norfolk from the economic doldrums in which it languished. By the middle of the second decade of the nineteenth century the steamboat had already begun to divert the coasting trade from Norfolk. And with the growth of internal commerce afforded by the James River Company, Richmond's economic picture continued to brighten. In order to regain Norfolk's economic prosperity, and reestablish its status as Virginia's premier port, representatives from that region focused their attention on completing, and expanding, the Dismal Swamp Canal.⁷⁸

Pressed by advocates of the canal, the General Assembly approved legislation directing the widening of the Dismal Swamp Canal to forty feet and its dredging to a depth sufficient in the dry season for boats drawing five feet. The locks on the river were to remain fifteen feet wide and ninety feet long. In December 1815 the Dismal Swamp Canal Company was authorized to raise up to \$50,000 through one or more lotteries to fund the project.⁷⁹ The Board of Public Works reported the company drained the canal on May 1, 1816, to widen the passageway. In 1817 the canal was still without water. Since there were about three hundred men working on the project, there was hope the canal would be finished by the fall of that year. It was not.⁸⁰

Despite the commitment of the company and the support of the General Assembly, the federal government remained unconvinced of the canal's strategic

potential. Recalling the canal's limited value during the War of 1812, Congress dispatched Major James Kearney to identify the best alternate interior route to connect the Chesapeake to the Atlantic. Kearney considered two routes. One was a canal connecting the eastern branch of the Elizabeth River to the North Landing River. The latter river fed into Currituck Sound, the northern arm of Albemarle Sound, which possessed several passages to the Atlantic. The other option was to employ the existing Dismal Canal system.⁸¹ In his 1816 report, Kearney stressed the purely strategic perspective behind his evaluation:

In considering the relative advantage of these routes for military and naval purpose...it is necessary to view them during a war with some maritime power, in which rapidity of movement and complete security should as much as possible be combined in the transportation of supplies, materials, and troops.⁸²

Reporting on the efforts of the Dismal Swamp Canal Company during the summer of 1816 to deepen and widen the canal, Kearney noted the company had encountered unexpected obstacles. When construction first began the builders had assumed the ground over the course of the canal route was level. During the dry season, however, they discovered that, although deep water remained at the ends of the canal, toward the center the water was shallow. The company built intermediate locks to maintain a constant water level, but Kearney found no more than eighteen to twenty inches of water collected in the intermediate stretches of the canal.⁸³ The increased flow of water also carried sandy soil out of the canal into its outlets, forming shoals impeding navigation. In particular, the northern entrance at Deep Creek filled with sand for nearly a mile, prohibiting any vessel from passing at low tide. The company was forced either to

remove the sand or to cut another channel to Deep Creek.⁸⁴

Kearney did not limit his criticism to the Dismal Swamp Canal — he also characterized the Currituck canal route as strategically flawed. He observed that Currituck Sound was separated from the ocean by nothing more than a sandy beach. Ships cruising the coast could easily view the sound, which was only four miles wide. Moreover, the sound was so close to Chesapeake Bay that ships participating in a blockade of the bay could also patrol the sound's mouth. In fact, the British burned Currituck Court House, located on the northwestern coast of the sound during the War of 1812.⁸⁵

The glaring vulnerability of Currituck Sound led Kearney to choose the Dismal Canal as the superior inland route to Albemarle Sound. The Dismal Canal ran far from the coast and was surrounded by an all but impenetrable swamp. Kearney also noted the land around Lake Drummond offered positions so defensible that a small group could hold off a much larger force. Although the Currituck route was about fifteen miles shorter (as calculated from Norfolk to Roanoke Island in the southern branch of Albemarle Sound), the Dismal Canal route offered a shorter trip for goods passing between Norfolk and the Roanoke River system, including the Dan and Chowan Rivers. To avoid the falls of the Roanoke, Kearney endorsed the proposed canal from the falls of the Roanoke to Murfreesboro on the Meherrin River, which fed into Albemarle Sound.⁸⁶

The gamble of the company to drain the Dismal Swamp Canal and widen it paid off. The Board of Public Works reported in 1817 the effort of the company had caused "the removal of all doubts as to [the canal's] final completion and its bearing...upon other

great public works, both national and state, between which it will form the channel of internal communication." Public confidence in the effort had grown significantly, as stock values evidenced. Company shares which had been selling for as low as forty cents on the dollar, were trading at par.⁸⁷ In its 1818 report, the Board of Public Works continued to heap praise on the canal, and in terms hearkening back to Madison's vision of commerce inspiring virtuous behavior. The report noted the canal would assist Norfolk's development by conveying from the swamp great quantities of lumber and naval stores for ship building. In addition, the canal would benefit the lower parts of the state, which remained remote and lacked any other major internal improvement project. The ethical condition of farmers in the hinterlands would be improved "by giving them in the increase of Norfolk, a great and growing market for all their commodities, and thus affording a new stimulus to industry and enterprise."⁸⁸

Work continued to progress through 1818, though not at the rate of the previous year. A wet spring did not permit sufficient draining of the canal until July when between one hundred fifty and two hundred hands were employed. By then the company had completed thirteen miles of the improvement. Where the widening remained unfinished, the company removed shallows to permit smaller craft to use the canal in the winter and spring before it was again drained.⁸⁹ The stock value continued to sell at, or above, par. Company directors became so confident of their prospects they decided to secure loans for its continued operation rather than issue more stock — more shares would have diluted future dividends. They turned to the Board of Public Works for a \$50,000 loan.⁹⁰

The Board of Public Works responded only the General Assembly could authorize

a loan. The company's president replied that any "legal impediments" the board faced in issuing a loan "may be readily removed by the mere suggestion of the Board of Public Works itself, to the legislature, now in session."⁹¹ The assembly approved the loan in February 1819, and by March of that year the Board of Public Works delivered the money from the Internal Improvement Fund. The board noted by formally approving the loan it furthered the mission of both the Board of Public Works and the Internal Improvement Fund. The loan would hasten the completion of the canal, resulting in an increase in the value of the Dismal Swamp Canal Company stock held in the fund, the proceeds from which would be used to invest in other improvement projects.⁹²

The federal government also continued to demonstrate interest in the project, particularly after Madison's veto of the Bonus Bill in 1816. In April of 1818, Congress directed the Secretary of War, John C. Calhoun, to present a plan "by such means as are within the power of Congress," for providing federal aid to those waterways and roads that would prove of strategic value in time of war.⁹³ By placing a military primacy on these internal improvement projects, their advocates endeavored to assign a constitutional justification for federal support.

Calhoun began his report with a broadside directed at Madison's veto:

A judicious system of roads and canals constructed for the convenience of commerce and the transportation of the mail only, without any reference to military operations, is itself among the most efficient means for the more complete defence of the United States...the roads and canals that such a system would require are, with few exceptions, precisely those which would be required the operations of war...⁹⁴

Calhoun implied that by vetoing the Bonus Bill, which would have promoted the development of internal improvements, Madison had put the country in harm's way.

After this initial assault, Calhoun strategically retreated and observed that, though the connection between commerce and common defense was fascinating, "I do not conceive that it constitutes the immediate object of this report."⁹⁵

More to the point, Calhoun noted the considerable military capacity of the United States, in terms of population and resources, was actually quite small when compared to its geographic dimensions. The size of the nation, Calhoun stated, was a double-edged sword: it rendered the nation less vulnerable to invasion, but also rendered it more difficult for the government to afford protection to every part. That is why "[t]here is no country to which a good system of military roads and canals is more indispensable than the U.S."⁹⁶ The American opposition to a large standing army further complicated strategic considerations. Calhoun stressed the country relied on state militia for its primary defense. These militia might have to be called from a great distance during the crisis of an invasion. The War of 1812 offered an example of what could happen without a sufficient transportation system: "The experience of the late war," he concluded, "amply proves, in the present state of our internal improvements, the delay, the uncertainty, the anxiety, and exhausting effect of such calls."⁹⁷

Calhoun asserted the Atlantic coast was particularly vulnerable. Facing Europe, it would no doubt again bear the brunt of an attack. Of course a strong navy and set of strong fortifications were absolutely necessary, he explained, but so were internal improvements which could deliver forces to the point menaced. He recognized the states were already busy improving roads and waterways that could be used to bring troops and supplies east to the coast. But, recalling Gallatin's report of 1807, Calhoun recommended

federal participation in the development of a coastwise network. While "[n]o one or two states have a sufficient interest" in developing the network in its entirety, Calhoun observed it cumulatively handled five hundred thousand tons of shipping annually. The nation would be crippled if a foreign naval power were able to cut the network which connected the agriculture of the south to the manufacturing of the north. Calhoun stressed that the Chesapeake Bay was one of the most important links in the Atlantic coast network and asserted that, if practicable, its defense against a naval force should be complete.⁹⁸ As Kearney had already concluded, the Dismal Canal was an intimate part of this network, explaining federal interest in the venture.

On April 23, 1823, a sixty-five foot long schooner loaded with cotton, flour, tobacco and hogs from North Carolina reached Norfolk by the canal. The arrival of the *Rebecca Edwards*, according to a contemporary account, was "appropriately hailed with joy."⁹⁹ Harkening to his earlier report, Calhoun reported to Congress in 1825 the now-completed canal "would make it easy to transport forces to defend, in time of emergency, our naval and military establishments in the vicinity of Norfolk."¹⁰⁰

As part of its commitment to the canal, the federal government in 1826 bought six hundred shares of the Dismal Swamp Canal Company, which along with another loan authorized by the General Assembly, permitted sufficient improvements to allow the passage of all navy craft. One base in particular that benefitted was the Gosport Navy Yard in Norfolk Harbor. Predating the Revolutionary War, the Gosport Navy Yard was on the Elizabeth River a short distance from the northern outlet of the canal, access to which afforded the navy yard unlimited quantities of naval stores from the swamp.

Pursuant to the federal "Act for the Gradual Improvement of the Navy of the United States," in March 1827, the federal government decided to build a stone dry dock at Gosport capable of accommodating the Navy's largest ships. The excavation of the large basin which the dry dock would require was planned for November of that year.¹⁰¹ With the federal acquisition of stock and the construction of the Gosport stone dry dock, the Dismal Swamp Canal Company had become a successful combination of federal, state and private cooperation.¹⁰² The company was the only one of the four companies that have been the subject of this study to survive intact beyond the 1820s.

ENDNOTES

1. Message from the Governor, December 4, 1815, as recorded in JHDV, 1815-1816, 6-7; Virginia Board of Public Works, *First Annual Report of the President and Directors of the Board of Public Works* (Richmond: Thomas Ritchie, 1816), 5.
2. *Report of the Commissioners*, 31-32.
3. Virginia Board of Public Works, *Third Annual Report of the President and Directors of the Board of Public Works* (Richmond: Thomas Ritchie, 1818), 11.
4. Virginia Board of Public Works, *Second Annual Report of the President and Directors of the Board of Public Works* (Richmond: Thomas Ritchie, 1817), 23.
5. The report notes the improvement in the carriage of goods to "a market." With the earliest improvements to the Potomac, it became clear that the Maryland city, Georgetown, would receive most of the traffic. Many of the boats, particularly in stormy weather, avoided crossing the wide and deep water between Georgetown and Alexandria. See, Virginia Board of Public Works, *Second Annual Report*, 6; Nan Netherton, et. al. *Fairfax County, Virginia, A History* (Fairfax, Virginia: Fairfax County Board of Supervisors, 1978), 206.
6. Virginia Board of Public Works, *Second Annual Report*, 21.
7. *Columbian Mirror and Alexandria Gazette*, August 15, 1795.
8. Virginia Board of Public Works, *Second Annual Report*, 24; Douglas R. Littlefield, "The Potomac Company: A Misadventure, in financing an Early American Internal Improvement Project," *Business History Review*, 58(Winter, 1984), 577.
9. *Niles Weekly Register*, IX(September 1815-March 1816), 44.
10. Corra Bacon-Foster, *The Patowmack Route to the West* (Washington: The Columbia Historical Society, 1912), *passim*. This document is largely a summary of the records and annual reports of the Potowmack Company.
11. Virginia Board of Public Works, *Second Annual Report*, 22-23.
12. Legislative Petition, Frederick County, December 12, 1816.
13. Miscellaneous Legislative Petition, Directors of the Potowmack Company, January 15, 1813; Miscellaneous Legislative Petition, Directors of the Potowmack Company, December 6, 1815.
14. Littlefield, "The Potomac Company: A Misadventure," 582-583; Netherton, *Fairfax County*, 208.

15. Caroline E. MacGill, *The History of Transportation in the United States Before 1860* (Washington, D.C.: Carnegie Institution of Washington, 1917), 267; Littlefield, "The Potomac Company: A Misadventure," 583-584.

16. Virginia Board of Public Works, *Second Annual Report*, 26, 27; *Third Annual Report*, 15; *Fourth Annual Report*, 49.

17. Philip Morrison Rice, "Internal Improvements in Virginia, 1775-1860 (Ph.D. Dissertation, University of North Carolina at Chapel Hill, 1948), 226.

18. Virginia. General Assembly, *Acts Passed At A General Assembly of the Commonwealth of Virginia, 1815* (Richmond, Samuel Pleasants, 1816), 94-104; Rice, "Internal Improvements in Virginia," 226.

19. Virginia, *Acts...1810-1811*, 121-122.

20. Wayland Fuller Dunaway, *History of the James River and Kanawha Company* (New York: Columbia University, 1922), 49-50. Two of the five commissioners never made it to Lexington, one being ill and the other having pressing business. The chairman of the commissioners was forced to withdraw after an accident which rendered him unable to walk or ride a horse.

21. Dunaway, *History of the James River*, 53-54.

22. *Report of the Commissioners Appointed to View Certain Rivers Within the Commonwealth of Virginia, Conformable to An Act of Said Commonwealth, Passed the Fourteenth Day of February, 1812* (Richmond, 1816), 14-15. This document is housed in the rare books collection of the Virginia State Library. See also, Dunaway, *The History of the James River*, 53.

23. *Report of the Commissioners*, 14, 20-21.

24. *Ibid.*, 25-27.

25. *Ibid.*, 31-32.

26. *Ibid.*, 31-32.

27. *Ibid.*, 32-33.

28. Marshall Report, as reported in the *Richmond Enquirer*, January 9, 1813.

29. *Report of the Commissioners*, 29-30.

30. *Ibid.*, 34-35.

31. *Ibid.*, 34-35.
32. *Ibid.*, 39.
33. Dunaway, *The History of the James River*, 58.
34. Dunaway, *The History of the James River*, 59-60; Board of Public Works, *Second Annual Report*, 27-28.
35. Dunaway, *The History of the James River*, 60.
36. *Richmond Enquirer*, January 27, 1818. See also, Board of Public Works, *Second Annual Report*, 53-78.
37. Dunaway, *History of the James River Company*, 63-64.
38. Virginia, *Acts... 1818-1819*, 204-205.
39. *Niles' Weekly Register*, Supplement to volume XV (September, 1818-March, 1819), 40.
40. Dunaway, *The History of the James River*, 61-62; Report of the Board of Public Works, as recorded in the *Richmond Enquirer*, January 27, 1820.
41. Virginia Board of Public Works, *Supplement to the Third Annual Report, 1818*, 4-17.
42. Rice, "Internal Improvements in Virginia," 411.
43. *Report of Commissioners to explore upper navigation of James River*, House Journal, 1812-1813, 25-27, as reported in Wayland Fuller Dunaway, *History of the James River*, 34-35.
44. *Richmond Enquirer*, April 3, 1816.
45. The residents of the town of Manchester and Chesterfield County first had petitioned for a stillwater canal south of the James River in 1805. See pp. 126-127???
46. Legislative Petition, Powhatan County, November 19, 1816.
47. *Richmond Enquirer*, December 13 and 18, 1817.
48. *Ibid.*, December 30, 1817.
49. JHDV, 1816-1817, 109-110; Wayland Fuller Dunaway, *History of the James River and Kanawha Company*, 41. In 1819, the General Assembly finally approved a

resolution calling for a survey to identify the best route for a canal on the south side of the James River. See *Virginia, General Assembly, Acts Passed At A General Assembly of the Commonwealth of Virginia, 1819* (Richmond: Samuel Pleasants, 1820), 204-205. Petitions from the area for a southern bank canal continued as late as 1824.

50. *Two Reports of the Committee Appointed to Enquire Into the Complaints Against The James River Company* (Richmond: Thomas Ritchie, 1818), 4-5. This document is housed in the rare books room of the Virginia State Library. The original affidavits are also available for review at the Virginia Historical Society in a collection entitled, "Testimony Concerning the James River Company. Session 1816."

51. *Two Reports*, 9-10.

52. *Ibid.*, 5.

53. *Ibid.*, 5-6.

54. *Ibid.*, 5-6.

55. *Ibid.*, 7-8.

56. *Ibid.*, 10-11.

57. *Ibid.*, 11.

58. JHDV, 1817-1818, 216, 223, 224; *Virginia, Acts...1817*, 39.

59. Dunaway, *James River and Kanawha Canal*, 42.

60. *Ibid.*, 42-43.

61. JHDV, 1818-1819, 187.

62. Dunaway, *James River and Kanawha Canal*, 43.

63. *A Collection of all the Acts and Parts of Acts of the General Assembly of Virginia from 1784 to the Session of 1829-1830 inclusive, Relating to the James River and Kanawha Company* (Richmond, 1830), 41-42, 47.

64. *Collection...*, 49. In 1820 the Internal Improvement Fund had been all but drained by the financial Panic of 1819. Nevertheless, the agreement represented an increased level of commitment by the state to the company's shareholders.

65. *Richmond Enquirer*, February 22, 1820.

66. *Ibid.*, December 14, 1820.

67. *Ibid.*, December 30, 1820.

68. Rice, "Internal Improvements," 23.

69. At the same time the Board of Public Works also required the engineer to survey the route for a canal to run from Richmond to the proposed Appomattox-Roanoke canal. Most likely, it was James River advocates who pressed the board for access to this potential source of river traffic. Virginia Board of Public Works, *Second Annual Report*, 104, 108.

70. William P. Palmer, ed., *The Calendar of Virginia State Papers and Other Manuscripts*, 11 vols. (Richmond: Virginia State legislature, 1875-1891), X, 457-458.

71. Baldwin divided the route of the canal into three legs: between the Roanoke and the Meherrin (seventeen miles); between the Meherrin and the Nottoway (forty miles); and, between the Nottoway and the Appomattox (three-tenths of a mile). See Virginia Board of Public Works, *Third Annual Report*, 42-48. Perhaps owing to Baldwin's gloomy survey, the Upper Appomattox Company proved reluctant to take on any of the newly proposed improvements, forcing the General Assembly to establish in 1824 the Lower Appomattox Company to connect Petersburg with City Point, and in 1825 the Junction Canal Company to build the Appomattox River-Staunton River connection. In 1826 yet another survey concluded the region lying between the Appomattox and the Staunton was not sufficient to support a new canal. Indeed, the report was so discouraging the entire Staunton to tidewater connection was dropped. See Rice, "Internal Improvements in Virginia," 229-232.

72. Virginia Board of Public Works, *Third Annual Report*, 30-31.

73. Herbert Clarence Bradshaw, *History of Prince Edward County* (Richmond, Virginia: The Dietz Press, Inc., 1955), 294; Scott Hart, "Town of Farmville," in *Today and Yesterday in the Heart of Virginia* (Farmville, Virginia: The Farmville Herald, 1935), 163.

74. JHDV, 1807, 9; Alexander Crosby Brown, *The Dismal Swamp Canal* (Chesapeake, Virginia: Norfolk County Historical Society, 1967), 39.

75. Virginia Board of Public Works, *First Annual Report*, 7.

76. Brown, *Dismal Swamp Canal*, 41; *Richmond Enquirer*, June 18, 1814.

77. *Richmond Enquirer*, June 18, 1814; December 19, 1815.

78. Rice, "Internal Improvements in Virginia," 227-229.

79. Virginia, Acts...1815, 72.

80. Virginia Board of Public Works, *First Annual Report*, 8-9; *Richmond Enquirer*, July 8, 1817.

81. James Kearney, Major, Topographical Engineers, *Report of November 5, 1815* (Washington, D.C.: By order of the House of Representatives, February 20, 1817), 9. It should be noted that the "1815" in the title is incorrect and should read "1816." In 1809 The General Assembly had first incorporated a company to cut a canal from the Elizabeth River to the Currituck Sound. But no subscriptions were ever taken and the original commissioners were either "dead or gone." Petitioners from the city and county of Norfolk, as well as Princess Anne County requested in 1813 new commissioners and a new subscription of \$60,000. Early in 1814 the General Assembly did indeed incorporate a new company, which is probably why Kearney considered it the other option. See, Legislative Petition, Norfolk County, December 10, 1813; *Acts of Assembly, 1813-1814*, 90-91.

82. *Ibid.*, 10.

83. *Ibid.*, 7-9.

84. *Ibid.*, 9-10.

85. *Ibid.*, 10.

86. *Ibid.*, 10-11. The General Assembly in 1812 chartered a company to cut a canal from the Roanoke River to the Meherrin River, but by early 1816, the requisite survey had yet to be completed. See, *Richmond Enquirer*, January 27, 1816. For a complete review of efforts to improve the navigation of the Roanoke River System, see Philip Morrison Rice, "The Early Development of the Roanoke Waterway -- A Study In Interstate Relations," *North Carolina Historical Review*, 31(1954), 50-74.

87. Virginia Board of Public Works, *Second Annual Report*, 5, 14. 15,500 dollars of the expenditure came from the state. The legislature directed the Board of Public Works to buy a new subscription of company stock, of which this payment provided the first installment of a total of 60,000 dollars. Another 7,000 dollars came in the form of loans from banks, with the second state installment treated as collateral. The final 2,500 dollars came from toll revenues. See *Second Annual Report*, 8-9, 15.

88. Virginia Board of Public Works, *Third Annual Report*, 11.

89. *Ibid.*, 24-25.

90. *Niles Weekly Register*, Supplement to vol. XV, 40.

91. Virginia Board of Public Works, *Third Annual Report*, 27.

92. Virginia Board of Public Works, Journal, (November 2, 1818 to April 14, 1820), March 9, 1819. This document is housed at the Virginia State Library.

93. *Richmond Enquirer*, February 9, 1819.

94. *Ibid.*

95. *Ibid.*

96. *Ibid.*

97. *Ibid.*

98. *Ibid.*

99. Brown, *Dismal Swamp Canal*, 46-47.

100. *Letter from the Secretary of War Containing the Information Called for by the House of Representatives in Relation to the Dismal Swamp Canal, December 27, 1825* (Washington: Gales and Seaton, 1826), 7.

101. Brown, *Dismal Swamp Canal*, 48-49.

102. *Ibid.*, 48.

CONCLUSION

The Dismal Swamp Canal Company was the only one of the waterways companies with origins in the 1780s to survive beyond the 1820s. Does that record mean the river companies that have been the subject of this study were failures? Previous authors have thought so. Rice emphasized the inadequacy of the navigation and the internecine regional competition resulting from those parts of the rivers that were improved. In reviewing the James River Company, Dunaway stressed that largely because of its own malfeasance the company failed to survive. Littlefield was even more critical of the Potowmack Company, holding it up as a model of a contemporary joint-stock company unable to successfully manage a large project.¹

But this is to look at the companies only from the perspective of their lifespans as corporate entities and their capacity to produce dividends. Daniel B. Klein suggests the "direct benefits" paid to investors were not the only advantages conveyed by improvement companies such as these. Contemporaries were well aware of the "indirect benefits" of improvements, including better communication, lower transportation costs and stimulated commerce. In the case of turnpike companies, Klein asserts the probability of direct benefits was recognized to be so low that investments in them amounted to voluntary contributions intended to advance the indirect benefits of the new roads.²

Beginning with Washington's letter to Governor Harrison in 1784, waterways improvement advocates rarely missed an opportunity to herald the indirect benefits of the

projects. The *Virginia Journal and Alexandria Advertiser* characterized an improved Potomac as a work, "of more political than commercial consequence, as it will be one of the grandest chains for preserving the federal Union." Not that it was purely a political instrument. The newspaper goes on to describe the "commerce and riches that must flow down upon us" from the river.³ Klein notes shares in the turnpike companies were regionally owned by investors seeking to promote local development.⁴ The cities and towns in which subscription books were opened for the waterways improvement companies seem to have followed a similar pattern. The law creating the James River Company directed shares be sold in Richmond, Norfolk, Botetourt County Court House, Lewisburg, and Charles Irving's store in Albemarle County. Similarly, the Potowmack Company sold shares in Alexandria, Winchester, Annapolis, Georgetown, and Fredericktown. However the Potowmack Company also sold shares in Richmond, a city far more interested in the fate of the James River. This very well could have been a political decision arising from a subscription book being opened in the capital of Maryland. But it hints at broader interest in the company. In fact, among the shareholders were those with no ties to the regions benefitting from the improvement. Outstanding shares in the Potowmack Company were bought by three firms in Amsterdam, Holland, likely at the urging of their American agent who presumably knew a good investment when he saw one.⁵

Contrary to Klein's observation regarding the turnpike companies, prospective shareholders in the waterways improvement companies also expected direct benefits to redound from their investments. An 1818 petition requesting legislation for a connection

of the James River to the Ohio River was submitted by "the inhabitants of the country bordering on the James Rivers and its branches." The petitioners asserted it would be a worthy endeavor for the state government "to give impulse to the industry and enterprise of so large a section of the Republic, to open new markets for the rich and diversified production of agriculture...[and] to foster manufactories." The petition also notes the "[t]he good policy of cherishing these amiable dispositions, and of binding together the citizens of the most remote parts of this extensive country, by the strong fetters of interest and affection is too plain to require illustration." This was not to be financed by voluntary contributions, however. The petitioners advised "allowing such tolls as may induce capitalists to make investment in the stock."⁶

The capacity to distribute direct benefits was conditioned by the cost of construction and the zeal with which the companies applied themselves to maintaining the improvements. It is useful to compare the experience of the the Potowmack and James River Companies. Both were founded on the same day with similar missions, yet the Potowmack Company floundered while the James River Company became one of the most successful internal improvements in the country.⁷

The Potowmack Company began its work on an extremely optimistic note. The company's directors expected to clear navigation above the fall line to Fort Cumberland in three years, and clear the falls in ten years.⁸ But from almost the first day, the magnitude of the project all but overwhelmed those pursuing the improvements. The Virginians simply did not have anyone at their disposal familiar with the sophisticated technology necessary to build locks around the various falls on the river.⁹ The company

ended up hiring a series of different managers with different approaches to construction, and a parade of foreign "advisers."¹⁰ In 1823, commissioners from Maryland and Virginia concluded the Potowmack Company's difficulties in maintaining its canal, locks and general river improvements "may be fairly attributed to a want of information on the subject [of river improvements] at a very early period of our existence as a nation, when that company was formed."¹¹

Nevertheless, the Potowmack Company directors persevered and in 1802 the canals and locks around the Great Falls were completed -- seventeen years after the company had been chartered. But they could be proud of their work, particularly at the Great Falls, where the canal and locks were cut through solid rock. More the product of persistence than technical expertise, the locks at the Great Falls were among the greatest engineering accomplishments of eighteenth-century America, and were frequently visited by both domestic and foreign travellers.¹²

The indirect benefits to those transporting produce and goods on the Potomac improvements are beyond dispute. Tonnage passing through the Potowmack Company toll increased from 1,643 tons in 1800 to a high of 16,350 tons in 1811. And in the recovery after the War of 1812, tonnage increased every year but one in the period 1814 to 1822, when volume amounted to 11,730 tons.¹³ However, the cost of the Potomac improvements was far above that anticipated by the company directors, and well beyond that which could be matched by revenues they would generate. Between 1785 and 1818, the Potowmack Company reported expenditures totaling \$670,000. From stock subscriptions the company had collected \$311,555 and it had borrowed \$150,000. Most

significantly, tolls amounted to only \$185,202, just slightly more than one-quarter of total expenditures.¹⁴ The Potowmack Company was never able to confer direct benefits of the same magnitude as its indirect benefits.

The James River Company had no such fiscal problems. Between 1793 and 1816, the company incurred \$329,290 in expenses, while collecting \$390,060 in tolls and rents, to which was added \$140,000 in capital stock and \$64,000 which had been borrowed. The company paid dividends every year, and sometimes twice a year, from 1802 to 1820. The experiences of the two companies in individual years bring their financial conditions into even sharper contrast. In 1811, the year the most tonnage and the largest number of boats passed through the Potowmack improvements, the company collected \$22,542 in tolls. However, expenditures totaled \$44,047. In 1820, the state government took over the James River Company, but clearly not for fiscal problems. In that year, the company collected \$33,731 against the combined \$26,577 cost of expenses and a 12% dividend distribution, leaving a *surplus* of \$7,144.¹⁵

The state did not take over the James River Company because of its failure to be profitable, but because it was *too* profitable. The company's directors placed so great a priority on dividends they neglected necessary, but expensive, maintenance of wing dams and locks and disregarded the costly dredging of shoals. An 1804 petition seeking a tidewater connection spoke of the James River Company's failure to maintain a proper balance:

[T]he law incorporating a company for the purpose of clearing and improving the navigation of James River...was founded upon principles advantageous to the individual share-holders, and beneficial to that part of the community affected by its operation...but the method which has been

pursued by the directors of that company, contrary to the original object of the law, tends to sacrifice the interest of the community, and to promote that only of the individual share-holders and the inhabitants of the city of Richmond.¹⁶

The tension between direct and indirect benefits was also apparent in the hostility both the James River Company and Potowmack Company expressed toward their providing access to the Ohio River. Throughout the period of this study, improvement advocates touted the many indirect benefits to be afforded Virginia by a communication to the Ohio River. But those associated with the James River Company and Potowmack Company (and most hopeful for dividend distributions) were quick to point out their charters focused on Piedmont improvements, which in themselves proved to be ambitious and expensive endeavors. The companies had no interest in taking on an even more difficult connection over the Blue Ridge, though the public and the General Assembly urged them to participate voluntarily in the effort. A water line to the Ohio River continued to be an object of interest, though it would not be fulfilled until the completion of the Chesapeake and Ohio Canal and the James River and Kanawha Canal later in the nineteenth century.

Though the Potowmack Company and the James River Company could not have been more different in terms of their profitability, they both failed to strike a balance between the direct and indirect benefits they were was expected to confer. And their failure to do so resulted in a similar fate: the state government, which had set the terms for the balance of direct and indirect benefits, took over the company.

Despite the apparent failures of the companies, one must not overlook that

transportation was dramatically improved, though perhaps not to the extent the companies promised and which prospective users of the river expected. The Dismal Swamp Canal Company did build a waterway where there had been none, and even expanded the canal's dimensions beyond that originally required by its charter. While the James River Company might have padded its profits by neglecting maintenance, the heavy traffic on the river is proof of the importance of what improvements did exist. The other two companies which improved existing rivers failed to generate the returns on investment the James River Company could boast. Nevertheless, toll receipt records indicate an overall increase in the use of the rivers, though the growth was not steady. The Potowmack Company paid only one dividend, but as we have seen the use of the river increased dramatically as a result of the company's efforts. The first recorded year of toll revenues for the Upper Appomattox Company show receipts totaling £56_10_10. By 1816, tolls had increased to a high of £427_0_4.¹⁷

The numerous towns established along the rivers stood as testaments to the success of the experiment in waterways improvement. The emergence of such towns as Lynchburg, Columbia, Buchanan, and Milton on the James River, Matildaville on the Potomac and Farmville on the Appomattox were proof that improved rivers would, indeed, promote the western settlement and economic development Washington, Jefferson, and Madison envisioned in the 1780s. While it is true these towns were not as populous and less scrubbed than their New England counterparts, the new settlements along the rivers provided farmers with access to the craftsmen and merchants who connected them to the greater trade network running through Virginia, along the

American coast, and across the Atlantic.¹⁸ In turn, the town residents enjoyed a more prominent social status, particularly those who invested in the very improvements upon which they all depended.¹⁹

The sudden appearance of new towns along the rivers, which offered farmers the chance for a more comfortable existence and created opportunities for merchants and craftsmen to enhance their social status, also created new tensions in regions familiar only with a homogeneity of agrarian interests. Those associated with the traditional bases of political power centered around county courthouses sought to quell the emerging political prominence of town inhabitants. "A Freeholder and Inhabitant of Loudoun" warned in 1787 that prominent individuals of Fairfax county, as well those from Prince William County, sought to "crush the town of Alexandria." The writer implores the voters not to "be the dupes of personal resentment," and elect Mr. Hooe, a merchant from Alexandria. By focusing on the importance of Alexandria as an entrepôt for domestic shipping produce and importing consumer items, the writer connects the interests of farmers and town folk against the traditional political power: "As long as you unite with the town, you will defeat all their machinations [and] you will be invincible."²⁰

River clearance also posed a serious threat to those whose livelihoods depended on traditional uses of the river, such as fisherman and millers. They frequently petitioned the State Legislature for relief from the exertions of the companies. Improved navigation also created political tensions between residents of newly settled or growing towns vying with each other for regional economic dominance. And for many along the river the growing prominence of black boatmen added a sinister aspect to the river improvements.

But from the slaves' perspective, the improvements provided new opportunities for slaves to mitigate the conditions of their servitude. Advertisements offering rewards for runaway slaves suggest river clearance considerably enhanced the mobility of runaways. An advertisement offering a twenty dollar reward for the return of "Moses," noted he might be in the vicinity of Cartersville, or "running the James River in some of the boats." If not in Cartersville, the improvements on the James River gave Moses the mobility to be anywhere between Lynchburg and Richmond.²¹

With increased mobility, slaves extended their family networks. An 1812 runaway advertisement offers a reward for "Edmond" who it is noted has a brother in Orange, a sister living in Buckingham County, and another sister in Charlottesville. The advertisement notes it is likely he will visit these siblings -- all living in proximity to improved rivers. According to the advertisement, Edmond could try to get to Lynchburg, where he has acquaintances, no doubt resulting from his experience as a boatmen.²² When "Katy" ran away, the James River afforded her access to an extensive network upon which to rely for evading capture. She had been hired out to work at the armory on the James River Company basin, during which time she made many acquaintances, that her owner believed might have harbored her. What is more, her husband was a boatmen running between Richmond and the coal pits above that city. Her owner suspected friendly slaves at the coal pits also might have harbored her.²³

And river improvements gave slaves the chance to create new identities for themselves -- as free. For three years "Daniel" ran boats between Lynchburg and Richmond, during which time he characterized himself as free. Knowing Daniel had

already laid the groundwork for a new, free, identity, his owner suspected he would continue to run boats on the James River, a possibility made likely by boat owners desperate for men with Daniel's skills. The owner also conjectured Daniel may "lurk about the vicinity of Lynchburg, or Richmond, as a free man." Not only did the river make Daniel difficult to locate, but wherever he did decide to "hide," the local inhabitants may very well accept him as a free man.²⁴

Even more disturbing for whites was the possibility slaves would use the rivers to do more than just flee slavery; they might strike back. The owner of "Jerry" suspected his slave had participated in the robbery of his home by providing the diversion of a fire near the owner's barn. While putting out the fire, the owner's home was ransacked, and Jerry disappeared. His owner noted Jerry knew many of the James River boatmen, who would no doubt assist him in reaching friends in Manchester and Richmond, or a half-sister in Cumberland County. Even more traumatic was Gabriel's Rebellion and the role boatmen played as recruiters and couriers. Ironically, Gabriel's efforts to free his fellow slaves resulted only in the application of a more draconian servitude which deprived slaves of many of the indulgences granted them since the Revolution.²⁵

Despite unexpected turbulence, waterways improvements proved to be potent tools for Virginia's leaders who sought to fulfill their vision of an agrarian republic in the Old Dominion. In this effort they were not endeavoring to recreate Virginia. On the contrary, they hoped to retain Virginia's agrarian-based society by ensuring easy access to plentiful western lands. But access to land was not enough; there was no guarantee

western farmers would become western republicans. The plan of Virginia's leaders was to use commerce as a link between agrarianism and republicanism. The farming life, being tied to the land, made it stable and ensured an interest in the future of the homestead. Republicanism stressed discipline, and civic-mindedness. Internal improvement advocates anticipated the burgeoning commercial network made possible by improved river navigation would present western settlers with the opportunity to acquire consumer items previously unavailable on the frontier, creating an incentive to work harder than mere subsistence demanded. By growing surplus crops for sale and saving their money, these settlers would manifest the same virtuous behavior the citizenry had demonstrated during the Revolution, and which individuals like Madison, Jefferson and Washington considered essential to the future of Virginia's republican experiment. They knew quite well of the pernicious effects of commerce in Great Britain — huge factories, a chasm between the very rich and the very poor and a debilitating obsession with luxury — but hoped they would be held in check by the continued availability of western lands. No one in Virginia was doomed to a life in the factory for want of land to till. This perfectly circular plan was not without political calculus: the improved quality of life would give settlers reason to support the state government, and political leadership, which had made it possible.

Implicit in the Virginians' plan was a delicate balance between classical republican ideals and the new economic liberalism. They clung to their belief that a healthy republican polity depended on the existence of a class of small land owners, but they recognized virtuous behavior was an individual act and had to be cultivated one

citizen at a time. Waterways improvements extended commerce to the hinterlands at the same time it made undeveloped land an inviting option for those who had acquired wealth. As Banning observes, Jeffersonians, "derived from England's seventeenth-century republicans *both* a belief that men engaged in commerce are capable of republican citizenship *and* an archetype of the landed man as the ideal, autonomous citizen." But, as Appleby notes, Virginians demonstrated a very untraditional willingness to look at their world in new ways, exercising a modern, scientific approach to achieve their ends.²⁶

Before the Revolution had ended Virginians accepted the need to forego their long-held dream of a continental empire in favor of territorial concessions which assured the Old Dominion's sovereignty. By ceding the Northwest Territory and providing for Kentucky statehood, Virginia's leaders secured their state's autonomy within the Confederation but still left the state with vast land holdings. However, unlike the ceded territory, Virginians perceived this land as administratively manageable, and capable of economic development. And it was no accident Virginia's borders extended as far as its network of rivers.

In order to develop the potential of their waterways, Virginia's leaders demonstrated a knack for devising innovative governmental mechanisms. The four companies that have been the subject of this study were unlike anything before attempted in Virginia, either the colony or the state. They were private, joint-stock companies for which the state government did more than abate taxes or grant land — it held a stake as one of the largest shareholders. Virginia's leaders developed a new understanding of the

role of the government in the state's economy, blurring the distinction between the "public" and "private" sectors. Investors like Washington who had lost money on colonial projects recognized the goal of waterways improvements was on such a scale that private resources alone would be insufficient to realize them. By establishing the new companies, the state government created a corporate structure which raised sufficient capital from shareholders across the state (including the state itself) to clear the rivers, create passages through falls, cut canals and generally maintain the navigation of the waterways. In return, shareholders were to earn dividends from tolls charged local users of the waterways who enjoyed the benefits of improved navigation.²⁷

The improvements and the new emphasis on commerce might have been intended to secure traditional Virginia society, but Virginians responded to the new circumstances in new ways. With commercial expansion permitting more individuals access to a higher standard of living, the same desire for "luxuries" which Virginia's leaders approached with trepidation in the 1780s had become inoffensive by the turn of the century. Buying power won over frugality as the measure of a good citizen. With the taboo against luxury toppled, even domestic manufacture could be considered beneficial for Virginia, given the right circumstances. Manufacturing societies sprung up in response to Jefferson's Embargo and the War of 1812, heralding self-sufficiency as a bulwark against the actions of foreign states.

In order to broaden commercial opportunities and further secure self-sufficiency, the state government continued to expand its role in internal improvements. With the creation of the Board of Public Works and the Internal Improvement Fund in 1816,

Virginia's leaders significantly increased the state government's role in the economic life of its citizens. In their reviews of Jeffersonian Republicanism, both Banning and Appleby overlook this significant development, instead stressing the Jeffersonian Republicans' inheritance of the Antifederalist tradition of small and limited central government. Banning asserts Jeffersonian Republicans were "uncomfortable with the notion that the role of the state is to facilitate the growth of capital and credit, hurrying the community into the marketplace." The Internal Improvement Fund had that very effect. Appleby asserts: "In their depiction of America's future, freedom was expanded by drastically limiting the scope of government so that individual citizens could be empowered to act on their own behalf."²⁸ As is evident from their efforts in waterways improvements, Jeffersonian Republicans did not so much espouse limited government as they re-centered governmental authority in the state capitol. Even Patrick Henry, the most vociferous opponent of federally centralized power, was an enthusiastic supporter of the state government's role in waterways improvements.²⁹

As much as waterways improvements influenced how Virginians understood the role of government and the value of economic development, they did not dramatically alter its underlying social structure; nor were they intended to do so. Thanks in part to the success of the waterways improvement projects of the 1780s, Virginia remained an agrarian and hierarchical society, governed by a handful of men bound together by strong family connections and an allegiance to the planter gentry class. They gave substance to a vision of Virginia which persisted for the next fifty years.³⁰

ENDNOTES

1. Philip Morrison Rice, "Internal Improvements in Virginia 1775-1860." (Doctoral Dissertation, University of North Carolina at Chapel Hill, 1948), *passim*.; Wayland Fuller Dunaway, *History of the James River and Kanawha Company* (New York: Columbia University, 1922), *passim*; Douglas R. Littlefield, "The Potomac Company: A Misadventure in Financing an Early American Internal Improvement Project," *Business Historical Review*, 58 (1984): 561-585. Robert Mitchell asserts improvements were not even an issue in the Shenandoah Valley; transportation costs and distance from markets did not have a consistently detrimental effect on the region's economic development. See Robert D. Mitchell, *Commercialism and Frontier* (Charlottesville: University Press of Virginia, 1977), 221.
2. Daniel B. Klein, "The Voluntary Provision of Public Goods? The Turnpike Companies of Early America," 795.
3. *Virginia Journal and Alexandria Advertiser*, November 25, 1784.
4. Klein, "The Turnpike Companies of Early America," 796.
5. Corra Bacon-Foster, *The Patowmack Route to the West* (Washington: The Columbia Historical Society, 1912), 62.
6. Miscellaneous Legislative Petition, December 19, 1818.
7. Dunaway, *History of the James River and Kanawha Company*, 33.
8. *Virginia Journal and Alexandria Advertiser*, November 25, 1784.
9. Douglas R. Littlefield, "Eighteenth-Century Plans To Clear The Potomac River: Technology, Expertise, and Labor in a Developing Nation," *The Virginia Magazine of History and Biography*, 93(July, 1985), 306.
10. Douglas R. Littlefield, "Eighteenth-Century Plans To Clear The Potomac River," *passim*.
11. Commissioners of Maryland and Virginia Appointed to Survey the Potomac River, *Letter from the Governor and Council of Maryland Transmitting a Report of the Commissioners Appointed to Survey the River Potomac* (Washington, D.C., 1823), 1-7, quoted in Douglas R. Littlefield, "Eighteenth-Century Plans To Clear The Potomac River," 309-311.
12. Corra Bacon-Foster, *The Patowmack Route to the West*, 103.

13. *Seventh Annual Report of the President and Directors of the Board of Public Works* (Richmond: Thomas Ritchie, 1823), 108-109.

14. Corra Bacon-Foster, *The Patowmack Route to the West*, 128.

15. *First Annual Report of the President and Directors of the Board of Public Works* (Richmond: Thomas Ritchie, 1817), 25; Corra Bacon-Foster, *The Patowmack Route to the West*, 111; Dunaway, *History of the James River and Kanawha Company*, 38, 45.

16. Legislative petition, Powhatan County, December 6, 1804.

17. *First Annual Report of the President and Directors of the Board of Public Works* (Richmond: Thomas Ritchie, 1817), 11.

18. Johann David Schoepf, *Travels in the Confederation [1783-1784]*, 2 vols., edited by Alfred Morrison (Philadelphia: William J. Campbell, 1911), II, 22-23; Joseph A. Ernst and H. Roy Merrens, "'Camden's Turrets Pierce the Skies': The Urban Process in the Southern Colonies During the Eighteenth Century," *William and Mary Quarterly*, 3rd series, 30 (1973), 568-569, 573.

19. Gordon Wood, *The Radicalism of the American Revolution* (New York: Alfred A. Knopf, 1992), 247; *Richmond Enquirer*, June 21, 1811.

20. *Virginia Journal and Alexandria Advertiser*, November 15, 1787.

21. *Richmond Enquirer*, May 24, 1814.

22. *Richmond Enquirer*, September 4, 1812.

23. *Richmond Enquirer*, March 1, 1811.

24. *Richmond Enquirer*, January 12, 1819. The advertisement notes Daniel likely rounded out his new identity as a freeman by use of a forged pass, as "it is said he can read and write."

25. Douglas R. Egerton, *Gabriel's Rebellion: The Virginia Slave Conspiracies of 1800 and 1802* (Chapel Hill: University of North Carolina Press, 1993), 163-165.

26. Joyce Appleby, "Republicanism in Old and New Contexts," *William and Mary Quarterly*, 3rd ser., 43 (1986), 23-24.

27. Share Ownership, 1785-1815:

<u>Company:</u>	<u>State Subscriptions (\$):</u>	<u>Private Subscriptions (\$)</u>
Potowmack	Va: 53,333.33* Md: 97,777.77	160,444.45
James River	70,000.00*	70,000
Dismal Swamp Canal	17,500.00	62,500
Upper Appomattox	12,500.00	34,900

*Includes those shares vested in George Washington in 1785.

28. Lance Banning, "Jeffersonian Ideology Revisited: Liberal and Classical Ideas in the New American Republic," *William and Mary Quarterly*, 3rd ser., 43 (1986), 17; Appleby, "Republicanism in Old and New Contexts," 25.

29. Nathan Miller contends the public works programs of the early nineteenth century were undertaken by men whose economic heritage was mercantilist and for whom the new governmental mechanism to implement internal improvements were an enlargement of, rather than a departure from, their understanding of the state government's role in the economy. See, Nathan Miller, *Enterprise of a Free People* (Ithaca, New York: Cornell University Press, 1962), 258. Miller fails to recognize that the extent of governmental participation in the economy through such bodies as the Board of Public Works and the Internal Improvements Fund would have been inconceivable for Virginia's leaders in the 1780s. State ownership of stock in the joint-stock companies was considered precedent shattering at the time. To suggest the novel use of government in 19th century Virginia was merely an enlargement of mercantilistic behavior surviving from the eighteenth century is to underrate the innovation exercised by Virginia's leaders at the time. Those participating in the creation of the Board of Public Works and the Internal Improvement Fund did so with the sense they were undertaking something dramatic and entirely new.

30. Robert H. Wiebe, *The Opening of American Society* (New York: Vintage Books, 1985), 204.

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