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### Great Western Railway Company

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H.R. Rep. No. 467, 28th Cong., 1st Sess. (1844)

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GREAT WESTERN RAILWAY COMPANY.

[To accompany bill H. R. No. 215.]

MAY 2, 1844.

Mr. **HOLLAMER**, from the Committee on Public Lands, made the following

REPORT :

*The Committee on Public Lands, to whom was referred "A bill to grant the Great Western Railway Company a right of way through the public lands of the United States, and for other purposes," have had the same under consideration, and respectfully submit the following report :*

The papers accompanying this bill show that in 1836 the Legislature of Illinois incorporated a company, styled "the Illinois Central Railroad Company," with authority to lay out and construct a railroad from the mouth of the Ohio river to the Illinois river, near the termination of the Illinois and Michigan canal, and thence to Galena, on the Mississippi river. That after that company had petitioned Congress for a donation of land to aid in making the road, their object was defeated by the State of Illinois, which embraced it in a grand system of internal improvements to be constructed under her own auspices; that, after exhausting her means and credit on this and other improvements, the State was compelled to abandon the whole system of railroads; and that the parties peculiarly interested in the construction of this improvement, in March, 1843, procured the passage of an act incorporating the *Great Western Railway Company*, authorized to pay for the property owned by the State on the route, and for the work done, in evidences of the State debt, and to construct the road according to the original plan; requiring that, after discharging all debts contracted for that purpose, they shall pay over one-fourth of the net annual income from tolls into the State treasury. These statements have been verified by reference to the laws of Illinois.

The papers further show the importance of the road in contemplation, as regards private citizens of the State of Illinois and the United States. Without the extravagance which a few years ago entered into all calculations connected with internal improvements, the committee look upon the work in question as of much general as well as local importance. Connecting at the mouth of the Ohio river with an uninterrupted steamboat navigation, and running north through the middle of Illinois, it will open a perpetual outlet to an extensive region of fertile country, including the lead region of *Illinois* and *Wisconsin*, and, in its connexion with the *Illinois* and *Michigan canal*, will, during a portion of the year, give the people a choice between southern and eastern markets. If, as is anticipated, it shall also be connected by branch roads with *St. Louis*, *Alton*, and other impor-

tant points on the Mississippi river, and with the *Erie and Wabash canal* on the Wabash, the scope of its usefulness will be greatly enlarged, especially during those seasons of the year when the navigation of the great rivers above the mouth of the Ohio is interrupted by low water or ice. From the greater certainty and speed of railroad conveyance over that, by steamboats on the western rivers in low water, it will become, in summer, a part of the great highway between New Orleans and the lakes, over which will pass a large portion of the travel between that city and the cities of the east; nor is it unreasonable to anticipate that in a few years it will form a connexion with the Michigan railroads, by the extension of the latter around the south end of Lake Michigan.

To the *United States* this road will unquestionably be of very considerable importance. It will bring into market a large amount of public lands, now unsaleable on account of their destitution of timber and their distance from any cheap means of conveyance. The proposition contained in the bill, if it shall become effective, of itself guaranties an extensive sale; and the same motive which influences those interested to desire a pre-emption right, will induce others to purchase the remaining lands near the route, as soon as they have an assurance that the road will be speedily completed. The amount of vacant lands within five miles of the route of this road, between the mouth of the Ohio and the Illinois, was, in 1836, estimated by the land office at over a million and a half of acres, and between that point and Galeua over half a million. Probably there are now three millions of acres vacant within eight miles of the proposed road. Most of these lands will remain vacant for many years, unless made available for settlement by this improvement. The United States have, therefore, a direct pecuniary interest in its execution.

This road will furnish a link in the chain of mail communication between *New Orleans* and the *lake country*. The western rivers above the junction of the Mississippi and Ohio, cannot be used with advantage as mail routes, on account of the irregularity and uncertainty of their navigation during portions of each year. These obstacles do not exist in the Mississippi below the junction, where steamboats may run as regularly as between New Orleans and Mobile; connecting with regular trains of cars on this road, they may be made to form a mail line of great importance to a vast region of country, and the cities springing up on the upper lakes and upper Mississippi.

But perhaps the most interesting aspect in which this improvement can be viewed, is its bearings upon the *military defences of the country*. It will afford the means of rapidly transferring a military force between New Orleans and the lake region, and the Indian country, and will be especially important when the other channels of conveyance are obstructed by low water or ice. In like manner, it will afford means for the most rapid transmission of arms and munitions of war from the depot which is likely hereafter to exist at some point on the Mississippi river. Passing through an extensive region which is destined to be filled with a dense population, it will enable the Government promptly to send down for the defence of New Orleans a large military force from Illinois, when the descent of levies from the States on the Ohio and upper Mississippi, and their branches, may be delayed by the condition of those rivers.

It is not intended to maintain that a railroad is, in the abstract, a better

medium of conveyance for these purposes, than a navigable stream; but this road will have a material advantage over the streams to the right and left, in being available at all seasons and in all weathers.

These considerations should induce Congress to promote, by all proper means, the construction of this road. But there is another, of much moment: None will deny that it is the duty of the General Government to protect the credit and advance the interest of the States, as far as it can be done consistently with its constitutional duties and powers. *The State of Illinois* needs all the aid which can thus be given her. She has expended many millions of dollars; and has on this, and connecting lines of road, a large amount of property now wholly unavailable. In exchange for this property, and for the work done on the lines, she is willing to receive her own bonds, or other evidences of State debt. We are assured that, with the pre-emption right desired by this company, they will be able to purchase and pay for the property owned; and work done by the State on this line of road, in the manner proposed, and proceed forthwith in its construction; thereby extinguishing at once a considerable amount of State debt. Thus, an immediate benefit will accrue to the State, by the sale of that which is now unavailable, to be followed by increased means to meet remaining responsibilities in the enhanced value of lands and accessions to her population, produced by the completion of this improvement.

No donation is proposed in consideration of the benefits which may accrue from this road to the people at large, to the State of Illinois, or to the United States. All they ask is a *pre-emption right* to a portion of the public lands, which are to be enhanced in value by their improvement. In conceding this, the United States give nothing. All the vacant lands proposed to be embraced in the privilege, have long been in market at the price proposed to be given; and if the road be not constructed, will, together with the remaining tracts now vacant, remain unsaleable for an indefinite period of time. But whether sold at a near or distant period before the road is constructed, or afterwards, all the United States can receive for them will be not over a dollar and a quarter per acre, the minimum Government price; and if part of the enhanced value of the lands can be made available in anticipation for the construction of the road, it is certainly more just that it shall go into the hands of those who encounter all the responsibilities attached to so great and useful an undertaking, than to those who may buy at Government price, and see their lands quadrupled in value by an enterprise to which they contribute nothing. If any tax be just for the construction of an internal improvement, it is one which falls exclusively upon the lands and other real property whose value it enhances.

The committee are of the opinion that it is expedient to promote this improvement, inasmuch as it can be done without expense to the Government. But some of them are averse to bestowing privileges of any sort on corporations not created by this Government, or responsible thereto; they have no objection, however, to putting the privilege asked for at the disposition of the State of Illinois, for the purpose of making the road herself, or to enable her, if she shall deem it better policy, the more advantageously to dispose of her property on the line, and reduce her State debt. As the company who have sought this pre-emption right undertook the construction of the road more for the indirect advantages anticipated from it, than from the profit expected to be derived from tolls, they are willing that the State of Illinois shall be substituted in their place; and will be more satisfied

if the State will resume the work and complete it. With the assent of all parties interested, the committee therefore propose so to change the bill as to make the State of Illinois the grantee, and in that shape recommend its passage.