

THE HISTORY OF THE TURNPIKE ROADS IN MARYLAND

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BEGINNING OF ROADS IN MARYLAND

A great philosopher once stated that, "The development of a section of the country is told by the development of its roads." A comparison at intervals of the development of Maryland during the last three hundred years will make evident the applicability of the above statement. The sparsely settled almost impenetrable Maryland of yesterday is replaced by many large cities bound together by a network of roads, great and small, that are the channels of intercourse of an advanced and prosperous commonwealth. The main highway of early Maryland was the Chesapeake Bay, and the earliest roads were mere paths from plantation to river landings, or from the adjacent settlements to the little capitol at St. Mary's. These paths were privately owned and their upkeep was in private hands.

EARLY HIGHWAY LEGISLATION

As the colonial settlements gradually expanded to such a degree that the arrangement of highways could no longer be left in the hands of private concerns, there were two sources upon which the lawmakers might draw for effective road-legislation.

The first source was the road laws of Virginia, which left the regulation of highways to the discretion of the

Governor and Council or, the Commissioners of the monthly courts. The other possibility was the system which prevailed in England. The growth and the maintaining of roads in that country depended upon the respective parishes.

EARLY ROAD-LAWS

The first road-law in Maryland was passed in 1666. This act ordered that the commissioners of each county meet in order to determine which highways should be made. After the establishment of the road-law of 1666, little progress was made and travel was very difficult until 1696.

The act of 1696 was the first important advance upon the act of 1666. This act remained in use for nearly fifty years. The ascertainments of the 17th century are marked by the absence of highways and the fact that the inhabitants saw the need for better roads and endeavored to supply them.

EARLY SETTLEMENT

About 1730, the colonies began to move westward and coincident with this movement came the cry for better lines of communication. Following the westward advance, the north and south were gradually settled. The people soon became aware of the fact that in order to bind the commonwealth together an adequate road system was needed. Consequently for ten years after the Revolutionary War many laws concerning the upkeep and erection of the highways were passed, but no material progress was made. It was not until 1787

that the Legislature arrived at a policy of internal improvement which was steadily pursued and eventually proved successful.

THE DEVELOPMENT OF TURNPIKES

The new system was the turnpike or toll system. This system prior to 1787 had been used in England with good results. A turnpike road is generally understood to have three characteristics.

1. An improved surface or road-bed.
2. A system of toll-gates placed at certain intervals.
3. An incorporated company furnishing capital for the construction of the road.

By the legislature of 1787 commissioners were appointed to survey and construct a public road from Baltimore towards Frederick in as straight a line as the nature of the country would permit. Similarly other commissioners were to lay out roads from Baltimore to Reistertown, from Reistertown to Westminster, from Reistertown to Hanover, and a road from Baltimore towards York to the line of Baltimore County.

These highways possessed two of the three usual characteristics of a turnpike road; special provisions were made for the improvement of the road-beds, and the erection of toll gates were ordered. The construction and subsequent management of these roads was entrusted, however, not to a private company incorporated for that purpose,

but to numerous officials to be appointed by the court of Baltimore county.

This plan of turnpiking under county supervision was upon the whole unsuccessful. Within fourteen years the act of 1787 was amended no less than ten times. Finally the influence of the legislation for counties led to a law empowering the Commissioners of Review to appoint one or more supervisors for the roads in question and permitting the substitution of personal labor for the payment of the tax authorized in 1787. This, instead of reducing the evils of the earlier law, merely increased the division of authority that already existed; and finally in 1801, provision was made for better keeping of the executive part of the law. It was now decided to dispense with the numerous officials of the earlier law, and the management of the turnpike roads was given to a superintendent who should be appointed by the court of Baltimore county. Still no successful plan of turnpiking had been formulated.

INCORPORATION OF TURNPIKE COMPANIES.

When the failure of the experiment of turnpiking under county authority became apparent, efforts were made to attract private capital to investment in the construction of turnpike roads. For some time, however, these attempts proved fruitless. The first turnpike company in Maryland, incorporated in 1796, to build a turnpike road between Baltimore and Washington apparently accomplished nothing

and those immediately following seemed to have been no more fortunate.

THE TURNPIKES OF 1804-5

It was not until the session of 1804-5, 238 years after the first act of 1666, that legislation was enacted which had a permanent result. In that year two acts were passed which laid the basis of the turnpike system in Maryland. The first act was to incorporate several companies to make turnpike roads through Baltimore County and the second act comprised important provisions relating to the construction and upkeep of roads.

Accordingly three companies were incorporated to make roads from Baltimore through New Market, Frederick and from Middletown to Boonsborough. Roads were also to be made from Baltimore through Reistertown towards Hanover, through Westminster to the Pennsylvania line, towards Petersburg, and from Baltimore toward York to the Pennsylvania line. Various extensions of these lines were subsequently authorized.

The text of the second act was very lengthy. Some of the most important provisions are as follows:

The roads are to be made over, and upon the beds of the present roads as laid out and confirmed by the Commissioners of Review.

The companies are to erect posts and index hands,

mile-stones and the distance between gates shall be marked on the gates.

Persons living on or adjacent to the roads and within three miles of a toll-gate are to pay toll but once in twenty-four hours.

In the year 1804, the Falls Turnpike Company was incorporated. This was run from the cross-roads near Richard Caton's limekiln in Baltimore County, nearly along the line of Jones' Falls to the city of Baltimore. Special provisions were made against the York road trade being diminished by the Falls turnpike.

REPORT ON TURNPIKES

In the year 1807 a resolution of the Senate was adopted to the effect that the Secretary of the Treasury prepare a list of questions to acquire information concerning the turnpikes. These questions were distributed in the states through various federal officers. From the answers to these queries much may be learned concerning the exact status of the Maryland turnpikes in 1807. A summary of the Falls Turnpike report is as follows:

"The Falls Turnpike is expected to unite the trade of the North with Baltimore. It is in a direct line to Hanover and Carlisle. The road is not yet completed; the cost is estimated at \$7,500 per mile, including bridges, and the whole length is somewhat over nine miles. Other similar reports of turnpike roads were received.

THE BANKS AND THE TURNPIKES

A far-reaching step in the turnpike construction in Maryland was taken in the years 1812-13. The president and directors of the several incorporate banks in the city of Baltimore, the president and directors of the Hagerstown Bank, of the Conococheague Bank, and of the Cumberland Bank were incorporated for the purpose of surveying, locating, and making a turnpike road from some point on the west bank of Big Conococheague through Hancock to Cumberland. The Company was invested with all the rights of those incorporated in 1804. This assistance rendered to turnpike construction by the ^{banks} ~~banks~~ marked the beginning of a more successful turnpike era. Later other banks were incorporated for the construction of roads.

INCREASE OF TURNPIKE COMPANIES

Meanwhile the incorporation of turnpike companies increased. Many schemes that had previously failed were taken up again. For example, the unsuccessful Baltimore and Washington Turnpike Company of 1796 was succeeded by a new company. Two years later, in 1815, the Baltimore and Frederick Turnpike Company was authorized to open subscriptions for additional stock to the amount of \$160,000 to construct a road from Boonsborough to a point on the west bank of the Conococheague, at which the Cumberland Turnpike Road began. At the same time the control of the Harper's Ferry road was taken from them.

GOVERNOR GOLDSBOROUGH'S ADDRESS

Three years later in 1818, Governor Charles Goldsborough made an address to the assembly on the subject of turnpike roads. A summary of the report follows: "The aggregate capital invested in turnpike roads is valued at \$2,000,000 the great part of which is owned in Baltimore. The stock owned by the state is \$10,000 in the Frederick Road and \$5,000 in the York Road." He also stated that the turnpike companies sustained a great loss from parallel roads which were not turnpiked or closed. He suggested that tolls be regulated according to the weight and according to the season of the year. The outcome of this communication was a resolution authorizing the Governor and Council to ascertain the best terms upon which the possession of the road might be obtained from the state, also upon what terms the banks would consent to release from toll all wagons having tires of a certain width.

THE RISE OF THE RAILROADS

From 1800 to 1840 the turnpikes reached the height of their importance. The turnpike system, after many faults and obstacles, had arrived at a high place of perfection. But hardly had the turnpike arrangement been perfected, however, when its adequacy began to be threatened by another system, namely, the use of the steam railways. The above statement must not be understood as indicating that the era

of turnpikes was thereby terminated. On the contrary very many turnpikes were afterwards constructed. But with the introduction of the railway system, their character was changed, and instead of being leading lines of communication, they became feeders to the railroads.

LATER TURNPIKE LEGISLATION

All turnpikes were incorporated by special acts of Assembly until the year 1868, when a general incorporation law was provided. This was modified by the act of 1882 and continued in operation until 1907. The conditions of the act may be found in "The Public General Laws" (art.xxiii-233). In the course of time many of the turnpikes became unprofitable. The companies allowed them to lapse into the hands of the various counties. But it was not until the report of the Geological Survey for 1906-07 that the death knell of the turnpikes was sounded. In its report the Geological Survey Commission recommended the following: "That the present conditions have shown the importance of many of the turnpikes as sections of the general system (system of state roads). While undoubtedly the operation of these highways has contributed in the past to the development of the State, conditions are rapidly approaching the point where their future existence as toll roads is entirely undesirable. Any legislation looking to the abolishment of the turnpikes as toll-roads should recognize the private rights and property values in the turnpikes themselves, and in all cases of assump-

tion by the State or counties of the turnpikes, fair compensation should be made to private interests for the property taken from them".

This plan was taken up and carried to a successful issue by Governor Crothers during the four years of his administration. Thus with the organization of the state roads Commission on April 30, 1908, the turnpike system was practically terminated. The remaining turnpikes were gradually obtained by the state, and now the last toll road has dissapeared.

IMPORTANCE OF TURNPIKES

The development of the Turnpike system in Maryland served a two-fold purpose. First, it had a marked influence upon the commercial welfare of the state, and secondly, the turnpike roads pointed out in almost every instance the general direction for the railroads that succeeded them.

With the completion of turnpikes radiating from Baltimore, Maryland became more and more prosperous. By these channels a stream of wealth rolled down to Baltimore to be shipped to Europe, South America, or the West Indies. The description of Baltimore's prosperity in the last thirty years of the 19th century is told by Mr. Sparks. "Within the last thirty years, he states, "the population of Philadelphia has increased to a number three times as great as it was at the beginning of that period; New York to a number four times as great, and Baltimore to a number five times as great. Among all the cities of America, there is no record of any

one which has sprung up so quickly or to so high a degree of importance as Baltimore." In ascribing causes for this rapid development he says that the energetic spirit of the people in the construction of highways has added materially to the advance of Baltimore. He refers to seven turnpikes entering Baltimore city, namely, the Reistertown, York, Frederick, Washington, Bel Air, Havre de Grace and Wheeling.

From the records of the turnpike roads interesting details of the commercial activity of the time may be obtained. Large droves of live stock were driven every year over the roads to Baltimore. Large wagons carrying enormous amounts of flour, butter, etc. arrived daily in Baltimore to be shipped. Thus the turnpikes served as links that connected the products of Maryland to the outside world.

FURTHER IMPORTANCE OF TURNPIKES

When the steam locomotive came into operation, the utility of the turnpike roads was in no way terminated. The tracks of the railroad had to be laid upon routes that were the most direct and economical. In this case the toll roads rose to utmost importance. They performed a much greater service than the mere transportation of goods, as they pointed the direction for the railroads which succeeded them.

Thus, with the advancement of turnpikes, we find in the history of Maryland's commercial welfare a coincident development. The turnpikes were the magic that facilitated the miraculous growth of Maryland.

The End.

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