

Finally, in response to the arguments of Schley and Davis that the existing state agents were fully competent to represent the state's interests, Dorsey noted that while the current agents were all honorable gentlemen, he was at a loss to understand some of their actions. He accused them in particular of being too deeply involved with the C & O Canal Company and therefore biased against the B & O Railroad Company, which worked to the detriment of Baltimore City. Their conduct was, he said, "inexplicable." They identified themselves with the canal project, "regarded it as measurably their work, and in indulging their partialities and self congratulations, they in a great measure lost sight of the fact that the State had other interests which required their consideration."<sup>28</sup>

Davis felt compelled to respond, and in doing so he pointed out some additional political realities. A canal created a great deal of employment—a lot of boats and a lot of employees. "Here was, then, an army, a sufficient field for political operations," he said, as Thomas well knew, but which Judge Dorsey may have overlooked. While Thomas was president of the canal company (and concurrently a member of Congress), Davis suggested, he saw to it that some two thousand of his supporters were employed on the canal project. As long as political parties continued, Davis observed, "this must necessarily be a political board," and, later turning to Judge Dorsey, he asked, "Does not my friend from Anne Arundel see what an engine of political power the control of this canal will give the gentlemen [Thomas] from Frederick?"<sup>29</sup>

There was more than a grain of truth to Davis's suggestion that the canal company had been used as a political plum. Sanderlin states:

Along with Maryland's financial support had come state control of the enterprise. Domination of the canal company in turn had brought about the conditions which made possible political interference in the operation of the waterway. At an early date it became the practice of the state parties to use the numerous positions on the waterway to reward loyal supporters. Soon each alteration in the political control of the state brought sweeping changes in canal personnel. The cohorts of the outgoing party were removed, and friends of the incoming group appointed. Thus both the officials and the employees of the company became closely connected personally and spiritually with the political complexion of the state.

Dorsey later answered that he saw no connection between the political character of the board and the boatmen using the canal.<sup>30</sup>

The question then turned to the Howard amendment, which would allow the board to review toll rates. Thomas F. Bowie of Prince George's County, who opposed putting any of this in the constitution, suggested that unless the board had the power to *change* the tolls, which everyone agreed it could not have, the right to *review* the tolls was meaningless. There was no response to this observation, and, after some further debate on other matters, the convention adjourned for the day. Just prior to adjournment, however, Ramsey McHenry of Harford County gave notice that at the proper time he proposed to offer a substitute for the report. His proposal would be that "the Governor, Comptroller and Treasurer shall constitute the commissioners of the public works and property for this State."<sup>31</sup> At some point McHenry must have changed his mind, however, for he never actually offered the amendment.

The debate came to a head when proceedings resumed the next day, 16 April 1851. Judge Dorsey offered a series of amendments to the Howard amendment to the Thomas proposal (the Howard amendment, as previously noted, being that which authorized the board to exercise whatever power the state had to appoint directors in the railroad and canal companies, to review the tolls "adopted by any company," to use the powers

28. *Ibid.*, p. 436.

29. *Ibid.*, p. 443.

30. Walter S. Sanderlin, "A House Divided: The Conflict of Loyalties on the Chesapeake and Ohio Canal, 1861-1865," *Maryland Historical Magazine* 42 (1947): 207; *Reform Convention Debates*, 2:445.

31. *Reform Convention Debates*, 2:445, 446.