

from any and from every quarter, to convert this war into a crusade against the institution of domestic slavery."<sup>52</sup>

This preoccupation with more fundamental problems precluded legislative action dealing with the Board of Public Works and with internal improvements generally for the next three years. The board, however, soon found itself in a stalemate, and at a most difficult time. Sanderlin notes, with respect to the C&O Canal:

As a result of the secession of Virginia, the canal found itself on the border between the Union and the Confederacy, in the path of the contending armies. Consequently during the first two or three years of the conflict, its trade was greatly reduced and its works alternately occupied and/or destroyed by the opposing forces. The condition of the company and its properties materially deteriorated from even the gloomy pre-war status. Only toward the end of the war when interference with navigation declined did its trade and financial status improve.<sup>53</sup>

The B & O, it is reported, also suffered from the various military incursions, and its trade was disrupted and equipment stolen or destroyed. These depredations did not, however, keep the board from continuing to play politics. Again, as Sanderlin reports in terms of the canal:

Meanwhile the older problems of the canal continued to interfere with its success. Political influence brought about the wholesale turnover of employees in 1860 and 1862. Although these appointments were the last during the war years, the men who were appointed in 1862 were not particularly attentive to their duties, according to the testimony of canal officials as well as others. And the top officials continued to intrigue in state politics throughout the war.<sup>54</sup>

At the first meeting held after the election of Lincoln, on 2 December 1861, the board adopted a resolution permitting any one member to call a special meeting but requiring the presence of three members to constitute a quorum. The affairs of the board proceeded smoothly for about six months; in December 1861 and January and March 1862 the commissioners elected directors of the B & O, three other railroads, and the C & O, without apparent division.<sup>55</sup> Then, in May of 1862 a conflict erupted between the two Unionist commissioners—Fickey and Shriver—and their senior colleagues—Duke and Roberts—who had been elected in 1859.

The immediate issue dividing the commissioners seemed to be the filling of a single vacancy on the B & O board of directors arising from the resignation of Albert Schumacker, but it soon turned into a wider political and legal controversy. The four commissioners were evenly divided as to the replacement (or perhaps whether there should be a replacement). Based upon what ultimately unfolded, Fickey and Shriver must have sensed that, in the event of a tie vote, the state treasurer, Robert Fowler (who had previously been a state-appointed director in the B & O) would side with Duke and Roberts. In order to prevent that, they simply boycotted the meetings of the board, thereby attempting to stymie any board action by precluding a quorum.

This tactic initially worked; the meetings of the board called for 20, 21, and 22 May 1862 were adjourned for lack of a quorum. Duke and Roberts thereupon reacted with a stratagem of their own. On 3 June 1862 they met, nominated not just one person to fill the existing vacancy but an entire slate of new state directors to replace the incumbents, declared that the "votes of all absentees be reckoned against the ticket nominated [by them]," concluded that there was therefore a tie vote as to that ticket,

52. Acts of 1862, res. 15, 13, 3.

53. Sanderlin, *Great National Project*, p. 212.

54. Hungerford, *Story of the Baltimore & Ohio*, 2:19; Sanderlin, *Great National Project*, p. 220.

55. BPW Minutes, 2, 16 December 1861, 29 January, 30 March 1862, vol. 1851-83, pp. 113, 115, 117, 118. On 30 January 1862 the board unanimously adopted a slate of candidates for president and directors of the C & O Canal Company to be presented at the stockholders' meetings. They noted that "the interests of the [company] demand that a change be made in the direction and management of the said company." See *ibid.*, 30 January 1862, p. 118. Compare Sanderlin's observation, note 54 above.