

if at any time hereafter a company shall be formed for the purpose of making a canal from the city of Baltimore to York Haven, on the river Susquehannah, of the dimensions contemplated in the report of the commissioners to survey the practicability and probable expense of [such a canal], the faith of the state is hereby pledged to grant a charter to such company . . . to extend the canal from the Potomac to the city of Baltimore, called the Maryland canal; and the faith of the state is also hereby pledged to subscribe for stock in said company to the amount of five hundred thousand dollars; *Provided*, That such subscription shall not be made until the executive of this state, for the time being, shall be satisfied, that with the amount so to be subscribed on the part of the state, the whole sum necessary to the completion of the said canal hath been actually subscribed by bona fide and competent subscribers.

In order to finance these various improvements, section 22 directed the treasurer of the Western Shore, "under the direction of the executive," to

negotiate for, and raise by loan, as they may become payable for canal stock, or other improvements hereinbefore contemplated under the provisions of this act, the required sum or sums of money, at the rate of interest not exceeding five per centum per annum, payable quarter yearly; the whole of said loans to be redeemable at the pleasure of the state, at any time after [1 January 1860].

Section 23 required that the "dividends and other emoluments" accruing to the state from "the various investments hereby authorized and from the road stock now belonging to the State" be pledged to a sinking fund under the management of the Board of Public Works "to pay and discharge the public debt incurred by the subscriptions hereinbefore authorized."

Although the legislature had previously assumed the role of capitalist by directing the purchase of stock in the Potomac Company as well as various banks and turnpike companies, the synthesis of these two 1825 statutes—chapters 166 and 180—embarked the state for the first time on a comprehensive program of state-financed internal improvements. Those two acts represented a commitment by the state to expend large sums of *borrowed money* for a vast network of internal canals and river projects, provided they were feasible, and to create a Board of Public Works charged with (1) determining their feasibility, (2) accepting donations of property and money in aid of the improvements, and (3) representing the state's stockholder interest in the companies chartered by the legislature to make the improvements.

Samuel P. Smith, an Allegany County delegate to the 1850-51 Constitutional Convention, characterized the board's purpose as follows:

They were under law required to investigate and examine all the various portions of the State, to ascertain where improvements might be advantageously made. At that time there was a perfect *mania* spreading not only throughout the State of Maryland, but throughout the nation. Almost every creek in the State was examined and surveyed, in order to determine how far it was practicable to make valuable improvements.⁸

Very few records pertaining to this first Board of Public Works exist. It is therefore difficult to judge directly how and to what extent it actually performed its statutory functions.

On 26 April 1826 Joseph Merrick, who had been appointed secretary to the board, wrote the clerk of the governor's Council asking for

copies of Gates' Canal laws of New York, Strickland's report, & the several reports to the Legislature of this State, heretofore made by Commissioners appointed to explore and

8. *Debates and Proceedings of the Maryland Reform Convention to Revise the State Constitution* (Annapolis, 1851), 2:397 (hereafter *Reform Convention Debates*).