EARLY HARBOR HISTORY OF WISCONSIN.

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The State of Wisconsin contains many of the most important harbors of the Great Lakes. Within its boundaries at sixteen different points the United States government has undertaken improvement and there are, besides, numerous bays and coves, where improvements of a purely local nature have been made by individuals. The sixteen government harbors are at Kenosha, Racine, Milwaukee, Port Washington, Sheboygan, Manitowoc, Two Rivers, Kewaunee, Algoma, Sturgeon Bay, Green Bay, Pesqueaukee, Oconto, Marinette, Ashland and Superior. There is also the harbor at Bayfield, that enjoys the distinction of being one of the few where engineering skill was not required to aid nature and where artificial improvement, beyond a few private docks, was totally unnecessary, since deep water extended up to the very docks.

The participation of the national government in the construction of harbor improvements is a matter of historical development. As such it is but a subsidiary phase of the general history of internal improvements, and is marked by the gradual augmentation of national power, due partly to legislative action and partly to judicial construction. It was a fundamental English doctrine that rivers and bays were the king's property and this theory the American Colonies adopted, going so far as to claim the right to lease streams and inlets. By the Articles of Confederation Congress was given no power over navigation so that the control of the separate colonies continued. It was the inequality of the tonnage dues under this system that was one of the chief causes leading to the adoption of the Federal
Constitution, wherein Congress was given the power to control foreign and domestic commerce. The clause conferring this power is the basis of all harbor legislation, although as an incident of this power Congress did not immediately assume the improvement of even the ocean harbors. That there was a substance and a latent force to the clause, however, is shown by the fact that as soon as the Constitution was adopted, the states applied to Congress for permission to levy tonnage duties, acts that they had performed independently hitherto. The proceeds gained by this and other means enabled the states to undertake ill-planned and worse-executed systems of internal improvement. Most of the funds, thus applied, were devoted to roads, canals and rivers, however, harbors receiving little recognition.

Mere state authority could not indeed long meet the requirements of an expanding people. By a series of legal refinements and complicated distinctions the national system insinuated itself into active being. The first national turnpike had been built in 1807, the first national canal in 1812 and finally in 1822 the first appropriation for a harbor passed Congress. Prior to this there had been bills “for the maintenance of light-houses, beacons, public piers, etc.,” the constitutionality of which had never been questioned but they were not harbor appropriations in the true sense of the term. The original accepted doctrine was that the Constitution was “a salt water instrument” giving power for sea coast improvement only. The new northwest, however, soon lifted its voice, demanding harbors on the Great Lakes, and the convenient theory was advanced that these bodies of water were merely “inland seas.” There were those in authority, however, that were unable to admit the constitutionality of improving inland harbors for the needs of commerce, but were satisfied if the plans were designated as “refuge harbors.”

Wisconsin came into being as a territory just as the west was beginning to realize the need for national assistance in local projects. Harbor improvements and, indeed, lake commerce prior to 1843, the date of the first appropriation for a Wisconsin harbor, were meagre. The first steamer had appeared on the lakes in 1819; the number had increased to eleven by 1833 and
to fifty-two in 1845. The first line from Buffalo to Chicago was established in 1839 and it was about this time that Lake Michigan gained prominence as a highway of commerce. Prior to 1837 the government had spent but $162,601 on Lake Michigan, wholly at Chicago and St. Joseph, Mich., and up to 1853 only one-eighth of the river and harbor appropriations, taken as a whole, had been devoted to the Great Lakes. Wisconsin's growth in the early thirties soon accentuated its needs. The first memorial concerning harbors in the territory was one by certain steamboat owners trading out of Milwaukee, transmitted to Congress by the Territorial Council of Michigan in December, 1834. They speak of the requirements of the port and think a harbor could be built for $15,000. In the territorial days it was, of course, quite natural for the legislatures to appeal for aid to the general government. The first governor of Wisconsin, in his message in 1836, suggested "the propriety of asking Congress for an appropriation sufficient to cover expenses of surveying all the necessary harbors on Lake Michigan and for the construction of lighthouses." Wisconsin's delegates in Congress secured such appropriations and in 1837 several surveys were undertaken. Petitions regarding improvements poured in on Congress all through the thirties and forties, many signed extensively by residents of eastern cities, such as New York, Albany and Erie. In 1840 and again in 1842 efforts were made at the introduction of Wisconsin Harbor Bills but in both cases they were met with too strong opposition and succumbed. Milwaukee however finally, in 1843, secured $30,000 and Racine and Kenosha $12,500 each in 1844. Other small sums were voted during the period preceding the Civil War, but the major portion of the improvement during that time was done by the localities and individuals particularly interested. It was the era of bridge piers, extensions of wharves or docks built out into the lake to a sufficient depth to accommodate the landing of steamers, and of course very inadequate makeshifts, particularly useless in rough weather. Most of these piers were built by individual initiative and often excessive tolls were charged. When the national government began the work of harbor im-
provement in earnest, in 1866, a more adequate engineering solution was worked out. It was realized that the shifting sands interfered with lasting improvement; that parallel piers must be constructed, channels dredged and protection breakwaters established.

The sum total of government appropriations for Wisconsin harbors prior to 1866 was $175,700, Milwaukee having received $84,100, Kenosha $37,500, Racine $26,100, Sheboygan $20,000 and Manitowoc $8,000. Thus fully three-fourths of the number of harbors within the boundaries of the state had not been begun by this date and the insignificance of the sum spent is seen by comparison with the total of expenditures within the state up to 1900, an amount approximating $8,000,000. The representatives of the state in Congress were largely responsible for the securing of this large sum, several of them, notably Philetus Sawyer, having been at the very forefront in defense of harbor improvement. Persistent memorials from the state legislatures, petitions from individuals and the steady co-operation of private enterprise—all have been factors in obtaining government aid.

Aside from government improvements in Wisconsin there have been several other agencies at work. First as to the part played by the state. This has been comparatively unimportant and consists almost entirely of legislative control, such as providing and limiting the methods that the corporate locality might employ in the schemes of improvement. Of itself it has done nothing, outside of the construction of the Sturgeon Bay Canal, by means of proceeds from a land grant, donated for the purpose by the general government. This project, while still in the hands of the contractors as the agents of the state, was purchased by Congress and has since been conducted as a national waterway, free of all tolls.

The next factors in Wisconsin improvement have been the village and the city, always prominent, and particularly so in ante-bellum days. Government aid was at that time slow and uncertain and many Wisconsin towns proceeded to help themselves. In fact the city and village were the chief instruments in improvement and the general government merely assisted.
Today conditions are reversed and the role of assistance falls to the locality. However, even yet the improvement inside the harbor or shore line must fall to the lot of the municipality, and repeated statements to this effect have been made by the government engineers. Each municipality is by statute required to keep a separate harbor fund and the general surveillance of the harbor is assigned to harbor masters. The first instance of the existence of this officer was that in the charter of the village of Manitowoc in 1850 and the second in that of Sheboygan in 1862. Besides the direct methods of harbor work, the cities have done much indirectly, by way of assistance to government work, either in appropriations or otherwise. Often the cities have assisted in dredging the outer harbors and in two cities, Sheboygan and Kenosha, the dredge was furnished to government at cost. Kewaunee and other cities have donated property for the use of the Engineers’ Department, while in other instances money has been temporarily loaned to carry on the work, where the national appropriations had been insufficient, the municipality trusting for reimbursement, to succeeding appropriations.

Township and county have also contributed a share in the work of improvement. The former has been active where the harbor was not situated in a locality, already incorporated, as for instance Oconto, Kewaunee and Ahnapee (Algoma). The work done by this unit, however, has not been important and county aid has played a much greater part, particularly in the early days when villages were too small to carry on the improvements alone. The counties of Sheboygan, Manitowoc, and Douglas—all have voted considerable sums at various times for this purpose.

Last of all, individual initiative is to be considered as a factor in Wisconsin harbor improvements. Private subscription has always been an important means of raising money and particularly is this true in the early days of improvement. Assistance was thus rendered in Port Washington, Kenosha, Racine and Algoma and in other cases a partial payment of expenses of a government dredge has been contributed by individuals. It will be remembered that the early bridge-piers, also, were owned and
operated by private firms or corporations, the first being that at Kenosha in 1840. Lumber companies in the northern part of the state still build and maintain this sort of a structure and their piers and channels were the basis of the government improvement at both Marinette and Pensaukee. On Lake Superior the private ore docks are always important factors in harbor facilities and many channels have been dredged at private expense from the deeper waters to these docks. Summarizing, it may be said that in Wisconsin every local division has contributed its share in the development of the harbors, all being aided by the co-operation of the individual.

Illustrative of the working out of these principles it is of interest to study in detail the work of these various factors in Wisconsin’s three oldest harbors, Kenosha, Racine and Milwaukee.

Kenosha is situated fifty miles north of Chicago and thirty-three miles south of Milwaukee. The first step to be taken towards a harbor was Delegate Durkee’s special pre-emption bill of 1837, which provided that the village lots should be sold by the government at an appraised value, fixed by its officers and that the proceeds, estimated at $30,000 should go to the harbor fund. It seems that the land was still in the hands of the government and this way was devised of providing homes for the settlers and insuring their future. The bill, however, failed to pass Congress. A survey was conducted by the government in 1840, but as there were several points, at which it was possible to locate the piers, dissensions arose and no action followed, although the citizens by subscription raised funds to erect a lighthouse. Petitions and memorials, both for appropriations and land grants continued to be poured in upon Congress and in 1844 $12,500 was authorized to be spent by that body. During the latter forties city taxes and bonds were voted and in 1850 a dredge purchased out of the funds of the municipal treasury. Government engineers during this period frequently appeared before the city council to discuss plans and the two authorities worked in entire harmony. Appropriations by the city up to 1879 reached a total of $75,000, about half of which was in the form of bonds. The government up to 1900 has ex-
pended nearly a half million dollars and the result is a twenty-
foot channel and a breakwater.

A more important harbor is to be found at Racine, twenty-
three miles south of Milwaukee. A survey was made here by
the government in 1837 but all efforts to secure an appropriation
failed until 1844, when $12,500 was allotted to it. Four years
prior to that, however, since legislative memorials and individu-
al petitions had proved unavailing, the city commenced work
on two piers and before 1844 had voted at a harbor meeting $10,-
000 in taxes and subscriptions and $25,000 in bonds. The
county extended aid also and an agent was sent to Washington
at a salary of four hundred dollars a year to solicit money. In-
dividuals guaranteed the city loans in one instance, in expecta-
tion of national assistance and the act of 1843 permitted city
harbor works to be sold to the general government. In fact such
a start had the local undertakings obtained that, when the gov-
ernment did begin appropriating money, sarcasm was aimed at
it for playing the part of an assistant in connection with “a
little village.” By 1845 the harbor was so well advanced that
vessels could enter it, although the old bridge-piers were still
used long afterwards. In 1850 a prominent citizen, Philo
White, published a lengthy account of Lake Michigan improve-
ments, in which he particularly recommended Racine for gov-
ernment aid. A board of harbor commissioners, three in num-
ber, were appointed six years later but their activity was inter-
rupted by the Civil War. Up to 1879 the locality had spent
about $60,000 while the government, which assumed full charge
of the work in 1866, has appropriated ten times that sum, re-
cently completing a protection breakwater.

The metropolis of the state, Milwaukee, owes much of its past
and present importance to its harbor, whose situation, one hun-
dred miles from the foot of the lake has given it great advan-
tages. As early as 1834 attention was called to its improve-
ment and Captain Berrien made a survey and recommended
that the government take action. The same year also witnessed
the construction of a pier by the first resident, Solomon Juneau,
and the building of the first vessel, while a lighthouse, estab-
lished in 1838, was the first government improvement. The
original plan of the United States engineers was to build a pier at the mouth of the river, but this conflicted with the views of the citizens and thus interfered with harmonious co-operation on their part. The first government appropriations were expended, according to its plans, at the mouth of the river while the city, on the other hand, in April 1844 voted a loan of $15,000 with which to dig a channel known as "the straight cut," thus avoiding the lower windings of the river. Private subscriptions for the same object were also received but the project was not successfully begun until 1852. By that time the government had been convinced that the scheme of the citizens was the better and so abandoned its own work at the mouth of the river, already proved worthless, and appropriated $15,000 to aid the city's plans. Until the latter was completed private piers were the sole means of landing except for those little crafts that could ascend the river at the old mouth. Since the government aid was intermittent the city decided to complete the work itself and having secured in the charter of 1846 power to raise harbor taxes, whenever the citizens so voted, in all some $100,000 was authorized. The cost of the work done in the succeeding years was greater than this amount and the contractors were obliged to bring suit for the balance. Litigation was prolonged for a decade, coming before the Supreme Court of the state several times, under the title Hasbrouck vs. The City of Milwaukee and was finally adjudicated in favor of the contractor in 1866. Thus the cost of the improvement was almost double what it would have been otherwise, the total sum spent by the city for the harbor being in the neighborhood of half a million dollars, up to 1870. Efforts were repeatedly made to secure reimbursement from the government for this sum but all failed of accomplishment. The government resumed the work in earnest after the Civil War and in 1881 began the construction of the outer harbor of refuge, costing a million in itself. The commercial position of the Cream City is so largely due to its harbor however that the expenditures, on the whole, enormous as they have been, cannot be considered as excessive.