

the incumbent duty of the people of this State to avail themselves of the means which the Almighty has placed in their hands for the promotion of such signal, extensive, and lasting benefits to the human race.

Having originally taken upon herself whatever there might have been of risk in making at her own unaided cost a channel of cheap communication by water between the citizens of the eastern and western States, and between those of the west and the great highway of the world, the State of New York, from patriotic motives, continues to be the great regulator of the cost of transit between the east and west, protecting no small proportion of the people of the Union against those extortionate charges which might have been levied if the canal, with its natural monopoly of position, had fallen into the hands of speculating individuals or companies. It is computed that during the six months of navigation the canal alone carries as large a tonnage of freight as the five chief trunk railroads from west to east during the whole year, at half the cost to the public, being a saving annually, in transportation by water, to the great consuming and producing classes of the northwestern and eastern States of \$36,580,000.

The average cost from Chicago to New York via the lakes, the Erie canal, and the Hudson river, including canal tolls and carriers' profits, embracing a period of 10 years, is \$7 66½. The cost of transportation on the Central railway, as given in annual reports, taking the average for six years, is one cent four mills and nine-tenths of a mill per mile, not including carriers' profits. This average applied to the distance from \$6 65.1 more per ton than the average cost for a period of 10 years via Chicago to New York by rail, 988 miles, makes \$14 31.6 per ton, or the lakes, the Erie canal, and the Hudson river, including State tolls and profits of carriers. The through freight moved eastward by the five trunk lines and the Erie canal is about, in round numbers, 5,500,000 tons, which, if multiplied by \$6 65.1, the difference before mentioned, would make a difference between rail and water transportation of all carried by either method of \$36,580,500, and with the profits of the railway companies added to the actual cost would augment this amount largely.

#### RIGHT OF WAY THE RIGHT OF THE MILLION.

There is no withdrawal from the original doctrine of the State that the canal should be considered as a trust from which the State should receive back simply what it advanced for construction and maintenance, and employ the surplus for the improvement of the work and cheapening the service it renders to the public. Such were the views held at the constitutional convention of the State in 1867,\* when the principles enunciated in 1846 by its master spirit, Michael Hoffman, were quoted, reiterated, and approved by the leading men on all sides. He said:

*The right of way is the right of the million.* The sovereign holds it in trust, and can exercise it only for their benefit, and has no right to make a revenue out of it. Such a course must engender the worst oppression and the worst corruptions, and soon realize the worst vices of the worst governments—taxation on all we consume, which will allow nothing to go to or from the markets without tribute to the State.

#### NATIONAL CHARACTER OF THE CANAL.

The truly national character of the work and of its value is shown by the fact that the commerce passed over it and belonging to the people of

\* Evarts, Tilden, Church, Corning, Opdyke, Dr. Dwight, professor of international law, in Columbia College, Brooks, Murphy, Eustiss, Cassidy, Clark of Rochester, and others, members of the New York constitutional convention in 1867, repudiated the idea of taxing commerce upon the canals, maintaining that only tolls should be levied to pay for construction and repairs.