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UNIVERSITY OF LOUISVILLE

PUBLIC CAREER OF JAMES GUTHRIE
(1792 - 1869)

A Dissertation
Submitted to the Faculty
Of the Graduate School of the University of Louisville
In Partial Fulfillment of the
Requirements for the Degree
Of Master of Arts

Department of History

by

Anna Ruth Spiegel

1940

PUBLIC CAREER OF JAMES GUTHRIE
(1792 - 1869)

TABLE OF CONTENTS

	PAGE
INTRODUCTION	i
CHAPTER	
I. BACKGROUND.	1
II. ACTIVITIES WHILE CITY TRUSTEE AND COUNCILMAN.	8
III. STATE POLITICAL CAREER.	40
IV. NATIONAL POLITICAL CAREER	56
V. EDUCATIONAL INTERESTS	79
VI. BUSINESS CAREER	90
CONCLUSION	100
BIBLIOGRAPHY	103

INTRODUCTION

INTRODUCTION

What constitutes a State?
Not high crown'd battlement
or labour'd mound,
Thick wall or moated gate;
Not cities proud with spires
and turrets crown'd; ...
No:- men, high-minded men, ...
Men who their duties know,
But know their rights, and
knowing, dare maintain ...
These constitute a State.¹

James Guthrie, like any man, may be considered as a private individual, as a participant in the economic activities of his time, and as a citizen. Of Guthrie's personal life little is known besides the barest biographical outline. His business career was fairly successful in reaping monetary rewards, from his "lucrative law practice," his real estate transactions, and his participation in various corporate activities. This thesis is primarily concerned with Guthrie's public life, with his services to his fellow citizens as city councilor, state legislator, state constitution reviser, Secretary of the Treasury, United States Senator, and as a leader of the Democratic

1. Jones, Sir William, An Ode in Imitation of Alcaeus

party in state and nation.

Guthrie's public career was not purely political in character, however. He was especially interested in promoting economic progress by means of improved transportation. His interest in cultural advance was evidenced by his active and intelligent support and direction of educational institutions in Louisville. We shall therefore attempt to explain and evaluate his chief contributions to progress in the fields of transportation and education.

CHAPTER I

BACKGROUND

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BACKGROUND

James Guthrie was regarded as a man of "enormous strength and vitality, indomitable will and a courage that knew no fear."¹ The following anecdote which is told of him exemplifies his personal courage, determination and the inflexibility of his democracy:

At one time during an unusually exciting election, a combination of ruffians was organized to kill him, if he attempted to deposit a vote, or to assist his friends, and he was urged not to risk his life on the occasion. He, however, armed himself with a pistol, went up to the polls and voted. On another occasion, when a respected citizen of Louisville had been murdered, and the prisoner was in danger of being lynched, the judge ordered the sheriff to bring him into court, whereupon the sheriff said there were 5,000 furious citizens about the jail ready to tear the murderer in pieces as soon as they could reach him. The judge ordered him to summon the posse comitatus. To this the sheriff replied that he had done so and could not get a force sufficient for the purpose. Mr. Guthrie was sitting in court, raised his head and said to the sheriff: "Summon me." This was done and Mr. Guthrie accompanied the sheriff to the jail, took the man out and grasping him by the breast of the coat, carried him safely through the crowd of the courtroom, his presence and bearing overawing the mob.²

1. Williams, L. A. and Co., History of the Ohio Falls Cities and Their Counties, 2 vols., 1882, Vol. I, p. 489
2. National Cyclopaedia of American Biography, 27 vols., 1893, Vol. IV, p. 147

In personal appearance Guthrie was "uncouth and unprepossessing." He was a man of "many eccentricities, of a domineering and arrogant personality."³ Although lacking the usual graces attributed to politicians, he was known for his energy and his integrity, qualities which largely explain his achievements in business and politics. To understand his personality, it is necessary to have a knowledge of his background.

James Guthrie was of Scotch ancestry, descended from "men whose strength of character and integrity of purpose were such that they would rather give up life than abandon a position which they believed to be right."⁴ During the 17th century, an ancestor, for whom the subject of this thesis was named, a Covenanter minister, suffered death rather than acquiesce in the teachings of the prelatical church which Charles II attempted to set up in Scotland. From the scaffold, before being decapitated, he entreated the people "to continue their resistance to the attempt to coerce them into observance of religious rights obnoxious to their consciences."⁵ Then with a peaceful mien he met his death. The Scots regard him as a martyr for the cause

3. Dictionary of American Biography, 20 vols., 1932, Vol. VIII, p. 62

4. Levin, H., The Lawyers and Law Makers of Kentucky, 1897, p. 245

5. Connelly, W. E., and Coulter, E. M., History of Kentucky, 1922, Vol. IV, p. 380

of religious liberty.⁶

In the early 1700's the family migrated to Ireland. In 1774, Adam Guthrie, father of James Guthrie, migrated to America from Cork, Ireland. Being only twelve years of age, he made his home with his eldest sister, in what is now West Virginia.⁷ In 1788, answering the urge to go westward, he met the party of Edmund Polk, a Revolutionary War veteran, which was headed for Kentucky. While on this trip, Mr. Guthrie met the leader's daughter, Hannah, whom he later married. Adam Guthrie, settling at Bardstown, became known as an Indian fighter, and later was given the honorary title of General. His most memorable action was at the battle of Saline, west of Shawneetown, Illinois, where the whites, armed with tomahawks in absence of bayonets, successfully charged and broke the Indian line.⁸ The General was active not only in the Kentucky militia, but was also prominent in civil life as well. He represented Nelson County in the Kentucky Legislature from 1800 to 1808.⁹ Adam Guthrie and his wife "continued to reside in Nelson County until their death, and there he developed a fine plantation, being numbered among the substantial and

6. The Dictionary of National Biography, 23 vols., 1917, Vol. VIII, pp. 820-822

7. Williams, L. A., and Co., op. cit., p. 489

8. Ibid.

9. Dictionary of American Biography, op. cit., Vol. VIII, p. 61

representative citizens of the state."¹⁰

Coming from such ancestors, it is little wonder that James Guthrie earned for himself the reputation of being a man of strength, courage and vitality.

Born on December 5, 1792, near Bardstown, Nelson County, Kentucky, James Guthrie was "reared to maturity on the old homestead."¹¹ As a lad James Guthrie is described as being:

the most single-minded in his work or play of any in his class. One day he would take his books to an out-of-the way spot and study during the hour of recreation; then no temptation could draw him from his task; again an unusual noise and activity would show that he had joined in the sports of his fellows, which were never so fast and furious as when he took part.¹²

After receiving whatever education the neighborhood schools offered, Guthrie was sent to the McAllister Academy for a term. Professor McAllister, a Scotchman, was "much beloved for his urbanity of manner and benevolence of disposition as he was admired for his high character and literary attainments."¹³

10. Johnson, E. P., History of Kentucky and Kentuckians, 2 vols., 1912, Vol. I, p. 980

11. Ibid.

12. Williams, L. A. and Co., op. cit., p. 489

13. Levin, H., op. cit., p. 245

Having very definite practical qualities of character, James Guthrie faced the problem of making his living as soon as he had acquired such education as he deemed sufficient to fit him for life. Following in the footsteps of many Kentucky youths, he became a flatboatman, assisting in taking one or more boats loaded with farm produce to New Orleans, then the only market available.

After a year or two, Guthrie found the life of a river-trader not very remunerative, but laborious and hazardous.¹⁴ Having begun the study of law before entering upon the river-trade, he returned to Bardstown to continue his studies under the guidance of Judge John Rowan, one of the most notable members of the bar. From this able man James Guthrie received the training which started him on his legal career. At this period Guthrie was a "severe student, retired and taciturn, not mingling with society in its pleasure or feeding his mind upon idle and transient topics of gossip too often discussed in circles of the young and giddy, but in laborious study over the works of the sages of the law. He criticised, assimilated, and digested the matter of

14. Joblin and Co., Louisville, Past and Present, 1875, pp. 333-334.

his reading until he made it his own."¹⁵ While studying law, Guthrie "evidenced a capacity for close application and that masterly activity which made him famous in later years."¹⁶ These characteristics and a broad and accurate knowledge of law paved the way for his success.

Mr. Guthrie, although coming in competition with such eminent lawyers as Ben Hardin, John Hays, and Charles A. Wickliffe, won distinction as a member of the Bardstown bar. While a member of this bar, he met with an accident which left him lame for life. Biographers tell us that:

... while still a young man, he excited the animosity of a member of the bar, named Hayes, who attacked him in the street and shot him in the groin, producing a wound which confined him to his bed for years and left him lame forever after.¹⁷

Public opinion was aroused to such a degree that Hayes was driven out of town and soon committed suicide.

Like many young lawyers, Guthrie had an interest in politics and was twice an unsuccessful candidate for

15. Ibid., p. 334

16. Levin, H., op. cit., p. 246

17. National Cyclopaedia, Vol. IV, p. 147

the state legislature. Somehow he attracted the attention of John Adair, who, upon being elected governor in 1820, appointed him Commonwealth attorney for a district which included Louisville. Although the law did not require the governor to appoint to the office a resident of the district, "there was certainly sharp competition for the post, and the preference could not have been given to a non-resident of Guthrie's youth, had he not been deemed a peculiarly able man."¹⁸

A short time after assuming his duties in Louisville, he became a prominent lawyer.¹⁹ In 1821, he married Eliza Prather at the home of her Uncle, Col. Samuel Churchill, in Jefferson County, Kentucky.²⁰ Soon after their marriage they established their home at 220 West Walnut Street in Louisville. Mr. and Mrs. Guthrie and their three daughters were noted for their gracious hospitality which they extended to a large circle of friends.²¹

18. Williams, L. A. and Co., op. cit., p. 489

19. Connelly, W. E., and Coulter, E. M., op. cit., p. 383

20. Marriage Records, Bk I, p. 124

21. Johnson, E. P., op. cit., Vol. II, p. 982

CHAPTER II

ACTIVITIES WHILE CITY TRUSTEE AND COUNCILMAN

CHAPTER II

ACTIVITIES WHILE CITY TRUSTEE AND COUNCILMAN

It can be said that the history of Louisville between 1827 and 1850 was largely the life of James Guthrie. Examination of the early annals gives ample evidence of his efforts to improve not only business conditions, but also the health, safety, and education of the town.

Louisville in 1821, the year of Guthrie's arrival had a reputation of being very unhealthful. Great ponds of stagnant water lay within its limits. "No effort had been made to drain these and people accepted their annual attacks of fever and chills, as they paid their taxes, as an undoubted but necessary evil."¹ Dr. Craik tells us that, "Louisville was then dreaded as a very grave-yard. In the summer and fall of 1822 vast numbers were swept off by fever of a very malignant type. The late venerable Robert Wicliffe informed me that one morning in that season, during his attendance at court he was greeted with the intelligence that in every house in town there was a sick or dead man."²

In the Sketches of Louisville, McMurtrie gives the following explanation of the unhealthful conditions.

-
1. Williams, L. A. and Co., op. cit., Vol. I, p. 489
 2. McCready, Richard, L., History of Christ Church Cathedral, 1937, p. 25

"The number of ponds and low marshy grounds by which it is surrounded, the humidity of the climate, the mildness of the weather throughout the year generally and the intensity of the heat during the summer are all circumstances that facilitate the decomposition of animal and vegetable matter and consequently the formation of those 'foul' airs, 'which spread around them pestilence and death.'"³

Not only were sanitary conditions deplorable, but paved streets were few and very dark. "A watchman is a character perfectly unknown and not a single lamp lends its cheering light to the nocturnal passenger who consequently stands a very good chance of breaking his neck by falling into ditches, drains and wells, which without a barrier of any kind around them, are frequently left open for weeks and even months together."⁴ Fire protection, too, was very inadequate.

Until 1828 when the city received its first charter, seven trustees were chosen annually to regulate the affairs of the town. The duties of the trustees were to levy taxes, in order to pave streets, remove nuisances, and improve the health and safety of its

3. McMurtrie, H., Sketches of Louisville, 1819, p. 42

4. Ibid., p. 43

inhabitants. To these ends James Guthrie turned his efforts. He served on the Board of Trustees from 1824 until the city was chartered in 1828. The minutes of the Board for the year 1824 and the first eleven months of 1825 are missing. The Ordinance Book and By-Laws of the Trustees show that Guthrie was chairman of the Board from December 16, 1825 until the election for councilmen was held in 1828,⁵ with the exception of scattered absences. The committees on which James Guthrie served either as chairman or as a member, the resolutions he introduced and the ordinances which he caused to be passed, show his interest in securing the adoption of sanitary measures, abating the nuisances and advancing in many different ways the development of the city.

The minutes for 1826, 1827, and 1828 give us proof of Mr. Guthrie's efforts. He had ordinances passed to clean wells, to build sewers, to drain ponds and the like. One ordinance that he introduced provided that one cent be offered for each rat that was turned in.⁶

Realizing the condition of Louisville's streets, he brought before the Board the necessity of having paid

5. Minutes of Trustees, Book 4, Section A., p. 1

6. Minutes of Trustees, op. cit., December 16, 1825, p. 27

watchmen and of levelling the streets.⁷ When the Board met on May 12, 1826, Guthrie was appointed "a commissioner to have the mud holes near Prather's Rope Walk filled up."⁸ In November of the same year he proposed an additional watch, which met with the Board's approval.⁹ The need for engines to give fire protection was brought before the Board by Guthrie at the meeting on December 16, 1825.

His interests while trustee were not limited to safety and health measures, however. He realized the important part that the Ohio River played in the city's growth and was anxious to see the wharf improved. He was appointed to a commission to superintend and direct the manner in which the wharf was filled in.¹⁰ Later he was named as one of the commissioners "to contract for and superintend the pavement of the wharf and Water Street, from the present pavement down to and across 7th Street, on the best terms that can be had."¹¹ The contract for paving the wharf and Water Street was made and accepted by the Board on October 6.¹²

7. Ibid., December 16, 1825, p. 27.

8. Ibid., May 12, 1826, p. 30.

9. Ibid., September 15, 1826, p. 55.

10. Ibid., August 4, 1826, p. 47.

11. Ibid., September 22, 1826, p. 58.

12. Ibid., October 6, 1826, p. 61.

With James Ferguson and George Meriwether, James Guthrie formed a committee to draw up a petition to the Legislature for leave to grant license to taverns and groceries, to erect and establish a work house and "to take up all negroes that are hiring their own time & putting them to Labor in the Work House from three to six months, as well as all vagrants - and for leave to lay of [off] the Town into districts & establish free schools in each."¹³ The General Assembly, on January 25, 1827, approved the petition allowing the Trustees to grant licenses to taverns and to appropriate all fines "for the use of the town."¹⁴

But these various objects which Guthrie had in mind could be done only through the corporate powers of a city. In 1827, the population of Louisville was 7,063, an increase of 100% since 1821.¹⁵ Other factors which led to the movement to incorporate the town into a city were the growth of trade due to the strategic location of the city and the growth of professional and cultural interests. On November 3, 1827, a large public meeting was held at the court

13. Ibid., October 20, 1826, p. 65.

14. Holeman, Jacob H., Acts of Thirty-fifth General Assembly For The Commonwealth of Kentucky, 1827, pp. 177-178

15. Johnston, J. S., op. cit., Vol. I, p. 77

house, which occupied the site of the present city hall. Levi Tyler was chosen chairman and Garnett Duncan was made secretary. After much deliberation the following resolutions were adopted.

1st Resolved, That public convenience rendered it important that we ask for the passage of an act incorporating Louisville with its enlargements and giving a city court for the speedy punishment of crimes, and the speedy trial of civil suits.

2nd Resolved, That a committee of 5 citizens be appointed to draft an act of incorporation and to submit the same on an adjournment of this meeting.

3rd Resolved, That a committee of 3 be appointed to confer with the inhabitants of Shippingport and Portland and the enlargements of Louisville, and to request them to unite with us in this subject.

4th Resolved, That we esteem the erection of a permanent bridge across the Ohio River, at the most convenient point across the falls of the greatest utility to the public and calculated to enhance the commerce and prosperity of our town, and that we respectfully solicit the Legislature of this State to incorporate a company with competent powers and capital to effect the erection of such a bridge, and that the city of Louisville, when incorporated shall be authorized to raise funds, by loan or otherwise, and to subscribe for _____ dollars of said company.

5th Resolved, That a committee of 7 be appointed to draft a charter for that purpose, and that our representatives be requested to use their best exertions to effect the passage of such a charter.¹⁶

James Guthrie was named to the committee to draft the proposed charter. On February 13, 1828, an act of incorporation was passed making Louisville a city. Shippingport agreed to the pact, but Portland refused annexation.¹⁷

The organization of the City required it to be divided into five wards, and to be governed by a mayor and a city council composed of ten men, two from each ward. James Guthrie was elected from the first ward and at the first meeting was named chairman of the council.¹⁸ He served as councilman from March 1828, to July 7, 1839, when he "consented to become a candidate for the Senate of Kentucky."¹⁹ In 1832, the City was redistricted and he was elected from the second ward. In 1837, two new districts were added, thus changing his ward to the third.

As councilman, James Guthrie continued his efforts to make Louisville a better and safer city.

16. Kentucky Laws, Statutes, etc. (Charter of City of Louisville), pp. 47-127

17. Johnston, J. S., op. cit., Vol. I, p. 78

18. City Journal, Vol. I, March 10, 1828, p. 1

19. Ibid., Vol. VIII, June 7, 1839, p. 264

The City Journals contain the ordinances and resolutions which he introduced in regard to the Poor and Work House, sanitation and hospitalization. Soon after the council was organized we find that Guthrie is named on a committee for the draining of the pond south of the Seminary.²⁰ In 1830, as a member of the finance committee, he proposed that the treasurer pay \$10 for the draining of "ponds on lots in the South Western parts of the City, to be paid whenever the drain is dug from the ponds."²¹

As early as 1830, steps were also taken to prevent the spread of disease. The City Journal contained an ordinance to prevent the spread of small-pox, introduced by Guthrie.²² This ordinance provided for a city health officer to check the contagion. The victims were to be sent to a special hospital or some other institution. The ordinance also provided that a city physician be appointed to vaccinate poor persons gratis and to see to it that the vaccination took effect. If those infected did not remain isolated the city officials were to fine them \$20. A master was liable for servants and apprentices and

20. Ibid., Vol. I, March 28, 1828, pl 43

21. Ibid., Vol. II, October 1, 1830, p. 383

22. Ibid., Vol. II, October 12, 1830, pp. 392-393

parents for infants. Citizens were requested to give information regarding smallpox cases to health officers, the city inspector, and general police officers immediately. At the meeting of the Council on February 12, 1831, Guthrie was appointed to a committee to contract with one or more physicians to vaccinate every person within the City of Louisville and ordered to have the same done immediately.²³ In 1832 he again pointed out the necessity of appointing a health officer, whose duty would be to act promptly on any measure that would prevent disease.²⁴ The Council then proceeded to name Guthrie on the committee to appoint a health officer. In October 1832, an epidemic of cholera visited the city and Guthrie was instrumental in establishing a Board of Health to combat the dreaded disease.²⁵ Mr. Guthrie presented an ordinance to the Council, providing that on paying hospital fees, no person was to be refused admission into the City Hospital.²⁶ At the same meeting he introduced an ordinance establishing a smallpox hospital on the same lot with the new Work House, Prison and City Hospital.²⁷ By later ordinances introduced by

23. Ibid., Vol. II, February 12, 1831, p. 476

24. Ibid., Vol. III, July 9, 1832, p. 379

25. Ibid., Vol. IV, October 23, 1832, p. 58

26. Ibid., Vol. V, May 13, 1834, p. 82

27. Ibid., Vol. V, May 13, 1834, pp. 84-86

Guthrie, the inmates of the Poor House were to be vaccinated and given medical care.²⁸

As early as 1828, Guthrie introduced an ordinance on cleanliness of streets.²⁹ In 1830, he had passed an order that "the Mayor of the City direct John C. Evans, the keeper of the Work House, To cleanse 6th Street at its intersection with Main, by filling in the same or by throwing lime into the pond, so as to render it perfectly free from producing disease."³⁰ Realizing that oxcarts were no longer adequate to take care of street cleaning, he moved that they be replaced by horse carts.³¹ As the city grew, street commissioners took over the task of keeping them clean. As one of the Street Commissioners in 1834, he recommended to the Council that "two people be named to be responsible for keeping open Ditches and Water drains within the city."³² A series of resolutions, motions, and ordinances made it unlawful for "any person to throw any dirt or filth from their carts or other vehicle upon any of the streets, alleys, or upon lots within

28. Ibid., Vol. V, February 23, 1835, p. 392

Vol. VII, April 25, 1838, p. 499

29. Ibid., Vol. I, April 11, 1828, pp. 66-68

30. Ibid., Vol. II, April 9, 1830, p. 228

31. Ibid., Vol. III, March 26, 1832, p. 276

32. Ibid., Vol. V, March 31, 1834, p. 30

the city, without permission of the Street Commissioners or the owner of the Lot, under penalty of four dollars & costs for separate offence."³³

In 1833, Guthrie moved that the "City Inspector give notice to the citizens of Louisville to clean out their cellars, back yards, Lotts [sic] & free them from all putrid animal and vegetable matter and Standing water and purify them with lime, on or before the 15th day of May, and to keep them so during the warm months."³⁴ This was followed by a motion calling for strict enforcement.³⁵ A second ordinance on nuisances passed on June 9, 1834 added to the previous list of offenses; that it was unlawful to erect a slaughter house, a soap or candle factory, brewery, distillery, or bluing factory within City limits. This ordinance made it unlawful to dig for sand in street or alley, and to obstruct the street or alley in any way. It was also illegal to run or gallop a horse on any street, to shoot squibs or crackers on streets, to erect signs

33. Ibid., Vol. III, July 9, 1832, p. 382

34. Ibid., Vol. IV, April 29, 1833, p. 189

35. Ibid., Vol. IV, June 10, 1833, p. 225

that obstructed vision. Sidewalks were to be kept repaired. No circus or flying horse would be allowed within the city limits. No slave could rent a house within the city limits. No bells were to be rung to announce auctions, except in front of the door where it was to take place, and then only for ten minutes. No horses or stock were to be watered at public wells.³⁶

The ordinances which Guthrie introduced, on wells and cisterns gave specifications for digging and walling. They also called for a committee to examine them.³⁷

The care of the poor was a city problem, even in the early years. We find that facilities of the poor and work house were inadequate. Through Guthrie's efforts these poor were admitted to the City Hospital.³⁸ In 1830, he was named by the Council to a committee for the erection of a poor house, work-house and hospital.³⁹ In June of the same year, he presented a resolution before the Council, "that the committee of the poor visit the Louisville Hospital and ascertain

36. Ibid., Vol. V, June 9, 1834, pp. 114-121

37. Ibid., Vol. V, September 8, 1834, p. 233

38. Ibid., Vol. I, September 15, 1828, p. 177

39. Ibid., Vol. I, March 12, 1830, p. 189

the number of persons in said institution at the costs of the city and that they have all such persons who are in a situation to leave the institution forthwith discharged and such others may be put to the poor house removed to same."⁴⁰ No item was too small to escape his attention, as is shown by the resolution found in the City Journal, Vol. II, "that a bath-tub be purchased for the Poor House Hospital."⁴¹

The legislation for the construction of streets, sidewalks and alleys played an important part at the Council's meetings, especially during the earlier years. James Guthrie introduced many important ordinances on this subject. The pavement of the square lying between Third and Fourth and bounded by Main and Market was paved under his supervision.⁴² On March 28, 1828 he presented an ordinance for graduating Fourth Street from Jefferson to Walnut. The street was to be leveled in preparation for paving or turnpiking at the cost and expense of the proprietors of lots fronting thereon.⁴³ Numerous other streets were paved at his suggestion.

40. Ibid., Vol. II, June 4, 1830, p. 249

41. Ibid., Vol. II, October 1, 1830, p. 383

42. Ibid., Vol. I, March 28, 1828, p. 42

43. Ibid., Vol. I, May 28, 1828, pp. 42-43

In the minutes of August 8, 1833 there is the first mention of the macadamizing of streets. Guthrie was named on several committees to let contracts for this work.⁴⁴ Sidewalks⁴⁵ and alleys,⁴⁶ too, were constructed as a result of resolutions which he introduced. As the city grew, he presented resolutions which resulted in the city acquiring permission to open new streets.⁴⁷

With the construction of streets, Guthrie turned his attention to improving the sewers. Due to his initiative the first stone sewer was built across Chestnut from Ormsby's Pond.⁴⁸ During 1833, he served on the committee to have the north end of the stone sewer leading from the Hope Distillery paved and repaired preparatory to grading Twelfth Street⁴⁹ and later introduced an ordinance for building sewers along Jackson Street and Tenth to the River.⁵⁰

Beargrass Creek, which then ran parallel with Main Street, emptying into the Ohio River between Third and Fourth Streets,⁵¹ was a serious problem for

44. Ibid., Vol. IV, August 8, 1833, p. 276

45. Ibid., Vol. III, April 30, 1832, p. 313

46. Ibid., Vol. III, July 9, 1832, p. 385

47. Ibid., Vol. IV, April 29, 1833, p. 189

48. Ibid., Vol. II, August 7, 1830, p. 322

49. Ibid., Vol. IV, March 25, 1833, p. 162

50. Ibid., Vol. IV, June 10, 1833, p. 225

51. Courier-Journal, May, 1913

the young city. In 1830, Mr. Guthrie proposed an investigation regarding the cost of repairing or rebuilding the bridge over the Creek.⁵² In 1834, he was named chairman of a committee to decide the best location for a bridge across Beargrass Creek in Preston's Enlargement,⁵³ east of the original city boundary at Preston Street.⁵⁴ In 1835 Mr. Guthrie recommended that the city provide a floating bridge to be used by "foot passengers,"⁵⁵ at Third Street. This plan was adopted by the Council.⁵⁶ Each year thereafter, some legislation was introduced by Guthrie concerning the Creek. At the meeting on October 10, 1838, he offered a resolution that plans for bridging Beargrass Creek be referred to the City Engineer, with directions to review past plans and estimate the cost of the work of new bridges.⁵⁷ In 1839, the minutes record that he was anxious to have an iron bridge built at Brook Street and wished to make the Creek a permanent harbor.⁵⁸

By 1854, when the Creek was diverted from the

52. City Journal, op. cit., Vol. II, December 3, 1830, p. 437

53. Ibid., Vol. V, March 18, 1834, p. 157

54. Durrett, R. T., Centenary of Louisville, 1893, pp. 78-79, p. 98

55. Ibid., Vol. VI, November 26, 1835, p. 185

56. Note: A floating bridge across the Creek was resorted to during the Flood of 1937

57. City Journal, op. cit., Vol. VII, October 10, 1838, p. 99

58. Ibid., Vol. VII, April 1, 1839, p. 186

center of the city, bridges had been constructed at Clay, Preston, Brook, Second, and Third Streets.⁵⁹

The problem of lighting the city streets was referred to the Finance Committee headed by Guthrie. In 1833 the discussion centered on the advisability of contracting with a company or a private individual.⁶⁰ Little action was taken until 1835, when the Committee reported:

... They would not recommend the lighting of the City with Gas at the expense of the City at the present time - but would advise that individuals be invited to make proposals for lighting the city with Gas for a Term of 36 years, at their own cost & for their own profit, upon terms that undertakers shall place Street lights at the Intersection of all Cross Streets from time to time, as the city authorities shall require at an agreed maximum price and that the City Shall have the right to purchase the Works & property, at the costs thereof at the expiration of the period of 36 years.⁶¹

The resolution was accepted by the Council and individuals were invited to make proposals. The Council, in November, authorized the finance committee "to enter into contract with James H. Caldwell for lighting the

59. Ibid., Vols. V, VI, VII, passim

60. Ibid., Vol. IV, April 8, 1833, p. 173

61. Ibid., Vol. V, June 8, 1835, p. 486

city with coal gas."⁶² The contract should contain specifications for laying pipes and for distributing gas. At the Council meeting held October 26, 1835, residents of the first and fourth ward presented memorials against contracting with Caldwell.⁶³ Reasons for this opposition are not given, but no further mention of the plan is made. However in 1839, a corporate company was given the power to supply the city with gas.⁶⁴

Another problem which confronted the city fathers and one in which Guthrie was extremely interested was the water supply. In 1835 he moved that the city water supply should come from the river. The following year, as chairman of the Finance Committee, Guthrie reported that they had purchased a large tract of land for a water works from Levin Lawrence and others.⁶⁵ This act led to a dispute, since many felt that the committee had over-stepped its power.⁶⁶ At the next meeting Guthrie resolved that a committee be appointed to wait on Albert Stein, and engage him to make a plan and estimate of the

62. Ibid., Vol. VI, September 8, 1835, pp. 95-96

63. Ibid., Vol. VI, December 26, 1835, p. 157

64. Casseday, Ben, The History of Louisville From Its Earliest Settlement Till the Year 1852, 1852, p. 202

65. City Journal, op. cit., Vol. IV, October 7, 1833, p. 331

66. Ibid., Vol. IV, October 7, 1833, pp. 334-336

costs of expense of building a water works for the city, that they select a suitable site and plan for a water works that would be capable of being extended with the growing population of the city.⁶⁷ Guthrie was appointed as a member of the Committee. At a meeting held November 11, he reported the conference held with Mr. Stein. "He has surveyed the city and taken its level and given us an estimate by which one million of gallons will be supplied to Louisville Daily and cost will be \$112,700 ... exclusive of site for engine house and Sisterns [sic] and Superintending the Works."⁶⁸ The Council voted the committee the authority to contract for the materials and construction. At a meeting held on November 25, the committee was authorized to engage Mr. Stein, to purchase on the Bank of the Ohio River such land as would be required and also to petition the Legislature to enlarge the powers of the city so that it could borrow a sum sufficient to construct the Water Works.⁶⁹ Dispute over the location continued. Due to the fact that some of the property to be purchased belonged to Guthrie, he refused to vote,⁷⁰ and asked leave to withdraw his report upon

67. Ibid., Vol. IV, October 14, 1833, p. 343

68. Ibid., Vol. IV, November 11, 1833, pp. 356-357

69. Ibid., Vol. IV, November 11, 1833, p. 371

70. Ibid., Vol. V, March 31, 1934, p. 33

a site. On April 21, 1834, he again offered a report on land sites and prices. Several weeks later he offered the resolution "that the committee on the Water Works be, and they are hereby authorized to commence the immediate construction of Water Works if they can obtain the requisite funds, which they are hereby requested to execute the notes of the City from time to time at the request of the Committee."⁷¹ Four days later Guthrie moved that Albert Stein's plan and location for the Water Works be adopted. The Council voted in the affirmative.⁷² In the fall he introduced an ordinance for the loan of \$200,000 for the construction of the project. However at a meeting five days later Benjamin Harrison presented a petition from citizens protesting against the erection of the Water Works.⁷³ Guthrie then moved that the Committee suspend all action on the subject of the Water Works. No further mention is made of this project during the remaining years that he was a member of the Council. The Water Works were completed in 1860.⁷⁴

71. Ibid., Vol. V, May 2, 1834, p. 62

72. Ibid., Vol. V, May 6, 1834, pp. 70-71

73. Ibid., Vol. VI, November 10, 1834, p. 282

74. Johnston, J. S. Op. cit., p. 101

Other civic problems which engaged James Guthrie's interest were police protection, then known as the watch, and fire protection. He introduced ordinances ordering the watch to inspect the wells and pumps,⁷⁵ increasing the number of the watch as the city grew,⁷⁶ listing the offenses for which a watch should be removed,⁷⁷ later decreasing the watch to a small but well disciplined group,⁷⁸ and increasing the pay to \$1.50 per day and night.⁷⁹ His interest in fire protection led to the organization of the first permanent fire company.⁸⁰ He was named to the committee to draw up an ordinance forbidding the erection of wooden buildings within certain limits.⁸¹ As a member of this committee he made it illegal to erect sheds on the side-walks. Throughout the years he served as councilman, he made surveys of the fire departments, investigated fire equipment used by larger cities and suggested improvements for our local equipment. He caused additional legislation to be passed forbidding the

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75. City Journal, op. cit., Vol. I, March 12, 1828, p. 10
 76. Ibid., Vol. II, March 10, 1830, pp. 179-180
 77. Ibid., Vol. II, September 27, 1830, p. 348
 78. Ibid., Vol. IV, August 19, 1838, p. 288
 79. Ibid., Vol. VII, July 10, 1837, p. 239
 80. Ibid., Vol. I, March 22, 1828, p. 29
 81. Ibid., Vol. I, March 28, 1828, p. 42

erection of wooden buildings and factories manufacturing inflammable goods.⁸²

An easier means of transportation across the Ohio was an important need of the fast growing city. There were some private ferries, but these were not adequate. Soon after the city was chartered, James Guthrie and George W. Merriwether were named on a committee to make a contract with John Heinke for a ferry at \$300 per year.⁸³ Six months later he introduced a motion that a charter be granted to a company to erect a permanent bridge across the Ohio River at the falls. The Council then proceeded to appoint James Guthrie, John B. Bland and John D. Colesnesnil a committee "to procure a survey of the distance across the falls at one or more points, and a plan and estimate of the cost of a bridge."⁸⁴ The expense of this project was to be borne by the City. No further legislation concerning the river was introduced until 1830, when Guthrie offered a resolution "that a committee be appointed to confer with the Hon. John Rowan as to the termes [sic] on which he will make the city interested at the head of the

82. Ibid., Vol. VIII, March 21, 1839, p. 182

83. Ibid., Vol. I, March 28, 1828, p. 41

84. Ibid., Vol. I, September 2, 1828, p. 172

Canal."⁸⁵ This matter was referred to James Guthrie as chairman of the finance committee. At the meeting of October 16, 1837, Mr. Guthrie resolved, "that the Mayor be requested to cause a petition to the Congress of the United States to be circulated in the City and amongst Steam boats for an appropriation to build and maintain a light house to enable crafts to come and depart in the night time. Also for an appropriation to cleanse the Harbor of the Port of Louisville and make provision to prevent the basin of the harbor from filling up and cause the same to be forwarded to our Senators and Representatives in Congress with a request that they use their best exertions to procure said appropriations."⁸⁶ At this time the question of a bridge was brought up again. In 1832, Guthrie with S. Gwathney and Daniel McAllister visited Indianapolis to secure the incorporation by the Indiana legislature of a company to construct a permanent bridge across the Ohio. A similar charter had recently been passed by the Kentucky legislature.⁸⁷ By 1837 the Ohio Bridge Company had been formed. In November of this year, Guthrie reported to the Council on a conference with

85. Ibid., Vol. II, August 13, 1830, pp. 331-332

86. Ibid., Vol. VII, October 16, 1837, p. 334

87. Collins, op. cit., p. 37

the President and Directors. Due to difficulties in deciding on the site for the bridge and securing the necessary right of way, the committee offered a resolution that the city would pay the calls on the stock as soon as an agreeable contract has been made and the right of way had been secured.⁸⁸ A second Board of Directors decided that the bridge should be located at Twelfth Street, the original location.⁸⁹

Another feature of internal improvement in which Guthrie was interested was land transportation. The Lexington and Ohio Railroad Company in 1831 desired to bring the road to Louisville and on to Portland. Being vitally interested in the city's growth, he realized that a railroad terminating below the city would result in building up trade at Portland. Desiring to secure the upper and lower river trade, he arranged for the city to take stock in the railroad company.⁹⁰

Guthrie also turned his attention to the Portland Turnpike, the road connecting Louisville and Portland. He was named to the committee to confer with

88. City Journal, op. cit., Vol. VII, December 2, 1837, pp. 373-375

89. Ibid., Vol. VII, December 2, 1837, p. 373

90. Ibid., Vol. III, June 12, 1832, p. 349

the managers of the Portland Turnpike as to terms on which the road within the city limits could be used.⁹¹ Several days later he reported that the Committee of Finance had made an agreement with the Louisville and Portland Turnpike Company. The city was to pay six thousand dollars over a period of ten years, plus interest for the entire road and charter. The Company was to be permitted to continue their President and directors, until they had completed their business, but the road was to be thrown open immediately.⁹² This was approved by the council.

City markets also engaged the interest of Mr. Guthrie. On his motion, the council in 1828 ordered that the Middle Market House between Fourth and Fifth Streets be torn down and a new one erected, including stalls to be used for the exclusive sale of meat.⁹³ A later ordinance provided that the Market Master seize underweight butter and sell it at auction, taking five percent off for costs and return the balance to the owner. If the offense was repeated, the entire proceeds of the auction would go to the city.⁹⁴

As Chairman of the Finance Committee, Guthrie had much to do with tax collections and expenditures.

91. Ibid., Vol. IV, September 17, 1833, p. 319

92. Ibid., Vol. V, September 22, 1834, p. 242

93. Ibid., Vol. VII, April 9, 1838, pp. 487-489

94. Ibid., Vol. VII, June 11, 1838, p. 554

There are complete annual financial reports throughout the eight volumes of minutes. As the City's population grew, it became necessary to appoint a special collector.⁹⁵ Sources of revenue are shown in the ordinance passed in 1832. Levying "a tax of \$1.50 upon each White and Black tythe [sic] and a tax of 40 Dollars upon each exchange in Broker's office and a tax of \$40 a piece each first Rate Store and a tax of \$30 upon each 2nd Rate Store and a tax of \$20 upon each 3rd Rate Store, \$40 on each \$100 worth of property real or personal."⁹⁶ After the above ordinance had been accepted, Mr. Guthrie announced that the book of assessment for 1832 was ready to be seen at the office of Sam Dickinson, clerk, and all application for grievances over evaluations were to be filed with the Mayor or Council by August 1832.⁹⁷ Two years later, he introduced an ordinance for an improved system of assessment. The city was to be divided into two districts. The first to include all the city above Fourth Street and the second to include all of the city below Fourth. Separate books were to be kept, including a list of all white males over 21, also the numbers of

95. Ibid., Vol. III, May 3, 1832, p. 317

96. Ibid., Vol. III, May 3, 1832, pp. 318-320

97. Ibid., Vol. III, May 3, 1832, p. 321

free colored Tithables, and of black Tithables.

An assessor shall be chosen, and he shall name one assistant for each district. They shall assess all property.⁹⁸ In 1834 Guthrie asked the Council to discharge him from the duties of chairman of the Finance Committee, but this was denied by the Council.⁹⁹ He continued in this important position until 1839. One of the most important pieces of financial legislation that Guthrie introduced during this time was an ordinance providing for a sinking fund.

Cave Spring Tract, or Cave Hill Cemetery as we know it today, was purchased by the city through Guthrie's efforts. On October 12, 1835, he moved that a tract of land at the "upper end & without the city" be purchased for a cemetery.¹⁰⁰ One hundred acres were purchased at \$100 per acre. He recommended this purchase because the site would furnish an "excellent site for work & poor House and has excellent Stone quarries on it and will be extensive enough for a grave yard in all times to come."¹⁰¹ Today this cemetery is owned by a private corporation.

Before taking up a discussion of his work with

98. Ibid., Vol. V, March 10, 1834, p. 6
 99. Ibid., Vol. V, July 14, 1834, p. 161
 100. Ibid., Vol. VII, October 12, 1838, p. 143
 101. Ibid., Vol. VI, December 7, 1835, p. 206

the public school system, the medical school and the building of a new court house, mention should be made of other miscellaneous topics which he brought before the Council. One of the most important was that of providing improved election methods. Lists of qualified voters were to be drawn up. Inspectors were to be named for each ward. All elections were to begin at ten o'clock and close at five. Guthrie also introduced ordinances designating the duties of the city clerk and the city marshall.

During the first year under the city charter, Guthrie had the Council elect a committee of five to prepare an ordinance establishing free schools and to devise ways and means for the erection of suitable buildings.¹⁰² The council chose James Guthrie to act as chairman of this committee. On August 17, 1829 he made the following report:

The institution commenced under disadvantageous circumstances, not having a house & the necessary furniture for a large school upon the monitorial plan exclusively. The principal and assistant teachers harmonized, & the school was in successful operation for a few weeks when the assistant was taken sick and has but recently recovered his health, so as to resume his duties. The school necessarily

102. Ibid., Vol. I, March 2, 1828, p. 40

suffered & became much deranged having no one qualified to superintend the department of said assistant. Confidence of some measure has been withdrawn from the institution from its unavoidable derangement, and Since, from an unfortunate altercation between the Teachers. The Trustees embraced the earliest opportunity to correct the evils & appointed a visiting committee whose duty it is to visit the school frequently. The Trustees are happy to inform your honorable body that from the vigilance of the visiting committee the Teachers harmonize better & the School is now doing as well as can be expected.¹⁰³

Later the Council authorized payment of \$37.50 to the Baptist church for the accomodation of the City School.¹⁰⁴ At the meeting of the Council on August 20, 1830 Guthrie presented a school ordinance establishing a permanent Board of Trustees for the Public Schools to consist of six persons who were to serve for one year. The group was to be permitted to elect officers and to appoint a committee from its body to visit schools once a week or oftener, if necessary. They were to hold one stated meeting in each month and to visit the school at such times. The committee was to have the power to elect teachers and to remove any teacher or scholar if need be. The school was to consist of a primary and grammar department. Males and females were to be

103. Ibid., Vol. II, November 20, 1829, pp. 80-81

104. Ibid., Vol. II, March 22, 1830, p. 198

separated. The principal was to be paid \$600 a year. Tuition in the primary department was \$1 per quarter to be paid in advance, in the female and grammar departments it was \$1.50 per quarter. These payments were to be made to the principal.¹⁰⁵ In 1830, the school was moved to Fifth and Walnut where a new building had been erected on land purchased from Guthrie and Edward Simpson.¹⁰⁶

In 1833 and 1834 largely at Guthrie's suggestion, a school building was erected in each of the wards of the city.¹⁰⁷

In 1837 Guthrie brought in an ordinance to better regulate the public schools. This ordinance called for the abolition of the Board of Trustees, and instead an agent was to be appointed by the Mayor and the City Council. The agent was to grant quarterly written permits to children to enter any of the public schools on receiving \$2.00 per quarter for grammar school, \$1.50 per quarter for each of the other schools. Parents must furnish books, maps and other materials. The agent must visit each school at least twice a week, and see that children attend regularly. It was his duty to supervise the teachers' work and to report to the

105. Ibid., Vol. II, August 20, 1830, pp. 338-340

106. Herald-Post, January 11, 1936

107. City Journal, op. cit., Vol. IV, April 15, 1833, pp. 180, 346, 212-213

Mayor on the first Monday of each month. The report should include an attendance report, a report of enrollment, a description of the course of studies, the manner of teaching, and the progress of the classes. The agent too, was to report in January and July on the progress of private schools. He was to check on property where there were no heirs, so that the City could recover the same for the benefit of public schools. The Mayor and Councilmen were to choose all teachers. No person would be eligible without a certificate from at least five of the visitors and examiners.¹⁰⁸ A week later Guthrie presented to the Council the name of the board of examiners for the schools, which were approved.¹⁰⁹ At the same meeting, he introduced an amendment increasing the number of visitors from ten to twenty.¹¹⁰ Due to the fact that the State had set aside funds for public schools, in June 1838, Guthrie offered a resolution asking that the Council order the agent to report the number of children within the city over seven and under seventeen so that the city might draw her share of state funds. As there were at least six thousand children between those ages, the city would

108. Ibid., Vol. VII, July 24, 1837, pp. 250-252

109. Ibid., Vol. VII, July 31, 1837, p. 265

110. Ibid., Vol. VII, July 31, 1837, p. 266

be entitled to approximately fifteen hundred dollars annually and could support two additional schools.¹¹¹

One of his last acts on education while a Councilman was the resolution that the agent "inquire for what sum a suitable house can be rented in Portland, for a public school - and what number of scholars can be had in a School there, and for what sum a suitable Teacher can be had."¹¹²

In Chapter V, Guthrie's activities in connection with the medical school and the University of Louisville will be presented.

The new court house for Jefferson County, erected in Louisville in 1835, was one of Guthrie's chief interests. He hoped that Louisville would some day become the capital of Kentucky and therefore desired that the city have a building adequate to house the state government.¹¹³ On Guthrie's motion the Council "ordered that (a) Committee, on the part of the Council propose a Building with a front of eighty feet on Jefferson Street, and a front of one hundred and twenty feet on Sixth Street, the building to be three Stories high, and to be built of Hewn stone and if agreed on by the committee on the part of the County, that they

111. Ibid., Vol. VIII, June 25, 1838, pp. 5-6

112. Ibid., Vol. VIII, April 1, 1838, p. 186

113. Seymour, Charles B., "A History of the Jefferson County Court House," MMS., Filson Club, January 3, 1921

procure a plan, and estimate of the cost."¹¹⁴

On the same date he was named to a committee to confer with the county court on public buildings.

In November, Guthrie reported on a plan for the new building drawn up by Gideon J. Shyroock who had designed the state Capitol at Frankfort (now called the Old Capitol). Shyroock's plan called for a building larger than, but not as elaborate as, the State Capitol.¹¹⁵ At the next meeting the committee reported that the county wished to surrender to the City two lots on Jefferson Street west of Sixth Street and to grant \$30,000 on condition that the City promise to build on Mr. Shyroock's plan. The Council adopted this proposal¹¹⁶ and authorized the Finance Committee to make the final arrangements with the Jefferson County Court for the erection of the building.

Guthrie was naturally most concerned with providing the money and materials for the building. On November 21, 1836, he reported that "The Mound a square owned by the City, located between Main and Market should be sold so that payments for the land for the Court House could be met."¹¹⁷ Various resolutions introduced by Guthrie were concerned with the

114. Ibid., Vol. V, April 6, 1835, p. 419

115. Ibid., Vol. VI, September 7, 1835, p. 84

116. Ibid., Vol. VI, September 14, 1835, p. 115

117. Ibid., Vol. VII, November 21, 1836, pp. 46-47

purchase of stone, brick, and "iron bands to be used in trimming the arches." The contract for construction was let in 1837.¹¹⁸ In 1838 Guthrie referred to the possibility of having "the Court House put up and covered"¹¹⁹ by the fall.

Work on the building continued however, through 1838 and 1839 and then was suspended until 1858. The Directory of 1858 contained the following statement: "In 1837 the present bombastic pile of fantastic ruins was commenced, but has wisely been left unfinished." Many of the citizens resented the expenditure of city funds on this building and referred to it as "Guthrie's Folly."¹²⁰

Efforts to bring the state Capitol to Louisville were unsuccessful. Finally completed in 1860 the old building still stands in simple dignity, a monument to one of Kentucky's greatest architects and to the vision of a civic leader who foresaw the greater city that was to be.

Before closing the chapter, mention must be made of James Guthrie's work revising the by-laws under the new charter of 1833. As the City Charter would expire in March, 1833, the Committee thought it inexpedient to

118. Ibid., Vol. VII, passim

119. Ibid., Vol. VIII, September 17, 1838, p. 69

120. Seymour, Charles B., op. cit., p. 5

have the by-laws revised, since "if renewed, it will in all probability be granted with many modifications which Render the Code of Bye-Laws useless as they would have to be revised so as to conform to the new Charter."¹²¹ The following year, Guthrie was ordered by the Council to revise and report the City ordinances in a shape for publication with the new charter.¹²²

James Guthrie's career as a city trustee and councilman was most comprehensive. His interests covered practically all municipal activities. He was concerned not only with the improvement of the city's health and physical appearance, but also with its educational and social progress. Few, if any, Louisville citizens have contributed as much to the city's civic advance.

121. City Journal, op. cit., Vol. III, May 7, 1832, p. 324

122. Ibid., Vol. IV, February 11, 1832, p. 131

CHAPTER III

STATE POLITICAL CAREER

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Local affairs were not the chief interest of James Guthrie. During the time that he served the city as Councilman he was also active in the State legislature, as was possible at that time. From 1827 to 1831, Guthrie served as representative in the Kentucky legislature from Jefferson County and Louisville. He was then elected to the Senate where he served until 1841.¹ As Representative and as Senator he was said to have shown "the loftiest patriotism, the utmost fidelity to duty, and untiring efforts on behalf of the Commonwealth. He strongly influenced the development of state resources and formulated much legislation which has been beneficial in its effects."² In 1839 when he announced his desire to retire, a petition from 300 Whigs was presented, requesting him to continue his excellent work and again become a candidate.³ Considering the fact that Guthrie was a Democrat, this indeed was an honor. His ability, integrity and zeal for the general good won him many friends among the opposing party. Many of his opponents preferred him to candidates from among their own party.⁴

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1. Dictionary of American Biography, Vol. VIII, p. 61
 2. Levin, H., op. cit., p. 247
 3. Johnston, J. S., op. cit., Vol. I, pp. 372-373
 4. Joblin and Co., op. cit., pp. 334-335

In both houses he served as chairman of the judiciary committee and the internal improvement committee, and he was twice elected speaker pro tempore of the Senate. He also served on the finance and education committees. His most important work, however, was done in connection with the first two. Upon examination of the House and Senate Journals one finds that at least one-third of the laws passed in the thirteen years that Guthrie was a member of the General Assembly were originated by him or were passed under his influence.⁵ The majority of his activities were concentrated on internal improvements. The Louisville and Portland Canal,⁶ turnpikes,⁷ bridges and ferries,⁸ roads,⁹ and railroads¹⁰ were planned and chartered under his influence. He favored the construction of these by private companies under state

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5. Cotterill, Robert S., "James Guthrie, Kentuckian, 1792-1869," Kentucky State Historical Society Register, Vol. 20, p. 297
 6. House Journal, 1827-28, p. 160; 1828-29, pp. 58-59; p. 241
Senate Journal, 1834-35, p. 50; 1835-36, p. 183
 7. House Journal, 1827-28, pp. 295-296; 1828-29, p. 206; p. 334
Senate Journal, 1834-35, p. 48; 1835-36, pp. 181-183; 1838-39, p. 245
 8. House Journal, 1828-29, pp. 33, 194, 241
Senate Journal, 1835-36, pp. 124, 183
 9. House Journal, 1828-29, pp. 194, 241, 405
Senate Journal, 1835-36, p. 183
 10. House Journal, 1828-29, pp. 405-406
Senate Journal, 1838-39, pp. 69, 276, 382

supervision and subject to state regulations.¹¹ His activities as chairman, trustee, and president of enterprises carrying out these internal improvements will be dealt with in a later chapter.¹²

As a member of the judiciary committee, Guthrie introduced motions, petitions and resolutions ranging from the establishment of towns, county seats, and chancery courts to the number of officers needed to carry on the business of the State and the redistricting of counties. Examples of the above may be found in the House Journal 1827-28 when the citizens of Oldham County, through Guthrie, petition a "seat of justice" in their county. In the same volume may be found a bill regulating the terms of the Jefferson Circuit Court, which he caused to be passed on January 19 and which was passed by the Senate ten days later. In 1834 and 1835, as chairman of this committee, he presented legislation on the appointment of the commonwealth's attorneys. The bill was passed by the House on the day presented. Several days later he reported a bill to establish the Louisville Chancery Court.

Guthrie's interest in education was not confined to Louisville alone. Appointed by the House of Representatives

11. See below, p. 54

12. See below, pp. 90-99

to a committee to investigate Transylvania University, he made the following report:

Your committee find the report of the trustees of that institution a correct response of its situation and means. They have investigated the conduct of its management, and believe they have acted with a view to promote its prosperity; but they find that great dissatisfaction has prevailed in the public mind in relation to this institution and its concerns. For the purpose of giving satisfaction to the public, to give confidence and to unite the great body of the people in support of this once celebrated institution of learning, your committee therefore recommend a new election of trustees; and in the furtherance of that object they further recommend the passage of the following bill.¹³

This bill to regulate the Transylvania University, was introduced by Wm. M. Davis of the same Committee and was referred to the Committee for Courts of Justice.¹⁴

In 1828, Guthrie was named to a committee to establish a uniform system of public schools throughout the State.¹⁵ Later as Senator he introduced "a bill to provide for a secretary of public instruction, and for carrying into operation an act, entitled, an act to encourage the general diffusion of education in this

13. House Journal, 1827-28, pp. 250-251

14. Ibid., p. 251

15. Ibid., 1828-29, p. 29

Commonwealth, by the establishment of a uniform system of public schools," which was passed on January 11, 1836.¹⁶

James Guthrie's ability as a financier was recognized early in his legislative career. Some important legislation that he introduced included an amendment to the law of usury;¹⁷ a bill granting additional power to the President and Directors of the Bank of Kentucky;¹⁸ and many bills appropriating money for internal improvements. As a member of the Finance Committee he offered financial reports for the Marine Hospital, of which he was a director,¹⁹ for the Bank of Kentucky, of which he served as a director from 1836 to 1844 and in 1852, and as president in April 1837;²⁰ and the Portland Canal, of which he was trustee and president in 1867.²¹

During the time that Guthrie was State Senator, rumbles of the coming conflict over slavery were being heard. As yet it had not become a partisan issue. In February, 1828, he presented a bill prohibiting the practice of slaves being hired out on their own time.²²

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- 16. Senate Journal, 1835-36, p. 101
 - 17. House Journal, 1827-28, p. 59
 - 18. Senate Journal, 1834-35, p. 145
 - 19. City Journal, op. cit., Vol. III
 - 20. Duke, Gen. Basil W., History of the Bank of Kentucky, 1895, p. 137
 - 21. Senate Journals of State of Kentucky, (1824-1875)
 - 22. House Journal, 1827-28, p. 338

An ordinance similar to this was passed by the City of Louisville Council, about the same time, under Councilman Guthrie's influence. On December 8, 1828, he was named to a committee to prevent the importation of slaves.²³ As Senator, he reported against a bill which would have amended the law prohibiting the importation of slaves.²⁴ The bill was, however, passed by the Senate in 1836.²⁵ It is of vital interest to note the following report which the Committee on Judiciary, through Guthrie, presented on January 14, 1839. Ten years later, this same issue was to play an important part in the making of the new Constitution:

The Committee of Judiciary have had under consideration the leave to them referred to bring in a bill to make it the duty of the emancipator of slaves to provide means for their transportation to some colony on the shores of Africa.

The Committee are of opinion that no such additional burden can be imposed on the owner, and no such additional restriction on the power, and that the laws already passed and in force on the subject of emancipation, are full and complete, and therefore ask to be discharged from the further consideration of the leave.²⁶

The Senate voted that the report be concurred in.

Much of the business transacted by the General

23. Ibid., 1828-29, p. 174
 24. Senate Journal, 1834-35, p. 237
 25. Ibid., 1835-36, p. 327
 26. Ibid., 1838-39, pp. 135-136

Assembly dealt with the granting of divorces, the changing of names and the settling of estates. Guthrie did his share of such routine legislative work.²⁷

The years between 1841 and 1849 were spent by Guthrie in furthering his personal interests. During this period there was an increasing demand for a revision of the State Constitution. Some wanted gradual emancipation of the slaves. Others favored stronger provisions against emancipation and the "underground railway." Therefore the campaign for the choice of delegates to this convention called forth immense activity. Following a bitter campaign, Guthrie, who was a pro-slavery leader, was elected a delegate from Jefferson County. It was surprising that some of the pro-slavery candidates were from counties which did not possess a single slave, and especially from Jefferson County where anti-slavery sentiment was strong. These representatives were opposed to the "meddling abolitionists" from other states.²⁸

Guthrie was elected president of the Convention. He addressed the Convention, declaring:

27. Ibid., passim

28. Clark, Thomas D., A History of Kentucky, 1937, p. 300

I did not come here from either party and I wish not to lie under imputation of being actuated by any party motives. I had retired from politics because I would no longer struggle to represent those with whom I differed. I only consented to make this race, and stand here as a delegate, at the request of those who desired that Louisville should stand right on a question that was agitating the state.²⁹

Bennett H. Young lists the seven chief questions brought before the Convention as:

1. The relations of the State to slavery.
2. The election of all officers by the people.
3. The inhibition of the use of the credit of the State for internal improvements.
4. The Constitution of the several Courts of the State.
5. The introduction of a clause for the prevention of dueling.
6. The distribution of representation in the State Legislature.
7. A common school system.³⁰

Guthrie's attitude on the slavery question will be discussed first. In opposing Article Seven, reported by David Meriwether,³¹ Guthrie stated that he wished to

29. Reports of the Debates and Proceedings of the Constitutional Convention of Kentucky, 1849-1850, p. 557

30. Young, B. H., History and Texts of the Three Constitutions of Kentucky, 1890, p. 51

31. Reports of the Debates, etc., op. cit., pp. 69-70

reaffirm the principles adopted by those who had gone before, namely that private property should not be invaded under any pretence without a fair and just compensation. He asserted that Kentucky had never been a market for slaves. Marriage between slaves on the border line (i.e., Tennessee and Kentucky) made the exchange of slaves desirable, so that families would not be broken. He emphasized the fact that the sentiments of all the people of Kentucky should be considered in forming the Constitution. He felt that it was no sin to own slaves as it was sanctioned by law. "Servitude in one form or another, has existed in society from the earliest light that History gives us,"³² he told the delegates. To emphasize his arguments Guthrie cited the example of Massachusetts:

The good people of Massachusetts are served by white people in the same menial offices that we are served by our slaves. Massachusetts has about the same population as Kentucky, yet look at the difference in the number of poor sustained by public charity in each state. Taking the number in the county of Jefferson, as an average for each county in the state, we have some three thousand! A wide difference. Here the master takes care of the aged and infirm, and we have a provision in the present constitution, that the legislature

32. Ibid., p. 94

shall have the power of enforcing the discharge of the duties of humanity upon the master.

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I believe that white labor as it increases, becomes cheaper than slave labor, and I believe the capitalist employs but the best, and leaves the most deficient to charity, . . . and that Massachusetts, with her 28,000 poor, as compared with Kentucky, so far as regards those who serve and those who do not serve, has a greater mass of human misery, degradation, than we have in Kentucky.³³

Guthrie felt that in the majority of cases the Negro was well taken care of, that food, shelter and clothing were provided for him. However, the unskilled white laborer of the North, because he could not meet the qualifications of skilled labor depended upon charity for the necessities of life.

The plan to send the Negro back to Africa did not meet with Guthrie's approval. He argued that they did not have the knowledge and capacity to govern themselves, also that the State had no means to send them there. He believed that two races of people could not mingle and become one. If freed they would crowd to the cities, visit the country on marauding parties, become idle, vicious and ungovernable.³⁴ He closed his

33. Ibid.

34. Ibid.

address with the statement that "Private property should not be taken without the consent of the representatives of the people, and without full compensation being first made."³⁵ The new Constitution dealt the emancipation movement a great blow by providing that no amendments could be passed within eight years.

In regard to the proposal to make the chief State officers elective rather than appointive Guthrie wanted, he said, to restore the appointing power to the people. He also felt that the people should have power to recall and impeach officials, but that it was to be done by more than a bare majority.³⁶

In his address³⁷ on the question of Courts, James Guthrie declared himself as being in favor of the election of the judges by the people as other officers were chosen. The judiciary should not be independent of the people. It was his opinion that the Court of Appeals should have four judges, elected by districts rather than from the State at large, and the voting should be done by secret ballot. He pointed out, at the same time, the necessity of having a Chancery Court in Louisville, due to the growth of the city. It was impossible for one judge to conduct the criminal, common

35. Ibid., p. 95

36. Ibid., p. 155

37. Ibid., pp. 268-271, 364, 428, 429

law and chancery business. The proposal which Guthrie introduced in regard to the courts was passed.³⁸

The old Constitution made no provision for checking the State's expenditures. The citizen's control was through the legislator's prerogative of appropriating funds to various State departments. The debt was a floating one; no sinking fund was provided.³⁹ Mr. Guthrie's excellent financial knowledge came to the front when the discussion on the public debt was called. The fact that he had served on the internal improvement committees in both Houses and that this work had resulted in the debt, naturally led the Convention members to look to him for both an explanation and a plan to eliminate this fault in the future. The expenditure by the State for internal improvements up to this time were:

Kentucky River	\$901,932.70
Licking River	372,520.70
Green and Barren River	859,126.79
Total	<u>\$2,133,580.19</u>
Railroad principally between Lexington and Louisville	322,553.00
Turnpikes	<u>2,525,456.15</u>
Grand Total -	<u>\$4,981,589.34</u> ⁴⁰

38. Ibid., pp. 428, 685

39. Clark, Thos. D., op. cit., p. 431

40. Young, op. cit., p. 58

Mr. Guthrie pointed out that the damming of Green and Kentucky Rivers as yet had not yielded revenue to the State, but had yielded benefit to the people. The completion of the work on the Kentucky River would save the people one-half million dollars as the coal, iron, and lumber regions of the State could be reached and it would not be necessary to import these articles from Pennsylvania. The reason that the Licking River enterprise was a failure and total loss was the fact that three projects were in progress at one time. He argued that river work was more important than turnpike roads, since the latter would have to yield to the railroad.⁴¹ He believed that roads should be built by private enterprises. Regarding Federal aid he said:

I believe that a system of internal improvements by the general government where immense sums of money are paid out through commissioners and officers, bestowed on one section of the country, in order to increase the power and influence of the government in that section, and denied to other portions, in order to punish them for political opinions, or any other thing, is one of the most dangerous powers that can be exercised by the general government. I favor that strict construction which yields to nothing but conceded powers.⁴²

41. Debates etc., op. cit., pp. 758-761

42. Ibid., p. 760

It should be noted that his policy was consistent with that of his party, because the Democratic Party opposed internal improvements by the United States. Guthrie's connections with private companies doubtless influenced his attitude also.

Mr. Guthrie also favored limiting the power of the legislature to contract debts. He proposed that \$50,000 from the Commonwealth's revenue be set aside annually to pay off the existing debt. Should this sum not be sufficient, the government should have the power to contract loans. This plan was adopted by the Convention.

His interests in the educational field will be discussed in a later chapter. It may be noted, however, that public education was given constitutional recognition for the first time in Kentucky by the 1850 Constitution.

With the close of the Constitutional Convention, Guthrie became a national figure. His political importance began to be recognized outside of Kentucky. In the Pierce-Scott campaign of 1852, he supported Pierce with such vigor that the successful candidate called him to his cabinet in 1853.⁴³

43. Barry, Robert, "Kentuckians Who Have Made History," Courier-Journal, June 24, 1917

CHAPTER IV

NATIONAL POLITICAL CAREER

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In 1853 James Guthrie was appointed Secretary of the Treasury by President Franklin Pierce. "President Pierce was fortunate in the selection of Guthrie, a wealthy lawyer of Louisville, Kentucky, as his Secretary of the Treasury," writes James Ford Rhodes. "To rate Guthrie," he continues, "with our four great-secretaries, who brought to bear upon finance their many-sided minds, would not be just, but among our financiers of the second rank he holds a high place."¹ According to Roy F. Nichols, Guthrie "was possessed of much energy and determination, in fact was peremptory, rapid in execution, and sometimes obstinate. His life had been spent in business, where he made a fortune in a number of enterprises including railroads, but he had little experience in politics outside of the Kentucky legislature."²

Guthrie's annual reports reflect his desire for administrative and tariff reform. Upon taking office, three problems awaited his action:

(1) a surplus was piling up;

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1. Rhodes, James Ford, History of the United States from the Compromise of 1850, 8 vols., 1920, Vol. III p. 38
 2. Nichols, Roy F., Franklin Pierce, 1931, p. 248

- (2) the late Whig administration had not enforced the Independent Treasury Act;
- (3) there were charges and suspicions of frauds³

The Treasury Department, at this time, included customs service, revenue-cutter service, coast survey, light house system, bureau of weights and measures, and a bureau of construction as well as the accounting system established by Hamilton.⁴ He made almost a clean sweep of his bureau chiefs, retaining only two Whigs.⁵ "He succeeded in overcoming a number of abuses, among others the employment of secret inspectors of customs and a large number of unnecessary bankers."⁶

Guthrie began immediately on the surplus problem. Since the country had more revenue than it needed, he planned to pay off portions of the public debt by July, 1853, payments to begin any time after March 10, of the same year. His report to the President in 1853 showed that the debt had been reduced about seventeen percent, the Treasury Act had been enforced, many old accounts had been collected, and a number of reforms had been instituted. The treasury was still bothered by a

4. Ibid., p. 270

5. Ibid.

6. Ibid., p. 271

large balance, approximately \$14,000,000.⁷ Since Guthrie was of the opinion that the tariff was a tax, he recommended a revision of it by enlarging the free list and reducing the rates on dutiable articles.⁸ He worked out a revision of the tariff on the basis of a general tax of twenty-five per cent on imports, with a large free list and a one hundred per cent duty on brandy and liquors. The free list included all raw materials used in manufactures. Taxable articles were iron, steel, sugar, silk, wool, cotton, flax, and hemp fabrics.⁹ The Secretary pointed out that the United States was the only manufacturing country not permitting raw materials used in manufacture to be duty free. Foreign countries were giving constant and profitable employment because they followed this practice. He ignored the different economic circumstances which made such a policy desirable in Great Britain.

Before James Guthrie could present his next annual report, "a stringent money market and hard times distracted men's minds in some degree from the exciting political controversies of the year 1854."¹⁰ Money was

7. Ibid., pp. 294-295

8. Rhodes, op. cit., pp. 38-39

9. Report of the Treasury, 1855, p. 12

10. Rhodes, op. cit., p. 39

difficult to get. Money lenders questioned the validity of railroad stocks. The United States was exporting large amounts of specie. American securities held abroad were about \$202, 922, 937.¹¹ In the New York Tribune of July 1, 1854, Horace Greely attributed the panic in Wall Street and the disasters in the West and South to overtrading and extravagance. In the report of December, 1854, the Secretary called the attention of Congress to the necessity of reducing the revenues derived from customs, so that no more money should be received into the treasury than was needed to administer the government economically.¹² Guthrie again proposed that the duties be removed from most of the raw materials used in our manufactures including coarse wool. By this action, he said, we would be following the principle of reciprocity. The bill to reduce the tariff passed in the House of Representatives in February, 1855, but failed to do so in the Senate, mainly because of the lack of time.¹³

In the December report of 1855, Guthrie argued that "as the principle of a tariff, or as he termed it, taxes for revenue only, was conceded, the admission of

11. Treasury Report, op. cit., 1854

12. Rhodes, op. cit., p. 40

13. Ibid., p. 41

raw materials free of duty would be a desirable step towards free trade."¹⁴ He was ready to admit that the consumer did not always pay the whole tax and that a reduction of duty did not always lower the price to the consumer. In 1856 Guthrie's hands were strengthened by the Democratic Platform. It stated that "the people of the United States declare themselves in favor of free seas and progressive free trade throughout the world."¹⁵

Rhodes states that Guthrie's report of December, 1856, was the most remarkable. Since the revenue was still far more than was needed, he again advocated a reduction of revenue from customs. He argued that by removing duties from raw materials, thus placing our manufactures on a par with other countries, the protection afforded by a revenue tariff and the skill and enterprise of our people would enable us to keep pace with other nations.¹⁶ The iron industry was used to illustrate the argument.

Guthrie's argument in favor of the ad valorem tariff "was based on the inexpediency of making a change in the policy of the past ten years."¹⁷ He

14. Ibid.

15. Stanwood, Ed., History of the Presidency, 2 vols., 1916, p. 203

16. Rhodes, op. cit., p. 42

17. Ibid., pp. 42-43

recommended that wool, silk, furs, salt, hides, and skins be placed on the free list. In this Guthrie differed from the earlier Democratic ideas. The tariff of 1846 had taxed iron, sugar, paper, glass, wood, and many other items.¹⁸ But he did not favor a reduction of the duty on sugar.

The tariff was revised largely in accordance with Guthrie's ideas before his term expired. The Tariff of 1857 was later much criticized but it really did not have a fair trial, as the revenues of the country were reduced by the Panic of 1857 and the Civil War interrupted the revival of business which might have overcome this depression.¹⁹

Soon after James Guthrie assumed the responsibility of office, his attention was called to the abuses of the contract system. At that time, a select committee of the Senate was investigating the subletting of contracts, a system whereby people with influence could obtain contracts which they would sublet for their personal profit. Guthrie ended this practice and notified contractors that such abuse would be punished hereafter with forfeiture. He also

18. Taussig, F. W., The Tariff History of the United States, 1892, pp. 114-115

19. Ibid., pp. 44-45

ended the practice among treasury officials at New York of taking one-half the customs fines levied upon those detected in under-valuation.²⁰

During Pierce's administration, the question of railroads in the West became a dominant one. Guthrie's attitude toward this was that of a promoter, since he was fresh from a railroad boom in Kentucky. Guthrie accompanied the President to a convention at Memphis where 1,000 delegates stated their desires for a railroad to the Pacific. Pierce and his advisers decided that Guthrie should make an address giving the administration's endorsement to the railroad. In concluding his address, Guthrie added, "that if there was sufficient money in the treasury after the debt was paid, why, for the purposes of self-defense, shall we not extend a railroad to the Pacific?"²¹ This coincided with the theme found in all of his reports, namely, put the nation's surplus funds to use. Two routes were pending. The northern route had gained favor since raw materials needed in the construction were plentiful and accessible; rivers could be easily bridged and there were five harbors to

20. Nichols, op. cit., p. 271

21. Ibid., pp. 281-282

choose from for the terminus of the route.²²

During the summer of 1853, pressure was brought on Congress to choose the Southern route. The desire for a Southern route, was partly responsible for Gadsden's negotiations for the territory south of New Mexico. The tract which the United States purchased from Mexico for \$10,000,000 included land necessary for a railroad to the Pacific.

In the annual report of 1854, Guthrie stated that by an act of the Kentucky Legislature, "the 10,000 shares of stock in the Louisville and Portland Canal had been bought up and reduced to 3,712 of which 2,902 belonged to the United States and 810 to individuals."²³ In another year, these latter shares would be absorbed by the company which would then be entirely under government control. He recommended that only such tolls as were necessary to pay expenses should be charged. In April, 1855, he evidenced his interest in the mechanical aspect of the canal by advocating that contracts be let for (1) a guard gate, (2) the removal of ledges on the margin of the canal, and (3) the floating boom at the head of the canal. This plan was

22. Milton, George F., The Eve of Conflict, 1934, p. 106

23. Collins, op. cit., p. 69

endorsed by President Pierce.²⁴

In summing up Guthrie's activities as Secretary of the Treasury, we find that he installed a new bookkeeping system, dispensed with useless clerks, and paid off \$45,000,000 of the debt.²⁵ As a result of the Secretary's recommendation, acts to regulate steamship travel, and to safeguard the coasts to prevent loss from shipwreck were passed by Congress.²⁶

He looked upon the unlimited issue of paper money by 1300 State banks as a menace to the financial system. His suggestion that they be taxed out of existence was put into practice by the Republican administration during the Civil War.²⁷

A candidate for the Democratic nomination for the presidency before the convention at Charleston in 1860, Guthrie might well have been a compromise candidate, had a compromise between the sections been possible.²⁸ Nichols indicates that Pierce at first supported Breckinridge for the Democratic nomination. As the election approached, preliminary

24. House Document, No. 83, 40th Congress, Second Session, pp. 20-21

25. Cotterill, op. cit., pp. 292-293

26. Nichols, op. cit., pp. 378-379

27. Cotterill, op. cit., pp. 292-293

28. Williams, L. A., op. cit., Vol. I, p. 491

rounds indicated Republican victory. Davis and others thought that Breckinridge and Douglas might be persuaded to withdraw in favor of Pierce, who vetoed this, but expressed confidence that Guthrie and Horatio Seymour might provide a ticket.²⁹ According to Milton, Guthrie did not have much popular support, even in his own state. "Douglas had about a third of the delegates to the State Convention, a speech in his behalf was received with 'thunderous applause,' his position was treated courteously in the platform and with some finesse he could have won the delegation. But his friends could not cope with Guthrie, who as President of the Louisville and Nashville was establishing that road as the political control of the State. Breckinridge's maladroit campaign was even less successful. Douglas pressed Guthrie hard in the critical ballot, but the railroad politician won."³⁰

The Charleston convention, which opened April 23, 1860, was notable chiefly for the secession of a large block of Southern delegates because of the vagueness of the platform on the slavery question. When balloting for the presidential nominee began,

29. Nichols, op. cit., pp. 512-513

30. Milton, op. cit., p. 403

Douglas received $145\frac{1}{2}$ votes, Hunter of Virginia 42, Guthrie $35\frac{1}{2}$ and 30 votes were scattered among other candidates.³¹ All of the Southern States still represented, with the exception of Missouri, divided their votes among Guthrie, Hunter and the minor candidates.³² After the thirty-sixth ballot, every Pierce and Buchanan "vote in the North and Border was concentrated on Guthrie, whose vote mounted to $64\frac{1}{2}$,"³³ as compared with $152\frac{1}{2}$ received by Douglas. The States voting for Guthrie were:

Maine, 3; Massachusetts, 6; Connecticut, $2\frac{1}{2}$;
New Jersey, $4\frac{1}{2}$; Pennsylvania, $17\frac{1}{2}$; Maryland,
4; Missouri, $4\frac{1}{2}$; Tennessee, $10\frac{1}{2}$; Kentucky,
12.³⁴

"But this Buchanan-Ultra effort to build a Guthrie boom went up against a stone wall."³⁵ Douglas didn't lose a vote and Guthrie was unable to gain. Seeing that it was impossible to reach a conclusion; the convention adjourned on May 3, to meet in Baltimore on June 18.³⁶

The work of the Republican Convention had shown the Democrats the necessity of a united party. But there still existed within their ranks the antagonism

31. Rhodes, op. cit., p. 452

32. Milton, op. cit., p. 446

33. Ibid., p. 448

34. Ibid., p. 448, foot-note

35. Ibid., p. 448

36. Rhodes, op. cit., p. 452

between the Charleston seceders and the Douglas men of the Northwest. When the Convention met at Baltimore, four days were spent in wrangling over the admission of Douglas delegates from Louisiana and Alabama. This resulted in a secession, led by Virginia, and followed by most of the delegates from North Carolina, Tennessee, Kentucky, and Maryland. The Baltimore seceders joined the Charleston seceders and nominated Breckinridge for President.³⁷ At the Baltimore Convention, Douglas received the nomination with $181\frac{1}{2}$ votes out of the $194\frac{1}{2}$ votes cast.³⁸ Of Guthrie's activities following the Charleston convention, nothing can be found.

Despite the fact that Guthrie was much opposed to Lincoln's election, he counselled that the result should be accepted in good faith.³⁹ As the States began to secede, he tried to bring about a reconciliation. When Virginia called a Peace Convention Guthrie was one of the representatives elected by the Kentucky Legislature and headed the committee to which all plans of adjustment must come. His plan called for the parallel $36^{\circ}30'$ to divide the existing territories of the United States into free and slave. No new territory

37. Ibid., pp. 474-475

38. Milton, op. cit., p. 477

39. Cotterill, op. cit., p. 293

shall be acquired except with the consent of the North and South. The Peace Conference adopted this plan, but Lincoln rejected it. Guthrie went to Washington to make a personal appeal to Lincoln, then hurried home without waiting for the inauguration.⁴⁰

In February, 1861, another peace convention was called at Washington, D. C. for the purpose of effecting a general and permanent pacification. This group adopted Guthrie's plan which provided for the reestablishment of the boundary between slavery and freedom on the line fixed by the Missouri Compromise. Action by Congress was halted by the Fort Sumter incident.

In Louisville a public meeting was held at the east hall of the Court House in order to ascertain the proper position for Kentucky to take in the crisis. James Guthrie addressed the meeting. "Louisville spoke early, decidedly, and firmly against a sectional party in the Union and under the Constitution," said Guthrie. He pointed out that the Peace Conference, the special session of the Legislature and the deliberations of both Houses of Congress had failed to find a remedy for

40. Dumond, Dwight L., The Secession Movement 1860-1861, 1931, p. 247

secession. Guthrie insisted that Kentucky take her stand for neutrality. He further argued that Kentucky's position on the border should be maintained, that relations of trade and commerce and good fellowship be continued with both sides.⁴¹

When the war really began, however, Guthrie was an ardent Unionist, although never severing his connection with the Democratic Party. The Louisville and Nashville Railroad was vital to the cause of the Union since it was the only road beginning in northern territory and ending in southern territory.⁴² As President of the road, he placed it entirely at the service of the government.

In 1864, Guthrie was sent as a delegate to the Democratic National Convention which met in Chicago.⁴³ He was instructed by the State committee to vote for McClellan and Bramlette. They also expressed opposition to the Congressional plan of reconstruction (the Wade-Davis Bill) declaring that the war was to preserve the Union and not to destroy the Constitution.

In 1865 James Guthrie was elected United States Senator by the Kentucky General Assembly. Taking his

41. Louisville Democrat, April 19, 1861, p. 2

42. Cotterill, op. cit., p. 293

43. Coulter, Ellis, The Civil War and Readjustment in Kentucky, 1926, p. 188

seat on March 4, 1866, he served until February 19, 1868.⁴⁴ The conservatives of the country hoped that he would have a restraining influence over his colleagues.⁴⁵ Serving during the stormy days of Andrew Johnson's administration, he opposed the so-called radical reconstruction measures, favoring an immediate and complete rehabilitation of the states which had seceded.⁴⁶ Guthrie was one of a group of thirteen senators fighting for the protection of white supremacy in the South against radical reconstruction. He defended President Johnson and insisted that the Senate should not try to dominate the executive departments.⁴⁷

In discussing the Radical plan of reconstruction, Guthrie pointed out there was no longer any doubt that we were the United States of America "in full accord and harmony with each other." His interpretation of the Constitution was that the President was to see that the laws were faithfully executed and that he was to suppress insurrection and rebellion. Since the insurrection had been suppressed the Southern States were now in the Union and were therefore entitled to

44. Levin, H., op. cit., p. 247

45. Cotterill, op. cit., p. 295

46. Williams, L. A., op. cit., Vol. I, p. 491

47. Cotterill, op. cit., p. 295

representation.⁴⁸ In regard to the Negro question, he insisted that the principles of the Constitution be upheld. The right of suffrage, if it should be extended to Negroes, should be so extended in all States, not just to those of the Southern States. The Radical plan he deemed degrading.⁴⁹ On February 2, 1866, Senator Guthrie pointed out that there should be one type of punishment for black and white. He stated that he did not interpret the Constitution and the proposed 14th Constitutional amendment to mean that the State governments would be turned over to the domination of Congress. He believed it was not necessary to secure the freedom of the African, as slavery no longer existed. The fact that Guthrie favored the 14th Amendment is shown by the statement he made before the Senate, "I accept it in good faith."⁵⁰ He did not vote on the Reconstruction Acts of 1867, having returned to Louisville in 1866 because of illness.⁵¹

Guthrie strongly opposed the Freedmen's Bureau. On December 12, 1865, he addressed the Senate, emphasizing that he desired to know why the Freedmen's

48. Rives, F. and J., The Congressional Globe, Vol. 36, Part I, p. 29

49. Ibid., Vol. 36, Part I, p. 337

50. Ibid., Vol. 36, Part I, pp. 600-601

51. Joblin and Co., op. cit., p. 336

Bureau Bill should be extended to Kentucky, since she had never been in rebellion. Even though the State had been overrun by rebel armies and the fields had been laid waste, Kentucky had always had her full quota in the Union armies. The people did not want, nor did they ask for aid. Freedmen were part of the population and like others who required care would receive it from the counties. The organization for the support of the poor was complete, he declared. Guthrie further argued that the Southern States could take care of the freedmen in their respective States, at a cheaper cost than that figured on by the Bureau. Support by the national government would result in the Negro looking toward the Government for rations and many then would refrain from working.⁵²

On February 8, 1866, he again addressed the Senate on the Freedmen's Bureau Bill. He declared that Kentucky found the Freedmen's Bureau a system of plundering the people, since no provision was made in the bill for collection of fines from Negroes. He further stated that he resented the fact that Kentucky was the only loyal state that was included in the Bill, and that passage of such a bill would not bring the

52. Rives, F. and J., op. cit., Vol. 36, Part I, pp. 335-337

nation together. Guthrie's amendment exempting Kentucky from the operations of the Freedmen's Bureau, was defeated by a vote of 25 to 8.⁵³

The status of the Indian, too, interested James Guthrie. On January 30, 1866, he went on record as favoring citizenship for the Indian.⁵⁴ The next day he pointed out that citizenship should not be imposed; the Indian should be consulted.⁵⁵ On March 19, 1866, he questioned the advisability of appointing a board of supervising inspectors when the government had a Secretary of the Interior who was in charge of Indian Affairs. Was the board to check to see if the Secretary was discharging his duties? Why not appoint boards to check on all other secretaries? If the legislation regarding Indian Affairs was not adequate, then it should be amended. He could see no good in the bill; it was unnecessary, and salaries paid to these men would be wasted.⁵⁶ When a vote was called for, he voted against the bill.⁵⁷

In February, 1866, a telegraph line between New York City and the West Indian Islands was proposed. Guthrie thought that this bill should be considered

53. Ibid., Vol. 36, Part I, pp. 743-744, 748

54. Ibid., Vol. 36, Part I, p. 498

55. Ibid., Vol. 36, Part I, p. 526

56. Ibid., Vol. 36, Part II, p. 1489

57. Ibid., Vol. 36, Part II, p. 1491

carefully, since the Gulf States were entitled to grant a charter the same as New York. The cost, too, would be less. Granting New York such a charter for twenty-five years would result in a monopoly.⁵⁸

The nation's finances were still of great interest to Guthrie. On April 3, 1866, he introduced a bill that would enable particular accounts of officers to be closed as they were settled. This bill was passed by the Senate on the same day.⁵⁹

Six days later, on April 9, 1866, he addressed the Senate on the Loan Bill. He advocated that provision be made for the future payment or funding of the principal as it came due. Failure to make payments affected credit. He suggested that surplus money be used to take up issues of interest-bearing notes. He did not desire to see paper money increased.⁶⁰ No further action was taken while he was active in the Senate.

When the question of admitting Colorado as a state was presented to the Senate Guthrie voted against the measure. One reason given for his opposition was Colorado's small population. At the date of the passing of the enabling act, the discovery of gold had caused a

58. Ibid., Vol. 36, Part II, p. 1030

59. Ibid., Vol. 36, Part II, pp. 1736-1737

60. Ibid., Vol. 36, Part III, p. 2868

rush of miners. But the population had since decreased. He also stressed the fact that the Southern States should be admitted before new states were.⁶¹

Among other fields in which Senator Guthrie was interested were those of water and land transportation. The Bridge Company was revived in 1862. The law called for drawbridges. On May 29, 1866, Guthrie addressed the Senate on the disadvantages of building drawbridges over the Mississippi and Ohio Rivers. Engineers reporting on the costs of a bridge at Louisville estimated that one without a drawbridge would be cheaper and better. After careful study Guthrie advocated that this type should be adopted for all new bridges. The matter was referred to a committee.⁶² When the matter of constructing a bridge for the Jeffersonville Railroad and Louisville and Nashville Railroad was brought up, Guthrie opposed the idea, due to the fact that Congress required the bridge to be ninety feet above the low water mark. He declared that the highest rise of water at the Falls was forty-four feet. A continuous bridge would avoid law suits caused by boats becoming entangled in the

61. Ibid., Vol. 36, Part II, p. 1852

62. Ibid., Vol. 36, Part III, p. 2868

draw, he stated.⁶³ As finally constructed, it belonged to the class of high bridges.

In the discussion of the Pacific Railroad Bill, Guthrie favored the Smoky Hill Fork, or Denver route, as it passed through timber and coast lands. It would be beneficial to all and would not violate the charter of the Union Pacific. He believed that the government should give permission for the road to go through, since Denver would be shorter by 100 miles. The Government would then save the lands donated.⁶⁴

Although Guthrie had generally favored private corporations, when the Niagara Ship Canal Bill was presented, he pointed out that no company was needed to build such a canal. "We have an official organization by which we can build forts and canals and everything else that is necessary."⁶⁵ He further argued that he realized that a canal around the falls would be of great advantage to the defense of the lakes, but the country was not in a position to undertake such work and he advocated that the bill should be postponed. While in the Senate, Guthrie presented a memorial from the Louisville and Portland Canal, asking for a loan of \$1,000,000 in government bonds

63. Ibid., Vol. 36, Part III, p. 2868

64. Ibid., Vol. 36, Part III, p. 3259

65. Ibid., Vol. 36, Part IV, p. 3456

to enable the company to complete the work on the Canal. This was passed.⁶⁶ Taxation, the funding of the national debt, and the election of senators were other issues to which Guthrie directed his attention.

Ill health, as well as advancing age caused Guthrie to resign from the Senate in February, 1868.⁶⁷

On March 13, 1869, the career of this outstanding citizen came to a close. Great throngs came to pay homage to a man who had endeavored to make his city and state a better place in which to live.⁶⁸

66. Ibid., Vol. 36, Part IV, p. 3803

67. Dictionary of American Biography, op. cit., p. 61

68. Louisville Democrat, March 16, 1869, p. 3

CHAPTER V

EDUCATIONAL INTERESTS

CHAPTER V

EDUCATIONAL INTERESTS

The minutes of the city council of Louisville give ample evidence of James Guthrie's interests in the educational field. As we have seen he introduced in 1828 a resolution to establish a free school in each ward within the city.¹ The first school was opened in August, 1829, in a room over the Old Baptist Church. This school was free during the first year as the city appropriated \$2,050 for its support. Tuition was charged the second year and thereafter, as public opinion was not in favor of free education. Tuition was not made free until 1851.² Guthrie, as chairman of the first Board of Trustees, reported at the end of three months an enrollment of 257 students, with an average daily attendance of 180.³ His school interests included the supervision of building materials, the purchase of equipment, the choice of a faculty and legislation regarding the curriculum.⁴

Other educational activities in which Guthrie showed great interest were the Collegiate Institute, the

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1. City Journal, op. cit., Vol. I, March 26, 1828, p. 40
 2. Lewis, Alvin F., History of Higher Education in Kentucky, 1899, p. 344
 3. City Journal, op. cit., pp. 80-81
 4. See Chapter II, pp. 34-38

Medical Institute and the University of Louisville.

The Collegiate Institute was an outgrowth of the Jefferson Seminary founded in 1798. The Seminary property in Louisville was granted to the City in 1830.⁵ On October 30, 1837, James Guthrie introduced an ordinance to establish the Collegiate Institute and was thereupon named to the committee to do so.⁶ The ordinance as finally passed in November, provided for a Collegiate Institute to be located in the former seminary building on the west side of Eighth Street. The program of studies was to include mental and moral science, mathematics, civil engineering, Latin, Greek, Hebrew, modern languages, literature, belles lettres, history, principles of agriculture, manufacture and mechanical arts. Not all of these subjects, however, were to be taught at first, since the first faculty was to consist of only four professors.⁷ The Mayor and Council were to choose the faculty. The city treasury was to pay \$2,000 annually toward the expenses. However the President and professors would be permitted to receive subscriptions for scholarships and donations for the purchase of library equipment and apparatus.

5. Collections of Acts, 1839, p. 92

6. City Journal, op. cit., Vol. VII, October 30, 1837, p. 347

7. Ibid., Vol. VIII, pp. 71, 108

In 1840 this school was chartered as the Louisville College.⁸ It was not until 1846 that the college became the Academic Department of the University.⁹

In 1833 the Medical Institute was chartered with the support of a number of Louisville physicians. Apparently nothing was done under the original charter.¹⁰ In 1834, a committee, headed by James Guthrie, took steps to investigate the possibility of establishing a medical school.¹¹ The original charter was so modified by the Kentucky Legislature that the Board of Managers instead of being annually elected by the physicians, were to keep their positions "until death, resignation, or removal from the Country."¹² This action removed all power from the physicians and placed it in the hands of a small group of which James Guthrie was one.

By this time the steamboat traffic on the Ohio River had brought not only prosperity to Louisville, but also an increase in population, making it the largest city in Kentucky. The Medical Department of Transylvania favored moving to Louisville, as they

8. Johnston, J. S., op. cit., Vol. I, p. 235

9. See Charter of University of Louisville

10. Horine, Emmet Field, "A History of the Medical Institute and of the Establishment of the University of Louisville and its School of Medicine, 1833-1846," Filson Club Quarterly, Vol. 8, No. 3, p. 133

11. City Journal, Vol. V, p. 213

12. Harrison, James, A Collection of the Acts of Virginia and Kentucky Relative to Louisville, 1839, p. 51

realized that this growth and the difficulty of securing bodies for dissection in Lexington¹³ were resulting in a smaller enrollment. This plan met with Guthrie's approval and on November 12, 1836, he introduced a motion stating "that it was expedient to have a Medical School established in this city and that the subject be referred to a committee of one member from each ward to report as to what aid the city of Louisville should give to the college."¹⁴ The Council then named Guthrie to this committee. Within a month he reported:

... that the removal of the Medical department of Transylvania University or the establishment of a Medical College in Louisville would be greatly advantageous to the City in pecuniary and intellectual point of view, and should be encouraged by the city authorities by the donation of a suitable site for the erection of college buildings; and they recommend that the square bounded by Chestnut and Magazine Streets and 8th and 9th Streets at present used as a Work House, be donated for the object, and that it be certified to the Legislature of Kentucky that on the passage of a law authorizing the removal of the Medical department of Transylvania University to Louisville or the establishment of a Medical College in Louisville that the city authorities will convey to the Trustees of said department or college the square aforesaid as a site for the said department or college, but to revert to and become again the property of

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13. Short, C. W. to Short, Wm., Short Papers, Filson Club Library, March 20, 1836, November 16, 1836
 14. City Journal, op. cit., Vol. VI, September 12, 1836, p. 495

the City of Louisville when it shall cease to be used for the purpose of a site for the building for said department or college.¹⁵

However, the Transylvania Board of Trustees and the citizens of Lexington blocked this move.¹⁶ Guthrie therefore determined to use the charter of the Louisville Medical Institute as a means of establishing a medical school in Louisville. It was resolved by the Council that

... it would redound to the Honor and advantage of Louisville, and that of Medical Science to endow said Institute in such manner as to enable the School to enter into competition with any School in the United States.

Therefore Be it Resolved by the Mayor and Board of Councilmen of the City of Louisville that the Square bounded by Chestnut, Magazine, Eighth and Ninth Streets, and the sum of Thirty thousand dollars for the erection of college buildings will be devoted to said Institution on the same terms & conditions that was certified to the Legislature of Kentucky that the same would be given for the use of the Medical department of Transylvania University on the establishment of a Medical College in Louisville--and that it will be certified to the aforesaid Trustees of the Medical Institute of the City of Louisville, that as soon as they shall raise by subscription or otherwise a sum sufficient to purchase &

15. Ibid., Vol. VII, October 17, 1836, pp. 23-24

16. Horine, Emmet Field, op. cit., p. 135

organize the Institute ~~that~~ the said donation shall be made.¹⁷

On March 30, 1837, at a mass meeting held in Louisville, it was resolved that the City should establish a college, including a medical and law school, and that there should be a sufficient endowment to provide adequate medical instruction, equipment, and a library.¹⁸

On November 13, 1837, a deed for the location of the Medical Institute was presented by Guthrie to the City.¹⁹ At the same meeting he moved that the building of a hospital be rushed, so that the Medical professors would have the use of two basement rooms.²⁰ The following year it was provided that medical students could act as assistants in the Hospital but they were to receive no compensation, since this was an opportunity for improvement.²¹ The motion was voted upon and accepted.

Mr. Guthrie also asked the Finance Committee to take into consideration ways and means to raise the \$20,000 for the library and apparatus.²² The building,

17. City Journal, op. cit., Vol. VII, March 6, 1837, p. 115

18. Ibid., Vol. VII, p. 148

19. Ibid., Vol. VII, November 13, 1837, pp. 357-358

20. Ibid., Vol. VII, November 13, 1837, p. 358

21. Ibid., Vol. VIII, October 3, 1838, pp. 78, 90-91

22. Ibid., Vol. VII, April 3, 1837, p. 148

too, engaged his attention. He urged that Gideon Shyrock's plan be adopted. This plan gave ample width and length for class rooms, called for a fire proof building, designated flagstone walks and provided for lighting facilities.²³ He spent much time supervising construction and even went so far as to promise that the building would be completed within a year. An epidemic during the summer, however, delayed the work.²⁴

The Louisville Medical Institute began in 1837 and continued successfully for nine years. The College, however, did not prosper. In 1846, a charter was passed by the Legislature uniting Louisville College and the Louisville Medical Institute under the name of the University of Louisville. This charter called for eleven trustees, two to be chosen by the Mayor and Council every two years for a term of ten years and a president, elected for an indefinite term.²⁵ James Guthrie was one of the original trustees. On December 7, 1847, he was elected President of the Board of Trustees by a unanimous vote to succeed S. S. Nicholas, the first president.²⁶ He held this

23. Ibid., Vol. VII, November 13, 1837, p. 356

24. Short Papers, Filson Club Library, p. 411

25. Journal of House of Representatives, 1845-46, op. cit.

26. Minutes of the Board of Trustees of the University of Louisville, April 7, 1847, p. 35

position for twenty-two years, until death ended his brilliant career.²⁷ It is interesting to note that during the time that Guthrie was absent from the city for a long period, as for example when he served as Secretary of the Treasury and as United States Senator, he continued as President, the Board electing various members as president pro tempore.

Before discussing Guthrie's activities as president of the Board of Trustees, the third department, the law, should be given recognition. On May, 1846, when the University trustees took over the Medical Institute, they resolved to establish a law department.²⁸ James Guthrie and Judge Henry Pirtle are mentioned as taking the leading part in the establishment of this school.²⁹

In 1850, because of the lack of funds for the Academic Department, the Board of Trustees requested "that since the City of Louisville have recently subscribed \$200,000 to the Louisville and Frankfort Railroad Company and will hold that amount of stock they would respectfully suggest and solicit that \$100,000

27. Ibid., March 15, 1869, p. 185

28. By-Laws, Record Book, pp. 9-13

29. Lewis, Alvin F., op. cit., p. 269

of said stock be set apart and applied as a capital and endowment for the Academic Department the dividends only to be annually expended."³⁰ The City Council was unwilling to comply with this request of the Trustees and suggested that the academic department be made a part of the city school system supported by city taxes and controlled by the Trustees of the Public Schools. The Kentucky Legislature was petitioned for a new city charter which included provisions for the establishment of a general popularly elected school board designated as "The Trustees of the University of Louisville, The Female High School and the Public Schools of Louisville."³¹ The Trustees of the University sent their President, James Guthrie to Frankfort to "remonstrate before the Legislature on behalf of the University against the passage of that part of the city charter which conflicts with the present government and subverts the rights and privileges of the University."³² The charter was passed, but the section regarding the academic department of the University was not to be enforced until its constitutionality was passed on by the courts.³³ On May 27,

30. Stratton, O. H., and Vaughn, J. M., A Collection of State and Municipal Laws, 1857, pp. 175-176

31. Ibid., pp. 175-176

32. Minutes of Board of Trustees, University of Louisville, op. cit., January 24, 1851, p. 60

33. Stratton and Vaughn, op. cit., p. 178

1851, a resolution was passed by the Board of Trustees to resist the alteration in the charter of the University as attempted in the charter of the City of Louisville. The President was authorized to employ counsel and have the suit defended in the Circuit Court and in the Court of Appeals.³⁴ In 1854, after a bitter contest, the case was decided in favor of the University.³⁵

Among the duties that James Guthrie had to perform as President of the Board of Trustees were the conferring of degrees, listening to the petitions and reports of the deans of the law and medical schools in regard to salaries, appointments, repairs, and additions to the building.³⁶ As President, he and a committee of Trustees came to an agreement with the Trustees of the Common Schools to hold a high school in the academic building of the University.³⁷ This school later became known as the Male High School. An act of the legislature in 1860 gave the school the right to confer degrees, and also deprived the University of municipal support.³⁸ Nevertheless the law and medical schools continued as the nuclei from which grew the present University of

34. Minutes of Board of Trustees, University of Louisville, op. cit., May 27, 1851, p. 65

35. Stratton and Vaughn, op. cit., pp. 178-179

36. Minutes of Board of Trustees, University of Louisville, 1847-1869, passim

37. Ibid., March 6, 1855, p. 106

38. Burnet, Gilbert, Louisville City Code, 1884, p. 364

Louisville, the oldest of American municipal universities. Guthrie has rightly been called the "Father of the University of Louisville."

Another educational interest of Guthrie's was the education of the blind. In 1858, The American Printing House For The Blind was chartered, with James Guthrie as a charter member of the Board of Trustees.³⁹ He also served as President of the Board from 1868 until his death in 1869.⁴⁰

Guthrie's interest in education was shown also, as we have seen, in the Kentucky Constitutional Convention of 1850.⁴¹ With characteristic energy, he took the lead in educational, as in business advance. It was characteristic, not only of Guthrie, but of all the more intelligent men of his day, to want their descendants to have the advantages of formal education which most of them lacked.

39. General Assembly of the Commonwealth of Kentucky
1858, Vol. I, pp. 192-194

40. First Annual Report of the American Printing House
For The Blind, 1869, p. 8

41. See above, pp. 44-46

CHAPTER VI

BUSINESS CAREER

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James Guthrie was connected with many business enterprises. The majority of these were in the field of internal improvements. Among the outstanding companies in which he was either an executive or director were the Louisville and Portland Canal, the Louisville and Nashville Railroad, the Bank of Kentucky, and the Citizens' Passenger Railway Company.

Guthrie was a charter member of the Louisville and Portland Canal Company.¹ By an act approved January 12, 1825, Nicholas Berthoud, James Guthrie, and others with their associates, were incorporated by the legislature of Kentucky as the Louisville and Portland Canal Company.² The purpose of this company was to construct a canal around the Falls of the Ohio with suitable locks, docks, and basins within the State of Kentucky. As director and later as president, Guthrie took part in the routine executive affairs. On February 21, 1842, the President and Board of Directors, by an act of the Kentucky Legislature were authorized to sell shares of stock owned by individuals to the

1. Charter, By-laws, etc. of the Louisville and Portland Canal Company, 1825, p. 3

2. Senate Journal of Kentucky, 1824-25, p. 432

United States, State of Kentucky, or the City of Louisville in order to make the canal free of tolls.³ By 1855, the United States owned all of the stock but the five shares in the hands of the President and Directors.⁴ As Secretary of the Treasury, Guthrie strove to secure appropriations from Congress to improve the Canal. In his financial report of 1853, he called Congress's attention to the fact that the Canal had become almost entirely the property of the United States, and requested appropriate legislation by Congress with reference to necessary repairs and enlargement of the Canal.⁵ On April 1, 1856, Guthrie wrote to the Speaker of the House of Representatives in regard to the improvements to be made on the Canal.⁶ Several days later, he again wrote to the Speaker reporting the financial condition of the Company.⁷ Throughout the four years that he served as Secretary of the Treasury, Guthrie continued to defend the policies of the Canal Company.⁸ In 1856, President Pierce approved the improvements to be made on the Canal.⁹

3. Miscellaneous Documents of the House of Representatives, Second Session, 40th Congress, 1867-68, Vol. I, No. 83, p. 4

4. Ibid., p. 25

5. Ibid., pp. 10-11

6. Ibid., p. 11

7. Ibid., pp. 11-12

8. Ibid., p. 1-35

9. Ibid., p. 21

Guthrie was President of the Canal Company from 1862 to 1867.

Mr. Robert Cotterill states that "Mr. Guthrie deserves the credit of foreseeing the great future of railway transportation, and this, too, at a time when there was no railroad yet opened in the United States, and when the governor of Kentucky in his messages was ridiculing the idea."¹⁰

Guthrie exerted his influence to incorporate the Lexington and Frankfort Railroad (1848), earlier known as the Lexington and Ohio, which in time became part of the Louisville and Nashville Railroad. For many years this was the only railroad in Kentucky. But as soon as his duties as president of the Constitutional Convention were over, Guthrie became president of the Louisville and Frankfort Road. Under his direction it was completed by 1850.¹¹

In the same year a charter was granted to the Louisville and Nashville Railroad Company (March 5, 1850). James Guthrie was one of the incorporators of this company, which had the backing of the City of Louisville. On August 1, 1851, James Guthrie, Joshua Speed and Robert N. Miller caused notices to be published in the newspapers of Louisville that they would open books at

10. Cotterill, Robert, op. cit., p. 291

11. Williams, L. A., op. cit., Vol. I, p. 490

the office of Guthrie and Tyler for subscriptions to the stock in the Louisville and Nashville Railroad Company on September 4, 1851.¹² The City Council of Louisville subscribed \$1,000,000 to the capital stock of the company, which was to be paid over a period of thirty years.¹³ Later, additional sums were given by the City. Guthrie resigned as President in 1853 to accept the position of Secretary of Treasury in Pierce's cabinet. In 1857, the directors and stockholders of the Louisville and Nashville Railroad asked his aid, for their resources were expended and the road had not been completed.¹⁴ Guthrie became vice president of the company in 1857.¹⁵ He was largely responsible for the completion of the road. He showed confidence in the road by placing his fortune at the disposal of the railroad. As a result, banks and citizens rallied to his call.¹⁶ Among the problems which confronted him, as vice president were the construction of the road at Muldraugh's Hill and obtaining funds with which to carry on the work. Work was held up because of low water. Louisville City bonds were a dead weight;

12. Louisville Courier, August 1-30, 1851

13. Clark, Thomas D., Beginnings of the L. & N., 1933, p. 27

14. Williams, L. A., op. cit., p. 491

15. Clark, Thomas D., op. cit., p. 44

16. Williams, L. A., op. cit., p. 491

there was no market for them. The City Council had passed no ordinance providing for their sale, "but held back \$500,000 of its credit to insure obedience to its rules in regard to the city's credit."¹⁷

Governor Helm personally redeemed \$20,000 of the Hardin County bonds. In the fall of 1857, purchasers came forward and bought the company's bonds.¹⁸ The only major problem remaining was that of passing Muldraugh's Hill. This required engineering skill. However with finances out of the way, this could be coped with.¹⁹ The road was completed by 1859. The political influence of the Louisville and Nashville Railroad gave Guthrie Kentucky's votes for the Democratic presidential nomination in 1860.²⁰

In 1859, John L. Helm, the President, was asked to resign on grounds that he was incapable and had wasted twice the amount of money necessary to construct the road. Clark states, "The election of James Guthrie was protested by the Nashville group. They even went to the point of accusing the Louisville stockholders of duplicity."²¹ The Nashville and Louisville delegations

17. Clark, Thomas D., op. cit., p. 45

18. Ibid.

19. Ibid., pp. 45-46

20. See above, p. 65

21. Clark, Thomas D., op. cit., p. 105

nevertheless elected James Guthrie President (by a unanimous vote).²² As President, efficient operation and extension of the railroad were his chief objectives. Throughout the Civil War, Guthrie placed the railroad at the disposal of the Union. "He cooperated with the Northern armies to the fullest extent, and from the standpoint of the Louisville and Nashville Railroad it was good that he did so, for after the Civil War the railroad was stronger than before."²³ The service of the railroad in transporting troops and supplies to the southwest was one of the deciding factors in the Union conquest of Kentucky and Tennessee. Louisville became the basis of supplies and of operations of the United States armies. When Guthrie learned that the Union was holding on to all his locomotives and cars, he complained to General Sherman that "he would not be able with diminished stock to bring forward the necessary stores from Louisville to Nashville."²⁴ General Sherman appealed to Guthrie's patriotism to stand by the United States. He asked him to hold all trains coming into Jeffersonville. Arrangements were made with a ferry boat to transfer the trains

22. Ibid., p. 49

23. Kerr, John L., The L. & N., 1933, p. 33

24. Johnston, J. S., op. cit., Vol. I, p. 188

over the Ohio River. In a short time there were cars and locomotives from almost every road in the North.²⁵ The Confederates destroyed large sections of road between Memphis and Nashville at every opportunity. Guthrie estimated the loss at \$668,307 in 1861.²⁶ In 1862, the property was partially rebuilt, but Bragg's invasion was disastrous to the road. General John Morgan, in particular, realizing the importance of the railroad to the North, raided the property between 1862 and 1863, causing damage of approximately \$543,000.²⁷ However, the war traffic from both sides more than offset the loss.

The following table denotes the growth of the Louisville and Nashville Railroad under Guthrie's leadership:

Year	Mileage	Revenues	Net Income
1861	196 miles	\$ 822,998	\$ 508,591
1862	218	1,777,983	1,062,165
1863	No figures available	3,261,690	1,803,953
1864	285	4,314,540	2,172,515
1865	No figures available	3,143,189	1,592,055

The increase of revenues and income in 1862 and 1863 were

25. Ibid., Vol. I, p. 188

26. Kerr, J. L., op. cit., p. 25

27. Ibid., p. 25

probably due to the heavier war traffic, while the decrease in 1865 was caused by the termination of the war.²⁸ In 1865, Guthrie resigned as President to become a United States Senator.²⁹ In 1868, when ill health forced him to return to Louisville, he was again named director of the railroad.

Another activity in which James Guthrie was interested was banking. In 1834, the Bank of Kentucky was chartered.³⁰ The bank charter, framed by Guthrie, "was recognized by financiers as one of the best that had ever been formulated at that time,"³¹ and since has been used as a model by other banks. Guthrie served as director of the bank from 1836 to 1844, and in 1852.³² In the midst of the financial panic of 1837, Guthrie was elected President in place of John Jacob who had resigned. In this position (April 14 - May 1, 1837) he "carried Kentucky safely through the financial storm, aided in sustaining the credit of the state, and redeemed its every obligation."³³

The City of Louisville made three attempts to run a line of cars with steam between Louisville and

28. Ibid., pp. 32-33

29. Ibid., p. 34

30. Duke, General Basil W., History of the Bank of Kentucky, 1895, p. 50

31. Levin, H., op. cit., p. 247

32. Duke, General Basil W., op. cit., Appendix, p. 137

33. Ibid., p. 51

Portland, a distance of three miles. All three attempts failed.³⁴ On January 22, 1866, by an act passed by the Kentucky Legislature, a fourth company, The Citizens Passenger Railway Company was chartered. James Guthrie was one of the incorporators.³⁵ This company serviced the city until 1872, when its holdings were purchased by the Louisville City Railway Company.³⁶

James Guthrie was the owner of much property in Louisville. At one time or another, his holdings included at least half of the lots from Prather Street (Broadway) north to the Ohio River and from Shippingport east to the St. Louis Cemetery and Beargrass Creek.³⁷ Of Guthrie's legal practice, little is known, but it is said to have been "lucrative."³⁸ His keen business sense was demonstrated by the success of the enterprises with which he was connected. It is estimated that his wealth exceeded \$500,000 at the time his will was made.

In this will dated December 25, 1865, Guthrie bequeathed to each of his three daughters their residences and the following property which he valued at \$300,000:

34. Johnston, J. S., op. cit., Vol. I, p. 326; also see above, Chapter II, p. 30

35. Statutes, Ordinances, etc. Affecting The Louisville Railway Company of Louisville, Kentucky, 1891, p. 36

36. Ibid., p. 42

37. Deed Records, 1827-1869, County Clerk's Office

38. Levin, H., op. cit., p. 246

Mary E. Caperton: the west half of the square
between Guthrie and Chestnut
binding on Third Street

Ann A. Caldwell: the east half of the square
between Guthrie and Chestnut
binding on Second Street

Sallie Julia Smith: one-half acre lot on the corner
of Third and Jefferson extending
through to Green (Liberty) and
a house lot on the south side
of Walnut between Third and
Fourth Streets

The will further provided that \$90,000 in Jeffersonville Railroad stock was to be divided equally among his seven grandchildren, James G. Coke and Eliza Caldwell.

A codicile (not dated) bequeathed to each grandchild \$10,000 of Jeffersonville, Madison and Indianapolis Railroad bonds. James G. Coke was to receive \$20,000 of Louisville and Frankfort Railroad stock and Mary P. Caldwell, a granddaughter, was to receive \$15,000 in Jeffersonville Railroad stock, \$10,000 in Louisville and Frankfort Railroad stock and \$15,000 in Jeffersonville, Indianapolis Railroad Company.³⁹

39. Will Book, Vol. 7, pp. 72-74

CONCLUSION

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James Guthrie can be truthfully called a loyal and enterprising citizen not only of Louisville, but also of Kentucky and the United States. In surveying his municipal career, we find that he was active in securing a charter for the city. As a councilman, he contributed to the health and sanitation of the City by introducing legislation which resulted in the draining of ponds, the construction of sewers, streets, and sidewalks. He was interested in making the city safe not only from disease, but also from fire and thieves. We find him emphatically urging the erection of a hospital and a workhouse and the establishment of police and fire departments. The provision of lights and pure water for the citizens, too, engaged his interest. Not only material comforts, but education and business growth were of vital interest to him. The establishment of schools, the merger of the Louisville Medical Institute and the Louisville College as the University of Louisville, and the establishment of the American Printing House for the Blind are the results of his untiring efforts. Guthrie's excellent business sense is demonstrated in successful business ventures, namely the

Portland Canal, the Louisville and Nashville Railroad, and the Bank of Kentucky. These benefited not only the Community, but the State and Nation as well.

A survey of Guthrie's career in State politics reveals that he was an outstanding figure in the House and Senate. He devoted much of his time and energy to this work, giving financial and legal advice. The internal improvements and education of the State benefited greatly by his efforts. As president of the Constitutional Convention, he strove untiringly to give the people a constitution which would be democratic. In the days preceding the Civil War, Guthrie fought to keep the Union together. He represented Kentucky at the Peace Conventions and did his utmost to keep the State neutral. When war finally came, however, contrary to some of his principles, he sided with the Union, realizing, no doubt, that his business interests would profit by his so doing. Even though Guthrie was a Democrat, his outstanding characteristics won him many friends and supporters among the Whigs and Republicans.

As Secretary of the Treasury, James Guthrie reduced the debt, advocated the reduction of the tariff

and furthered the internal improvement of the United States. As Senator, he worked unceasingly against radical reconstruction of the South and to put an end to the Freedmen's Bureau. Being a staunch constitutionalist, he argued vehemently against admitting new states to the Union before the Confederate States had been readmitted. He was also interested in the welfare of the Indians and sought to provide better living conditions for them. He was interested in changing the judiciary system so that cases could be cleared efficiently.

In the long run it was his local activities that were most significant. Time has swept away his achievements in state and national affairs, but a number of Louisville institutions, the Louisville and Nashville Railroad, the Louisville and Portland Canal, the public school system and the University of Louisville, stand as memorials of the unfailing, energetic interest of James Guthrie.

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