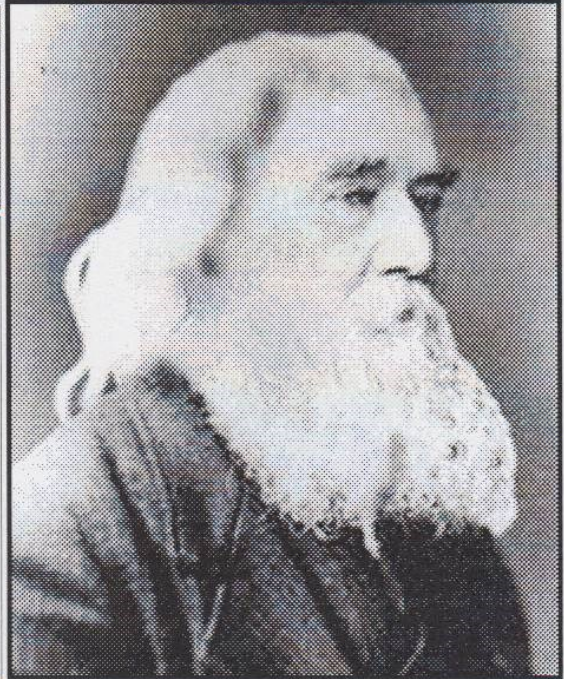


## CANAWLERS AT REST

### LYSANDER SPOONER

b. January 19, 1808  
d. May 14, 1887

By Robert and Carolyn Schmidt



Lysander Spooner was born on January 19, 1808, to Asa Spooner (1778-1851) and Dolly (Brown) Spooner (1784-1845) near Athol, Massachusetts. He was the second of their nine children. At an early age he learned the moral principles that were to guide his life. Hard work and righteous living were the essential ingredients of his family's values. His father, Asa, was one of the first supporters of the temperance movement. His mother Dolly became an ardent supporter of the abolition of slavery movement. His grandfather, Wing Spooner, had been a captain in the Revolutionary army and also a reformer of New England. They expected Lysander to work hard. At age 16 his father set up a kind of apprenticeship for Lysander. Through a formal agreement Lysander was obligated to repay his father for room, board, and education by working on the family farm until he was 25.

Lysander Spooner's education paid off. He taught school for a short time. He then went to nearby Winchendon, Massachusetts to be a tutor for a wealthy farmer's children.

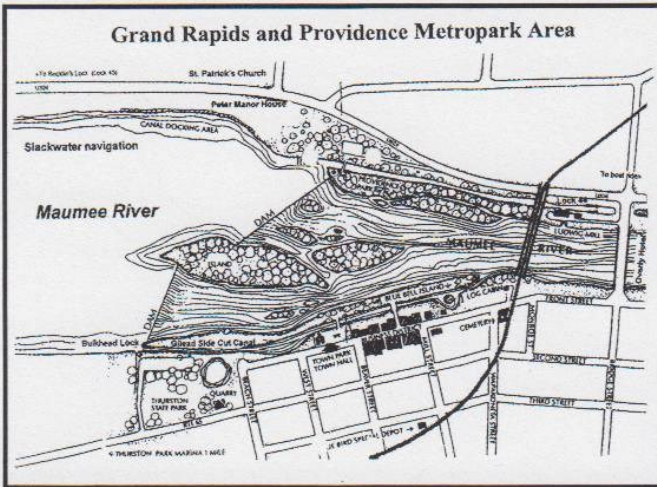
Leaving the farm Spooner went to Worcester where he worked in a store and as a clerk in a deed office for a year. There he was an examiner and executor of titles. Soon he began to study the law under John Davis, who was elected Governor and later a U.S. Senator in 1835. He then studied with Charles Allen who became Chief Justice of the Massachusetts Supreme Court. From these men he learned how to apply law and logic.

Spooner set up his own law practice after only

three years of study in the law offices, which was against the rules of the Massachusetts courts. To be accepted to the bar they required three years of study in law offices if one was a college graduate or five years of study in law offices if one was not a college graduate. He claimed that "no one has yet ever dared advocate, in direct terms, so monstrous a principle as that the rich ought to be protected by law from the competition of the poor" in a petition that was sent to each member of the state legislature and also was published in the local newspaper. The restriction was abolished by the legislature in 1836. Although he had succeeded, his career as lawyer was only moderately successful.

In March 1836 he applied to Albert Gallatin, President of the National Bank of New York, for a job as bank clerk. Although he got the job, he didn't stay very long. He had learned of riches being accumulated by land speculators along the Erie Canal, which had opened in New York in 1825 and by the 1830's was flourishing. Spooner wanted to make his mark in the world. As soon as he had accumulated enough money he traveled west.

In the biography from *The Collected Works of Lysander Spooner* by Charles Shively it says that Spooner arrived in the Toledo area in 1836 to seek his fortune in land speculation. He knew of the plans to connect the Wabash & Erie Canal with Lake Erie via the Maumee, but it was unclear which side of the river the canal would follow. Based on his knowledge of how towns had grown up quickly at places such as Louisville on the Falls of the Ohio, he decided to purchase 80 acres at the head of the rapids and plot out a town on the east side of the Maumee River opposite Providence,



The above map shows the location of the twin dams across the Maumee River today. Spooner was instrumental in getting them located opposite Gilead (Grand Rapids).  
Map courtesy Toledo/Metroparks

land and the other the island to the west bank of the Maumee. This is where the dam is located today. Slack-water access to the Wabash & Erie Canal was provided by building the Bucklin Lock a mile up river. A side cut was built into Gilead for the Purdy Mills and as transportation access. Boats could leave the Gilead Side Cut, enter the slack-water, be poled across the Maumee River, and enter the mainline Wabash and Erie Canal through Bucklin Lock. The original dam of timber and wood planking was replaced in 1908 with concrete.

Spooner won the location of the dam, but he lost because of the economy. The sale of real estate collapsed due to the Panic of 1837-39, which was created by a banking crisis. President Jackson's Specie Circular of 1836, which required that land purchases be made with gold vs. credit, created a credit crunch and depression. Spooner sold his land speculation in Ohio and by July 1840 had moved back to his father's farm in Athol, Mass.

OH, where Peter Manor had built his mill in 1822. Spooner called his town Gilead. He was not the only one with this idea. Twelve villages sprang up along the river at the foot of the rapids such as Manhattan, Port Lawrence, Vistula, and Providence, which was also created in 1836.

Other histories claim that Gilead was established in 1831 by John A. Graham, who hired Lewis Bortie and Gabriel Guyer to clear land around the village site in 1832. In 1833 Ambrose Rice surveyed it. Undoubtedly, Spooner bought the 80 acres on speculation and fought with the canal commissioners over the dam across the Maumee River, but whether or not he laid out Gilead is in question.

The canal commissioners decided to stay on the west side of the Maumee and build a dam up river from Gilead to feed water into the canal. Spooner noted that if this dam was built it would effectively cut off Gilead from any use of the river or the Wabash & Erie Canal for transportation or water power. Gilead would be trapped between the rapids to the northeast and the proposed dam to the southwest.

Although it appeared that Spooner had lost, he turned to his knowledge of the law and brought injunctions against the canal planners in the federal court at Columbus, OH. The case, *Spooner vs. McConnell et al.*, argued that rivers were part of interstate commerce and the dam would interfere. The legal nuisance value and threats by the citizens of Gilead to destroy the proposed dam delayed the project. Eventually its site was relocated across from Gilead. There two dams were built. One connected the east bank of the Maumee to the is-

land and the other the island to the west bank of the Maumee. This is where the dam is located today. Slack-water access to the Wabash & Erie Canal was provided by building the Bucklin Lock a mile up river. A side cut was built into Gilead for the Purdy Mills and as transportation access. Boats could leave the Gilead Side Cut, enter the slack-water, be poled across the Maumee River, and enter the mainline Wabash and Erie Canal through Bucklin Lock. The original dam of timber and wood planking was replaced in 1908 with concrete.

Spooner soon took up writing proposals for a new banking system to prevent a collapse like that which occurred in 1837. Although his system was not adopted, he did become a major voice for reform. His next major attempt at reform was the U.S. Postal System, which he felt was over charging the public for its services. At the time there were no regulations to prevent the establishment of a competing service. He created the American Letter Mail Company in January 23, 1844, which had its own stamps, and began offering service between Boston, New York, Philadelphia and Baltimore. He thought that the National Bank had earlier been destroyed by Andrew Jackson, so why not the Post Office? He wrote a letter to the Post Master General announcing his intentions to build a competing service. The Post Office was overcharging the eastern cities to offset the cost of more rural southern service. Spooner, who was just cherry picking the eastern market, undercut the price.

In March 1845 Congress responded to Spooner's service by drastically reducing postal rates and forced him out of business. In 1851 the rates were again reduced to a uniform 3 cents and Congress established a monopoly for the U.S. Postal Service, which continued well into the 20<sup>th</sup> Century. Spooner should be called the "father of the 3 cent stamp".

Spooner went on to become a vocal abolitionist. In 1846 he published a book entitled *The Unconstitutionality of Slavery* in which he argued that slaves had a natural right to bear arms and use them in defense of their own lives and liberties. He campaigned against slavery until 1861 through pamphlets. He offered his legal services to escaped slaves who were caught. He had

worked with John Brown before his raid on Harpers Ferry's Arsenal in October 16, 1859, and worked for Brown's release prior to the execution. Although he was opposed to slavery, he sided with the Confederate States of America during the Civil War supporting their right to secede. He thought they had fundamental, constitutional and legal rights to be governed by their consent.

After the war Spooner was happy that slavery was abolished, but said the North had fought to "preserve the union" and not to abolish slavery. He claimed the Declaration of Independence rights were no longer valid. He published **No Treason: The Constitution of No Authority** and circulated the pamphlet. In it he presented a legal defense against the crime of treason.

Lysander Spooner spent most of his life seeking reforms to the "system" using his legal training and his financial failures in land speculation and postal reforms as a stimulus for action. Two of his other noted works were "**Natural Law or The Science of Justice**" and "**Trial By Jury.**" His pamphlets were part of an early anarchist movement.

About three weeks before his death Spooner felt ill but was not confined to his home in Boston, Massa-



Above: Stamps used by Lysander Spooner's American Letter Mail Company

Courtesy U. S. Postal website

Below: An advertisement that ran on the front page of the **New York Daily Tribune**

AMERICAN POST OFFICE

The American Letter Mail company has established post offices in New York, Philadelphia, Baltimore and Boton, and will transmit letters daily from each city to the others—twice a day between New York and Philadelphia. Postage 6¼ cents per each half-ounce, payable in advance always. Stamps 20 for a dollar.

Their purpose is to carry letters by the most rapid conveyances, and at the cheapest rates and to extend their operations (as fast as patronage will justify) over the principal routes of the country, so as to give the public the most extensive facilities for correspondence that can be afforded at a uniform rate.

The Company design also (if sustained by the public) is to thoroughly agitate the question, and to test the Constitutional right of the competition in the business of carrying letters—the grounds on which they assert this right are published and for sale at the post offices in pamphlet form.

chusetts, until a week later. Although he was sinking rapidly, he didn't call a doctor. He thought he knew his own constitution better than anyone and he hated doctors. He did not think his condition was fatal until Thursday, two days before his demise. A doctor was called, but his rheumatism and bilious fever had taken its toll. He lapsed into a coma on Friday and died quietly on Saturday, May 14, 1887. He was 79 years old.



Lysander Spooner's last home and place of death at 109 Myrtle Street in Boston, Massachusetts.

Spoooner's funeral was held at his residence, 109 Myrtle Street at 2:30 p.m. He was buried in Forest Hills Cemetery in Boston. The **Boston Globe** said "He died at one o'clock in the afternoon on Saturday May 14, 1887, in his little room at 109 Myrtle Street, surrounded by trunks and chests bursting with the books, manuscripts, and pamphlets which he had gathered about him in his active pamphleteer's warfare over half a century ago."

It was resolved at a memorial service to Spooner "That while he fought this good fight and kept the faith, he did not finish his course, for his goal was in the eternities, that, starting in his youth in pursuit of truth, he kept it up

through a vigorous manhood, undeterred by poverty, neglect, or scorn, and in his later life relaxed his energies not one jot; that his mental vigor seemed to grow as his physical powers declined; that although, counting his age by year, he was an

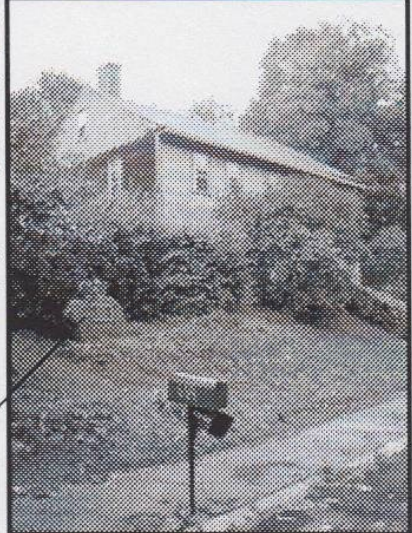
Lysander Spooner's tombstone



octogenarian, we chiefly mourn his death, not as that of an old man who has completed his task, but as that of the youngest man among us, - youngest because, after all that he had done, he still had so much service that the best we can do in his memory is to take up his work where he was forced to drop it, carry on with all that we can summon of his energy and indomitable will, and as old age creeps upon us, to lay the harness off, but following his example and Emerson's advice, 'obey the voice at eve obeyed at prime.'"

Adjectives describing Spooner found in various publications say he was an abolitionist, anarchist, bank clerk, businessman, Deist, economist, inventor, lawyer, legal theorist, and western land speculator. He was also said to be large-hearted and lovable, but his convictions were so strong that he had few friends. He was never married and had no family. Although he worked hard and gave valuable thought to the world and to the poor, he himself was poor.

During a steady rain on October 15, 2005, this pudding stone with 12 x 18" bronze plaque was installed commemorating the birthplace of Lysander Spooner. The house is located about 75 miles west of Boston in Athol, Massachusetts.



This is the birthplace of Lysander Spooner  
Jan 19, 1808 - May 14, 1887  
Champion of Liberty  
Lawyer, Abolitionist,  
Entrepreneur,  
Legal Theorist and Scholar  
In this house he wrote  
"The Unconstitutionality of  
Slavery"  
And other works  
Spooner died in Boston and  
is buried in  
Forest Hills Cemetery

Birthplace of Lysander Spooner  
Athol, Massachusetts

Sources: Goodyear, Lucille J. "Spooner vs. U. S. Postal System" *American Legion Magazine*. 1981. <http://www.lysanderspooner.org/hs+bottom1.htm>

Barnett, Randy. "The Volokh Conspiracy" October 15, 2005. [http://volokh.com/archives/archive\\_2005\\_10\\_09=2005\\_10\\_15.shtml](http://volokh.com/archives/archive_2005_10_09=2005_10_15.shtml)

Barnett, Randy. "Was Slavery Constitutional Before the Thirteenth Amendment?: Lysander Spooner's Theory of Interpretation." [http://randybarnett.com/PUBL\\_3.htm](http://randybarnett.com/PUBL_3.htm)

[http://en.wikipedia.org/wiki/Lysander\\_Spooner](http://en.wikipedia.org/wiki/Lysander_Spooner)

Greene, J. R. "Stamp-ing Around" *Athol Daily News*. May 4 & 10, 1977. <http://www.lysanderspooner.org/STAMP1.htm>

"Father of 3-cent Stamp" Spooner fought Post Office," *Linn's Weekly Stamp News*. Feb.-March, 1983. <http://www.lysanderspooner.org/STAMP2.htm>

"One of the Old Guard of Abolition Heroes, Dies in His Eightieth Year After a Fortnight's Illness." *Boston Daily Globe*, May 18, 1887. <http://www.lysanderspooner.org/OBIT.htm>

Shively, Charles. "Biography" *The Collected Works of Lysander Spooner*. M&S Press. 1971. <http://www.lysanderspooner.org/BIOchl.htm>

[Http://www.thehs.org/libertyguide/people.php/75860.html](http://www.thehs.org/libertyguide/people.php/75860.html)

CANAWLERS AT REST

HELP!! Your help is needed in writing articles for our "Canawlers At Rest" column in "The Hoosier Packet." CSI has a list of canawlers and information on them that we will send you to help in writing the articles. We also like to have a picture of the canawler, his obituary, a picture of his gravestone, and a map of the cemetery if possible. We ask that you present the events of his life in chronological order so that it is easy to see how it led to his connection with canals and how his canal work led to his later accomplishments. Your article will be edited, so it need not be perfect. We reserve the right to add information or pictures. If you are willing to help with this project please call CSI headquarters at (260) 432-0279 or E-mail us at [indcanal@aol.com](mailto:indcanal@aol.com) for a canawlers name.

Below is a list of all the "Canawlers At Rest" articles that have appeared in "The Hoosier Packet" since May 2002. Also shown is when they lived, who wrote the article and the issue in which it appeared. Many thanks to all of you who have contributed articles.

Aveline, Francis	1814-1865	Sue Simerman	August 2003
Ball, William J.	1814-1874	Carolyn Schmidt	August 2004
Carter, Chauncy	1796-1864	Carolyn Schmidt	July 2006
Carter, J Newlin	1819-1912	Charles Davis	September 2005
Carter, Thomas	1805-1873	Charles Davis	September 2005
Carpenter, Willard	1803-1883	Carolyn Schmidt	March 2004
Case, Reed	1808-1871	Mark Smith	January 2003
Christman, Nicholas	1834-1900	Carolyn Schmidt	October 2005
Coe, Isaac	1782-1855	Charles Huppert	May 2003
Coleman, Thomas	1818-1887	Carolyn Schmidt	November 2004
Comparet, David	1826-1903	Cynthia Powers	November 2003
Comparet, Francis	1796-1845	Cynthia Powers	July 2003
Conwell, Abraham	1796-1886	Carolyn Schmidt	May 2005

Cunningham, John R.	1820-1888	Carolyn Schmidt	April 2005
Darby, James	1819-1907	Carolyn Schmidt	December 2004
Deardorf, Robert	1808-1891	Carolyn Schmidt	November 2005
Dunn, George	1796-1854	Charles Whiting Jr	June 2003
Edsall, Samuel	1805-1865	Jim Ellis	November 2002
Edsall, William	1809-1876	Cynthia Powers	October 2002
Embree, Elisha	1801-1863	Carolyn Schmidt	July 2005
Fairfield, Asa	1797-1868	Sue Simerman	October 2004
Fisher, Stearns	1804-1872	Cynthia Powers	December 2002
Haney, William	1809-1889	Carolyn Schmidt	March 2003
Hanna, Samuel	1797-1866	Tom Castaldi	February 2003
Harrison, Wm. Henry	1773-1841	Charles Whiting Jr	January 2004
Hoagland, Pliny	1810-1884	Sue Simerman	June 2002
Linton, William	1794-1835	Bob Schmidt	July 2004
Long, Elisha	1794-1842	Charles Whiting Jr	July 2002
Lotz, Henry	1797-1845	Cynthia Powers	October 2003
McCarty, Nicholas	1795-1854	Charles Huppert	August 2002
McMannomy, John	1812-1899	Carolyn Schmidt	September 2004
McMannomy, James	1824-1906	Carolyn Schmidt	September 2004
Morgan, Oliver P.	1824-1900	Sue Simerman	December 2003
Puett, Austin M.	1803-1879	Carolyn Schmidt	March 2005
Ray, Governor James	1794-1848	Charles Whiting Jr	May 2004
Rockhill, William	1793-1865	Jim Ellis	April 2003
Rowley, Nathan	1788-1872	Carolyn Schmidt	December 2005
Sell, Sarah	1827-1918	Phyllis Mattheis	September 2002
Sell, Valentine	1819-1902	Phyllis Mattheis	September 2002
Sherwood, Marcus	1803-1880	Carolyn Schmidt	January 2005
Spooner, Lysander	1808-1887	Bob, Car. Schmidt	May 2006
Smythe, Thomas D.	1824-1880	Carolyn Schmidt	August 2005
Steedman, Gen James B	1817-1883	Carolyn Schmidt	April 2005
Stuart, Robert	1802-1842	Carolyn Schmidt	February 2005
Sturges, Solomon	1796-1864	Carolyn Schmidt	March 2006
Tipton, John	1786-1839	Cynthia Powers	May 2006
Tower, Benjamin	1819-1872	Carolyn Schmidt	February 2006
Vigus, Jordan	1792-1860	Thomas Castaldi	May 2002
Vinton, Elbridge Gerry	1824-1913	Phyllis Mattheis	September 2002
Whitcomb, Gov. James	1795-1852	Sue Simerman	January 2006
White, Albert S.	1803-1864	Mark Smith	September 2003
Williams, Jesse Lynch	1807-1886	Tom Castaldi	April 2004
Wright, Gov. Joseph	1810-1867	Carolyn Schmidt	June 2005