



## Bike Battles

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## CHAPTER 2

# THE RIGHT SORT OF PEOPLE

The Battle over Taxes,  
Sidepaths, and Roads at the  
Turn of the Century



**W**inning the legal battle over the right to use the road did not mean that bicyclists had won the war. An 1891 story in the *Chicago Daily Tribune* describes a grumpy, violent farmer, Absalom Wycoff, with a tendency to whip cyclists who failed to make way for his horse-drawn wagon. “If there was anything Farmer Wycoff hated worse than anything else it was a bicycle,” wrote the author, leaving unclear whether this was a factual report or parable. Wycoff was reportedly the author of a proposed municipal ordinance—which nearly passed—holding that any cyclist “should be considered a nuisance and be punished by fine and imprisonment.” It didn’t matter “that the courts were dead against him on this point, and that the legal status of the bicycle is the same as that of any other vehicle”: when he saw a cyclist ahead, he declared, “If that fellow don’t get out of my way . . . I’ll run right over him, b’gosh!” After horse-whipping several riders, Wycoff picked on the wrong man. “Without a word,” the aggrieved rider “laid his machine down, ran alongside the wagon, seized Farmer Wycoff, jerked him out, tore his best coat off him[,] . . . blacked his eyes, threw him down in the

road, picked up his whip, and belabored the squirming Absalom till he roared for mercy." The story ends with a handy moral: "And from that day to this he has never claimed proprietorship over more than his share of the public highway."<sup>1</sup>

From the bicycle's earliest adoption, the social markers of bicycling constrained its acceptance and political clout in North America and complicated cyclists' attempts to claim equal access to a commonly held resource. The social division between Farmer Wycoff and urbanites on bicycles was not bridged by appeals court decisions, and that gulf proved fatal for attempts to translate the social capital of cycling clubs into political leverage. In two related political battles—over taxation for roads and a proposed network of separate bicycle paths—social isolation contributed to cyclists' losses.

The social history of bicycling continues to shape popular perception of bicycles and their riders. If the first meaningful legacy of the bike battles was their inclusion in the legal definition of vehicles, the second was the general public's perception of bicyclists as "other." In the United States, the number of people identifying themselves as bicyclists has rarely been large enough to transcend divisions of class, race, and gender. Because of that handicap, and despite the determined efforts of advocates, bicyclists have never been considered fully a part of the larger imagined community of the American public. This imagined community is the way that people in a modern nation state—who would never meet each other personally, and instead learned of new and different groups through the popular press—came to place each other in their personal definitions of "us" and "them." The rules, laws, and accommodations that governments would make for bicyclists depended largely on whether they would be welcomed in the popular conception of the imagined community. In particular, the constantly renegotiated definition of what constituted a public good depended on whether cyclists were considered synonymous with the public, or whether they were instead considered a small subset of elites.

During the golden age of cycling, at least three competing, though interrelated, depictions of bicyclists existed in the minds



**Figure 2.1.** Representatives from different social groups argue over the right of way on a narrow dirt road in this *Harper's Weekly* illustration by A. B. Frost, 1896. The cyclists may want to overtake on the left, as a vehicle would, or may be ordering the wagon out of their way; the farmer is having none of it. National Archives RG 30 (37-788).

of the public. Positive elitism—mostly within the ranks of cyclists themselves—promoted cycling as a gentlemanly and morally uplifting recreation, and practitioners policed the group’s boundaries by excluding immigrants, women, and African Americans. Negative elitism—from farmers and opponents of taxation in support of bicycle infrastructure—portrayed the leisure cyclists of the 1890s as selfish dandies, urban fops, dangerous thrill-seekers, and self-serving, moneyed elites whose amusements got in the way of productive enterprise or local control. Finally, populist views considered cycling a morally uplifting pursuit for the lower classes and for women: these interpretations could be considered an outgrowth of positive elitism. In the end, none of these portrayals is entirely accurate. Each had elements of truth and fiction.

Such stereotypes structured several early political battles over bicycling, including the Good Roads reform campaign and a largely forgotten episode known as the sidepath movement. In both cases, bicyclists were aided by well-developed organizational structures and by their image as progressive, nonpartisan male urbanites. But by the same token, cyclists could be portrayed by political opponents as entitled elites, demanding that the rest of society subsidize their recreational or leisure pursuits.

The Good Roads movement promoted a then-radical proposal to tax the public to pay for state roads, superseding the locally financed and haphazardly engineered dirt roads of the nineteenth century with a road network incorporating technical expertise and bureaucratic control in the first decades of the new century. A great deal of the credit for the success of the Good Roads movement is today rightly attributed to bicyclists: they helped to assemble a vocal and organized political bloc to support road building. But farmers and other foes of general taxation were so effective in their criticism of cycling’s urban, elitist image that eventually the League of American Wheelmen chose to separate its cycling promotion from its Good Roads advocacy in order to avoid such criticism.

This perception of elitism spelled doom for another cycling initiative, sometimes known as the sidepath movement, which

sought to connect cities and towns by a separate, bicycle-specific network of improved paths, enabled by state law. Sidepath building boomed in upstate New York and briefly flourished in Chicago, Minneapolis, and elsewhere. These successes led excited cyclists to imagine a network of paths allowing them to “go from New York to any point in Maine, Florida or California on smooth roads made especially for them.”<sup>2</sup> But because cyclists could not successfully argue that the proposed sidepaths were a public good that would benefit all of society, they could not make a claim on public funding, and the financing was limited to charitable contributions and a user-fee model. By 1905, development of these paths had floundered. After that, bicyclists returned to plans for a single, combined road system, shared by bicycles, wagons, and eventually automobiles.<sup>3</sup>

The fates of these two advocacy movements illustrate the unintended impact of cycling’s association with “the right sort of people.” As the historians Jesse Gant and Nicholas Hoffman have put it, “Sorting out the sport’s proper boundaries would lead to decisions that ultimately undermined cycling’s future.” The battles over defining the cycling community in the 1890s would have a lasting effect on where anyone could ride for the next century and beyond.<sup>4</sup>

### THE SOCIAL BOUNDARIES OF GOLDEN-AGE CYCLING

The last decade of the nineteenth century could be described as the first golden age of American cycling, when the craze for the safety bicycle transformed both recreational and utilitarian cycling. The safety bicycle was named for the innovations that mitigated the considerable dangers of the high-wheel bike. Mostly based on a British model called the Rover, the safety took American cycling by storm. Chain-driven rear wheels allowed the use of gearing, by which a larger front chainring could turn a smaller rear cog. With the need for a massive front wheel thereby eliminated, the rider was closer to the ground, and less likely to go head over heels. Lighter frames made momentum less terrifying, and pneumatic rubber tires made the ride more comfortable.<sup>5</sup> In many ways,

the safety resembled a modern bicycle: models built in the 1890s could still be ridden by cyclists today. (Conversely, the brakeless, fixed-gear bikes favored by Brooklyn hipsters in 2015 could easily have been ridden by LAW members in 1892.)

The safety was more accessible not only by design but also financially, thanks to an innovative and expanding American manufacturing industry that pioneered mass production, standardization, and commercial sales. These developments created an interesting social conflict: a machine that had been an expensive, technologically advanced wonder at the beginning of the decade was a common commodity by the end. By the mid-1890s, huge numbers of regional manufacturers were producing as many as three million bikes a year—an incredible number in a nation of sixty-three million people.<sup>6</sup> Prices steadily declined when the nation experienced a serious depression beginning in 1893, and by 1902 department stores were selling bikes directly to children for fifteen dollars or less. But the early association of bicycles with elites and conspicuous consumption persisted.<sup>7</sup>

Hoping to defend the positive aspects of an elitist association, the LAW vigorously opposed opening up the ranks of cyclists. The group “has aspired to be an organization of gentlemen and ladies,” wrote one contributor to an 1896 LAW publication. “It doesn’t wish ‘sporty,’ ‘freaky,’ ‘woozy’ folks in it. When such persons do get into the League it should be the purpose of the members” to reform them. He continued: “Give them to understand that ‘dizzy dazzlers’ and ‘tiffy-toughs’ are quite out of place in this, one of the most respected and respectable organizations in the world.” Please, he begged, do not let it be “contaminated by dizzy, whizzy people with whom the good friends of the League do not care to be classed.” That August the LAW asked members to vet new applicants in order to keep out the riffraff, with telling emphasis: “We want members, but we *don’t want that kind*. The names of all applicants are printed each week in this paper. . . . [I]f you see in the list the name of any one who is not, in your estimation, a suitable person to become a member,” readers could object and trigger an administrative review of the application. Bicycling was meant to be a

refined exercise for elites, as an LAW editor wrote in 1896: "An overwhelming majority of bicyclists are ladies and gentlemen, and whether on or off the wheel conduct themselves courteously towards others." A Missouri correspondent continued the thought the following week: "A gentleman or a lady can still be gentlemanly and ladylike and present a neat and attractive appearance on their wheels, and there is no reasonable excuse, simply because one rides a wheel, for appearing in public indecently."<sup>8</sup>

Golden Age cycling was not mere transportation; it was a civilized social affair, in which wheelmen "flock together [and] form clubs with full sets of officers, institute races and lend life to asphalt celebrations," according to an 1889 article. Such behavior was unique to cycling, promoters claimed: "Owners of wheelbarrows do not amalgamate on the ground of a common interest in wheelbarrows, nor does property in a hand-cart or a delivery wagon constitute a bond of amity."<sup>9</sup> LAW members found in cycling a number of virtues, including companionship with upwardly mobile men, a desirable association with advanced technology and modernity, and athletic endeavors that were still considered refined and class-appropriate.<sup>10</sup>

Confusingly, a populist argument positioning the bicycle as the salvation of humanity was mixed in with this exclusionary language both in the LAW's publications and in the writing of nonmembers. The suffragist, reformer, and cycling proponent Frances Willard wrote in 1895 that she knew "tens of thousands who could never afford to own, feed, and stable a horse, had by this bright invention enjoyed the swiftness of motion . . . the charm of a wide outlook upon the natural world, and that sense of mastery which is probably the greatest attraction in horseback-riding." The argument was reinforced in an 1897 essay by another writer: "A bicycle is better than a horse to ninety-nine men and women out of a hundred, because it costs almost nothing to keep, and it is never tired."<sup>11</sup>

The most obvious way in which Golden Age cycling was both exclusive and inclusive came with increasing female ridership. The safety design made cycling accessible to women, and cycling in turn became a symbol of changing understandings of femininity





**Figure 2.2.** Well-dressed women in Rochester, New York, demonstrate the high status of 1890s cycling afforded by the safety bicycle—and the possibilities for personal freedom and recreation, within the constraints of propriety. From the Collection of the Local History and Genealogy Division, Rochester Public Library.

at the turn of the century. The bicycle came to be associated with the “New Woman,” an idealization of the educated and independent (yet painstakingly proper) young woman. One proponent of women’s cycling declared that “never did an athletic pleasure from which the other half is not debarred come into popularity at a more fitting time than cycling has today.”<sup>12</sup>

Yet the exhilarating freedom that the bike afforded women was accompanied by criticism and hostility toward unchaperoned, bloomer-clad women riders. Many women who rode were scrupulous in observing social niceties while cycling, adopting high-status clothing and restricting themselves to structured club activities. The LAW was an organization of men, and although it allowed

women in auxiliary divisions and occasionally as members, the language and content of its publications clearly signaled the second-class status of women cyclists. A week after the *LAW Bulletin* published one of its many sexist jokes, a woman writer chastised the editors, asking, "How would you like it if the women were to start a paper and devote it to slurs and jokes about the men?"<sup>13</sup>

The freedom afforded by bicycles made them a common plot device for romantic literature. After all, a couple on a bicycling excursion were traveling without chaperones, and a woman alone on a bike was most likely young, athletic, and adventurous, not to mention revealingly dressed—at least in comparison to constraining Victorian styles. Harry Dacre's 1892 song "Daisy Bell" is the best-remembered expression of this freedom. The chorus became an enduring symbol of the golden age of cycling, frequently referenced in journalistic coverage of bicycling in the coming century: "It won't be a stylish marriage / I can't afford a carriage / But you'll look sweet upon the seat / Of a bicycle built for two." But the words also described the secluded spaces available to a couple: "We will go 'tandem' / As man and wife . . . When the road's dark / We can both despise / P'licemen and 'lamps' as well." A convenient meet-cute between a solitary young man and cycling woman occurs on the first page of the 1901 novel *Rosalynde's Lovers*, as the protagonist, chasing a woman rider, finds "that she was going, indeed, at a racing gait, and against a rising wind, while her fluttering skirts, somehow showing her well-turned ankles and little feet, gave forth a twinkle of yellow and brown."<sup>14</sup> While such displays of properly attired female cyclists were barely acceptable within polite society, more racy exhibitions were taking place under the rubric of vaudeville shows, where trick-riding women wore *tights* before ticket-buying audiences. Immensely popular images of cycling women in skimpy outfits, often captured in postcards and advertisements, made riding a delicate balancing act between socially approved exercise and prurient sexualization.

Although the bicycle promised freedom for women, society still scrambled to set boundaries on that newfound liberty. Cycling women were the targets of jokes about their behaviors and cos-

tunes, reflecting nervousness about maintaining traditional gender roles. One newspaper writer observed “a couple dressed exactly alike—caps, coats, trousers, and stockings in a blueish drab material. I couldn’t tell which was the man or which was the woman, and went home in despair.”<sup>15</sup> Cycling bloomers were the symbol both of the New Woman and a target of sexist mockery. The result was that by mid-decade, according to one woman, “the majority of American women have declared in favor of the skirt in one form or another,” whereas bloomers were still for the adventurous.<sup>16</sup>

To modern sensibilities, the most odious form of social exclusion in cycling was racial segregation. In the national meeting of 1894, held in Louisville, Kentucky, the LAW voted to insert the word *white* into the requirements for membership. This change brought very positive feedback from the increasingly segregated South; LAW representative “G. E. Johnson . . . thanked the assembly in the name of the Kentucky division and the South, and promised the league 2,000 new members during the coming year and 5,000 a year following.” Black LAW members in Boston and across the nation protested, but to no avail. The vote reflected the fact that segregation was becoming the law of the land: the United States Supreme Court ratified that “separate but equal” society two years later in *Plessy vs. Ferguson*.<sup>17</sup>

The experience of the black professional cyclist Marshall “Major” Taylor powerfully illustrates the effects of the racial segregation of cycling. As a professional cyclist who competed internationally, Taylor was barred from LAW membership, irrespective of his race. But because the LAW sanctioned most races, even his participation was problematic. Although Taylor would go on to win a world championship and set world records, his ability to compete in races with white riders was severely constrained by epic fights within professional cycling unions, and his achievements have been forgotten by many Americans.<sup>18</sup>

The cycling color line was enforced through the popular media. The “darktown” series of lithographs produced by Currier and Ives in the 1890s would today be considered vicious racial stereotypes but were then apparently considered humorous art



suitable for home decor. The “Darktown Bicycle Club” images in the series mocked the clothing and physical characteristics of black cyclists, effectively indicating that the sport was reserved for a white elite. *The Darktown Bicycle Club Scandal*, a minstrel-show script published in 1897, supposedly portrays a meeting of an African American club. In the mind-bending manner of minstrel shows, the script sets racial boundaries by allowing white clubwomen in blackface to mock black bicyclists’ pretensions through role playing, even while imagining the club members as the ones doing the social exclusion by

**Figure 2.3.** The color line in bicycling was visible in the minstrel shows, exclusionary laws, and racist media depictions that were common across the increasingly segregated United States around 1900. This lithograph, one of a series from the popular printmaker Currier & Ives, mocks the social pretensions of the cyclists: lacking air-filled tires, the central figure has tied pillows onto his wheels to cushion the ride, but the illustrator has him possibly mixing up *pneumatic* for a pidgin form of *rheumatic*: “Hooray for de rumatic! Dont she glide lubly.” LC-USZC2–2171, Library of Congress Prints and Photographs Division.

expelling one of their own. The exaggerated dialect of the script derided African American attempts to enter into polite athletics: “Ladies an’ fellow-clubbers, I calls you to order to consider de matter ob dispellin’ from dis select an’ high-toned organization, a lady who has brung disgrace upon it,” proclaims one character. The script ends with a particularly egregious song:

Oh, but de darkey is a scorcher. So  
 Look out for club gals, dey’re de stuff  
 Dey’re out in eb’ry shade;  
 De Coons take first place,  
     ’tain’t no bluff,  
 When dey turns out on  
     parade.<sup>19</sup>

### BUILDING GOOD ROADS AND LEISURE PATHS BEFORE 1898

When cyclists began to organize politically to campaign for improved roads, these opposing currents of elitism and populism became critical. Rural American roads were almost all bad. Unpaved and lacking adequate drainage, most were nearly impassable after rain or snow. In its weekly *Bulletin* and occasionally separate monthly *Good Roads Magazine*, the LAW spent decades pushing for better roads. “The Road is a Creation of Man and a Type of Civilized Society,” declared the cover page of many of these publications. In the language of policy analysis, the LAW “captured” the only national-level office responsible for road improvements, the Bureau of Road Inquiry; the LAW lobbied for more money for the bureau, and the bureau in turn sponsored the LAW.<sup>20</sup> But whatever the arrangement, in the decades before the automobile, bicyclists were the driving political force for road improvement.

The state of nineteenth-century roads was a symptom of an essentially local, decentralized system of financing road construction, itself the consequence of weak municipal governments and a distrust of public works. Before the twentieth century, most urban streets were paved only when adjoining property owners—abutters—clubbed together to fund the work. Rural roads were

built by the occasional “working out” of road taxes, where nearby property owners were required to provide a week or so of their own labor in a work gang under the supervision of an appointed county “pathmaster.” This road gang or “statute labor” system appealed to cash-poor farmers and kept decision making local, but it had obvious limits; one historian has called it “quasi-feudal.” Often derided by reformers as a “neighborhood picnic,” such gangs lacked engineering or surveying skills, specialized equipment, or incentives to do good work. Most repair work consisted of piling up loose dirt in the center of the road in the hope that it might level itself. The results were predictable: a muddle of randomly built and poorly maintained dirt roads. As usual, Mark Twain summarized the situation best, claiming that if he ever went to hell, then he would want to go by a bad road, so that he would at least be glad when he got to his destination.<sup>21</sup>

Beginning in the 1880s, Good Roads reformers campaigned for improvements. These advocates are early examples of Progressive reformers: they were urban, middle class, efficiency minded, and nationally organized. They favored technocratic solutions over messy and graft-fueled governments, even if their reforms might have unintentionally antipopulist or antidemocratic results. The Good Roads movement began and had its first victories before the internal-combustion automobile even existed: it sought better conditions for the bicycle and horse-drawn vehicle. The great difficulty with such reform, as always, was deciding who would pay. The Good Roads proposal was to fund professional road improvements through state taxes. Farmers, however, feared that they would be forced to pay for nearby improvements to meet the “recreational imperialism” of urban cyclists, following the traditional mode by which abutters funded road construction.<sup>22</sup> “There is altogether too much preaching on the part of the wheelmen,” complained one New York farmer in 1893: “It is always easier to advocate the expenditure of other people’s money.” Along with other problems, these sorts of disputes between rural farmers and urban reformers limited the success of the Good Roads movement before the twentieth century.<sup>23</sup>

Because of these early political divisions, some cyclists in the 1890s created their own alternatives to unimproved dirt roads: separate bicycle paths with packed-gravel or cinder surfaces, financed by voluntary subscription. Cyclists in Chicago proposed a “sort of bridle path, such as is provided for equestrians, except of course with a different surface” in city parks and alongside Douglas Road in 1895. In the next year, Portland, Oregon, riders started with one thousand feet of path along Riverside Road. Cyclists in North Adams, Massachusetts, paid a \$1 club membership fee “devoted exclusively to the construction of sidepaths” in 1897. Seattle cyclists enjoyed twenty-five miles of charitably funded trails around the same time and dreamed (unsuccessfully) of building a trail to neighboring Tacoma by selling shares of stock. Denver cyclists funded their own fifty-mile path to Palmer Lake entirely by subscription in 1898.<sup>24</sup>

In Minneapolis, city workers built six miles of paths in 1895, and a path was constructed to connect Minneapolis and St. Paul the following year. The projects were mostly funded through charitable donations, despite the view of some city officials that these should be considered public works. “Several efforts have been made . . . to set aside a special fund,” reported the city engineer, “but the public demand for lower taxation has invariably defeated the proposition.” He continued to point out the unfairness the following year: “While . . . the custom is to build cycle paths by subscription in different cities, this appears to me a hardship. . . . [T]his should be borne by the people as a whole.” Despite the lack of tax funding, nearby St. Paul still built fourteen miles of paths in 1897 by combining private donations with city funds.<sup>25</sup>

These paths had many limitations. Intended for recreational rather than transportation purposes, most of them rambled through parks, forests, or fields, only occasionally linking with roads. And the practice of funding the paths through private donations from users appeared, to some cyclists, “a slow and unsatisfactory method.”<sup>26</sup> Beginning in 1896, counties across the Midwest and Northeast began exploring ways to institutionalize and pub-



licly fund not just individual paths but networks of bicycle-specific paths alongside roads, within the existing right-of-way.

The first of these sidepath experiments inspired many subsequent projects. Its originator, Charles T. Raymond, was an avid cyclist and successful businessman in the industrial city of Lockport, New York. In 1890 he had helped to organize the Niagara County Sidepath League, an organization that built short paths funded by club dues that any cyclist could use. This funding mechanism seemed unfair to Raymond, and he “adopted and promulgated the doctrine that ‘what all use, all should pay for,’” according to a laudatory article. He drafted an 1896 state law permitting Niagara County supervisors to tax all bicycle owners and build paths with the proceeds; bicycle owners would pay their local treasurer or tax assessor once a year, and those funds would be set aside for path construction.<sup>27</sup> After that law was passed, Raymond drafted a bill that would expand the power to counties statewide.

The LAW, however, was not supportive: it opposed sidepaths as distractions from its own project of building good public roads. According to sidepath proponents, the group’s leaders called “upon all wheelmen to strenuously oppose the passage of any such bills.” One founding LAW member wrote in an 1896 *Bulletin* that “I fear . . . that the result of obtaining special paths will be a strong feeling by drivers of horses that we don’t belong *with them* on the good roads which we have done so much to create.” In the same issue, a letter from a New Jersey member condemned “selfish cycle paths” that could only “be of use to but part of the traveling public.”<sup>28</sup> With that reasoning, in 1897 members of the New York LAW chapter “went to Albany and spent time and money till the defeat of the Raymond bill was assured.” The leadership opposed similar legislation creating separate bicycle-specific paths in 1898, fearing that it would threaten the passage of their preferred Higbie-Armstrong bill. That bill, a major Good Roads achievement, stipulated that the state should contribute 50 percent of the cost of building roads. These types of legislative actions emphasized building improved roads that could be shared by varied users, not



separate paths for bicycles alone. Political division among cyclists thus weakened the impetus for sidepath construction, and few counties followed Niagara's lead before 1898.<sup>29</sup>

The next political development was instrumental in both the immediate success and the eventual failure of sidepaths. Not far from Charles Raymond's successful experiment in Niagara County, the city of Rochester (in Monroe County) was embarking on its own initiative. Like Lockport, Rochester was a booming industrial city, and cycling was popular. The Rochester *Union Advertiser* declared in 1895 that the city was "the greatest bicycle town in the country," and that a visitor "would think the whole place moved on wheels."<sup>30</sup> But when an 1896 bill based on the Niagara model proposed to allow Monroe to tax all cyclists one dollar to fund the building of paths, there was a significant backlash, based on the premise that it was unfair to tax all cyclists for a resource that only some would use. The editor of the *Post-Express* claimed that many "regard the tax as an outrage," as it unfairly allowed cycle-path riders "to reap substantial benefits at the expense of others, including women and children." The "vicious principle" of "class taxation" was the central problem, argued the writer: "There is no more reason why the bicyclists should be taxed for cinder paths than that owners of vehicles should be taxed for the construction of better highways." Complaints against the taxation of the many for the benefit of a few—presumably elite male cyclists—was a common refrain: "Twenty thousand wheel owners ought not to be taxed for the benefit of a few hundred," argued the *Post-Express* that May.<sup>31</sup>

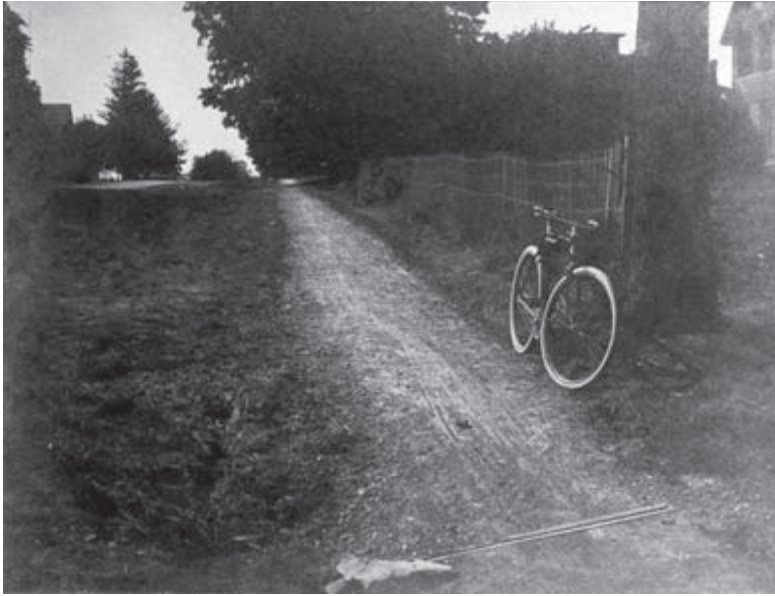
The same point was expressed forcefully by a county resident, Franklin Smith, who took the bully pulpit of a national magazine (which eventually became *Popular Science*) to describe the debate in Monroe. He railed against "the most ignorant" minds involved, their "perverted opinions," and "amazing exhibition of selfishness." Smith was not arguing against the sidepaths themselves, which he described as an obvious improvement. Instead, he argued against the political philosophy of taxation for the general welfare. He noted that "[Herbert] Spencer's social philosophy teaches that the

improvement shall be undertaken voluntarily by those alone that desire it," he wrote. "What [it] forbids is that they should ever resort to the argument of coercion to secure the aid of others." Smith derided urban leisure cycling, arguing that he was defending "the rights of those bicyclists that might never have time to take an excursion into the country." Hyperbolically, Smith claimed that a privileged group of middle- and upper-class men could unfairly benefit from taxing "the shop girls, the mechanics and laborers, the servant girls and messenger boys, and the impoverished invalids" of the county. There is no evidence that Smith's picture of these social groups reflected reality, but with this sort of opposition, it was no wonder Monroe County's tax proposal failed.<sup>32</sup>

Instead, the county turned to voluntary associations and subscriptions to finance sidepaths.<sup>33</sup> With leadership from the editors of the *Post-Express*, cyclists raised money through donations, subscriptions, an annual trade show, and a "Calithumpian Parade" of bicycle clubs. Smith, for one, found this charitable approach praiseworthy. From its success, he felt justified in generalizing that "no practical problem of social reform has been or can be suggested that can not be solved by voluntary effort." Like many of his contemporaries, Smith felt that government intervention in society for the benefit of any single group was abhorrent.<sup>34</sup>

### SIDEPATH SUCCESS AND FAILURE, 1898–1902

While California, Washington, New Jersey, and the Province of Ontario passed state-level sidepath laws before 1899, they were quite limited, allowing sidepaths to exist but not providing funding or directing counties to build them.<sup>35</sup> But the sidepath movement was about to go nationwide and escape the early limits of both the Good Roads movement and leisure-path construction. It began in 1898, by which point six New York counties had passed six different sidepath laws. Hoping to address this confusion, Frank J. Amsden and Charles Raymond collaborated to draft unified statewide legislation after a November 1898 convention of sidepath advocates in Rochester. The resulting legislation sparked enthusiasm and experimenta-



**Figure 2.4.** Part of a sidepath network stretching hundreds of miles, the Churchville Path in Monroe County, New York, ran alongside the unpaved road through city neighborhoods. According to a 1900 guide, it headed out of Rochester along West Avenue, then ran eleven miles to Churchville and on to Buffalo. From the Collection of the Local History and Genealogy Division, Rochester Public Library.

tion across the nation.<sup>36</sup> New York's General Sidepath Act of 1899 allowed a county judge, "upon the petition of fifty wheelmen of the county," to appoint a commission of five or seven persons, "each of whom shall be a cyclist," to represent the county. These commissioners were "authorized to construct and maintain sidepaths along any public road, or street" with the approval of elected officials. As such, the sidepath commissioners sidestepped the authority of traditional pathmasters, whom Good Roads reformers had dismissed as lazy and corrupt.<sup>37</sup>

Before roads were widened and paved, and before cities required abutters to install (or pay for) concrete sidewalks and curbing, advocates took advantage of the transitional state of the built environment to insert sidepaths into the urban landscape.

The proposed paths “shall not be less than three feet or more than six feet wide . . . and shall be constructed within the outside lines and along and upon either side of such public roads and streets.” While they were to be built within the established legal right of way, the sidepaths were separated from both the adjoining road and from existing sidewalks.<sup>38</sup>

The 1899 New York state law, and its 1900 revision, had to avoid portrayals of negative elitism. Although his original Niagara County law was tax-based, the opposition in Monroe County apparently convinced Charles Raymond that “the license system was more equitable and would be more popular.” Thus the state law charged only those who chose to ride on the path (in what later policy makers would call a user-fee model).<sup>39</sup> Commissions were to “adopt a form of license, badge, emblem, or device suitable to be affixed to a bicycle.” The tag would cost a cyclist at least fifty cents a year, and the proceeds (along with any charitable donations) were to constitute the entire operating budget of the commission. Such funds were to be used to purchase land and materials, to build and maintain sidepaths, and to plant “shade trees along such paths” where appropriate. Because the sidepaths were enshrined in state law, local police could take tagless scofflaws before local courts to extract fines.<sup>40</sup>

### The Failure of Bicycle Taxation

The sidepath commission was a compromise between constraining laws and conflicting political philosophies. Its establishment as a commission and not an agency or bureau distanced the sidepath system from coercive government. The state was not directly extracting a tax: instead, like a parks commission, the sidepath commission was a quasi-state entity made up of appointed members of the public commissioned to do the work of government. The fact that it was funded solely by users of the path skirted legal objections against blocking a citizen’s right to travel on the public road while also avoiding accusations of elitism or taxation of all for the benefit of some.<sup>41</sup>

There were still a few legal potholes. Courts held, in theory, that

bicycles could be taxed as property, but in the decades before the motor vehicle, the practice of levying a special fee as a prerequisite for bicyclists to use a common resource—and banning scofflaws for failing to pay—was problematic. Writing about a proposed special tax on bicycles, one LAW member weighed in, asking “if horse owners are made to pay a special tax to pay for the paths that have been built for their benefit.” If not, “it seems a case of prejudice.” On the other hand, the legal definition of the bicycle as a vehicle might imply that laws classifying carriages as taxable property would also apply to the bicycle. In Kansas, the *Wichita Daily Eagle* agreed that “as a vehicle it must be taxed. Its value is as great as that of any horse or of any ordinary buggy.”<sup>42</sup>

Out of this conflict, courts concluded that taxation was legal only if governments did not block a bicyclist’s right to travel on the public roads. Late-nineteenth-century political philosophy held that the police power could be used to regulate, but not impede, a constitutionally protected freedom of movement, and it could not regulate bicycles differently from other vehicles. Along with the philosophical problems, an 1896 Chicago newspaper story argued that it was impractical to even try to exclude bicyclists from the roads: “The trouble . . . lies in the fact that wheelmen will always want to go wherever other vehicles are allowed, and will not be content with separate paths.”<sup>43</sup>

Because of these complications, sidepath legislation based on Charles Raymond’s original taxation model ran into problems in three states. Oregon’s 1899 law, which allowed counties to tax all bikes if they wished, funded nearly fifty-nine miles of six-foot-wide gravel paths in the city of Portland.<sup>44</sup> But the law was challenged by a city cyclist who refused to pay the \$1.25 tax and subsequent \$1 fine when the Multnomah County Sheriff seized his bike for nonpayment. The state supreme court agreed with the aggrieved cyclist, finding that the bicycle tax violated three sections of the state constitution and, further, that it “constituted double taxation” of personal property.<sup>45</sup> For slightly different reasons, in 1901 the Washington Supreme Court declared its own state law of 1899 unconstitutional. Under that law, Washington

cities could require all bicycle owners to pay for a license, create a fund with the proceeds that could be used to build either paths or roads, and fine owners of unlicensed bikes who attempted to take to the city roads.<sup>46</sup> But the justices ruled that the small town of Hoquiam could not charge bicyclists a special fee when horse and carriage riders were not required to pay a similar fee. When two cyclists rode their unlicensed bicycles on the street, the city was wrong to fine them: "A municipality . . . is without power to exact a license fee as a prerequisite to the right to travel on its streets," declared the justices, "and is without power, therefore, to require a license fee as prerequisite to the right to ride a bicycle thereon."<sup>47</sup>

Pennsylvania's tax-based sidepaths also proved controversial. In Bradford County, the sidepath commissioners appointed in April 1899 immediately attempted to collect a dollar tax on all bicycles. The county commissioners objected, noting that by law the sidepath commissioners' tenure did not begin until January of 1900 and that they had no legal power to tax until then. When the sidepath commissioners brought suit, the courts sided with the county: no matter how enthusiastic, a small group of citizens could not forcibly extract money from the entire county without the legal power to do so.<sup>48</sup> This early disagreement led to disaster for the state law, as the same county commissioners successfully brought suit against the sidepath commission's very existence. The county Court of Common Pleas found the entire idea repugnant to the state constitution, which declared that "the General Assembly shall not delegate to any special commission . . . any power . . . to levy taxes or perform any municipal function whatever." As such, in the opinion of the court, "there are no such officers as sidepath commissioners authorized by law and with power to receive funds raised by a tax on bicycles," and all monies previously collected were therefore ruled unconstitutional seizures.<sup>49</sup> When a similar disagreement between county and sidepath commissioners in Erie County reached the Pennsylvania Supreme Court in 1901, the justices declared that special commissions and unelected commissioners were both unconstitutional. Sidepath funding by taxation

in the state had two flat tires, and in 1907 the legislature had to arrange to return the proceeds to the general fund.<sup>50</sup>

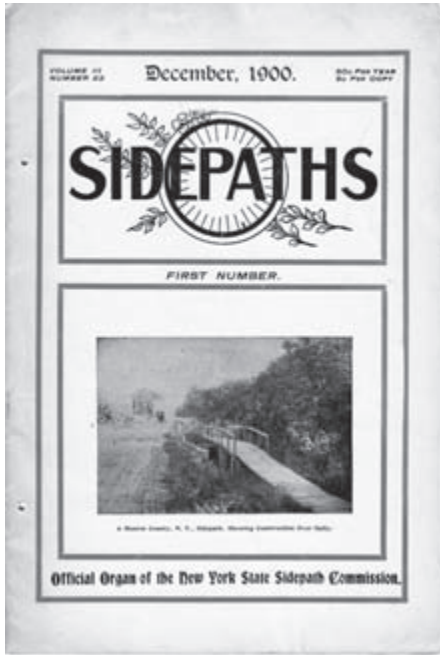
### The Dream of a Sidepath Nation

While sidepath legislation taxing all bicycles was being defeated elsewhere, the user-fee model of New York State was experiencing more success. Following the initial six counties that adopted this model, eight more took steps to create bicycle paths. The scale of these projects varied widely, with those of Niagara and Monroe counties dwarfing all others; Warren County reported collecting only three hundred dollars in 1901, a tenth of Niagara County's budget for the previous year.<sup>51</sup> Monroe County had constructed 150 miles of paths by 1900.<sup>52</sup>

By the dawn of the new century, a nationwide sidepath boom was under way. Avoiding the difficulties of Oregon, Pennsylvania, and Washington, all subsequent state laws were modeled on New York's 1899 act, with legislatures enabling county-level sidepath commissions to raise funds through license sales. Maryland, Ohio, and Rhode Island passed sidepath laws in 1900, and Connecticut, Florida, and Minnesota followed the next year.<sup>53</sup> Massachusetts, New Hampshire, Vermont, and Wisconsin all explored New York-style sidepath bills in 1900 and 1901.<sup>54</sup> Nor was the sidepath boom limited to the United States: the Canadian provinces of Ontario and Manitoba were working on their own cycle-path licensing laws in 1900, with Manitoba's passing in 1901. The sidepath scheme of the city of Winnipeg was eventually hugely successful, with more than eight thousand riders purchasing licenses annually by 1905.<sup>55</sup>

But legislation did not necessarily translate into physical paths. While Florida's law was almost identical to those of other states, there is no evidence that any sidepath commissions were formed. On the other hand, individual cities or counties could establish sidepath schemes without the aid of state legislation. Salt Lake City, Utah; Keene, New Hampshire; Spokane, Washington; and Portage County, Ohio, all created user-fee tag systems or built paths autonomously.<sup>56</sup>

Backed by state laws or not, across the nation, long-standing



**Figure 2.5.** A December 1900 cover of the now largely forgotten journal *Sidepaths*, showing a bicycle path and bridge built to the right of an unimproved road in Monroe County. Although the movement originated in upstate New York, the journal covered sidepath politics and engineering across the nation and united a wide audience behind the goal of creating networks of bike-specific paths, financed by user fees and enshrined in state law.

associations of bicycling with elitism continued to make it difficult for advocates to defend paths as a public good. A number of paths had already been built through voluntary contributions in Minneapolis and St. Paul. Despite concerns that the network had too many “free riders,” forcing everyone to pay for the resource was seen as unjust. The first city ordinance intended to create “an equitable distribution of the cost of the cycle paths” was quickly vetoed. Approving of the mayor’s action, the editors of the *St. Paul Globe* described the ordinance as “radically obnoxious” and objected to the aspects of the plan that smacked of “class legislation”: “The public thoroughfares are public property, and their use should be free and unrestricted,” wrote the editor. “If it is proposed to tax the owners of bicycles, that is another proposition; but to exclude them from the use of the cycle paths because they have not paid a fee is clearly unjust discrimination and against all true public policy . . . as long as our streets are not private property, we hope never to see” laws prohibiting any group from using public roads.<sup>57</sup>



This debate was conducted in venues both large and small, the heated exchanges highlighting the lack of clear solutions. A journalist at the nearby *Bemidji Pioneer* argued against others' view that "inasmuch as cyclists are the only ones who benefit by paths they should bear the expense." Quite the contrary, he observed: "The bicycle is just as much a means of locomotion as is the carriage, whether the object of its use be business or pleasure. Such being the case, the cycle path should be regarded as part of the highway and maintained as such." Another writer continued to argue for the user-fee model, even while admitting the deficiencies of the voluntary system: "The cycle tag in St. Paul has represented little more than an individual expression of appreciation," he complained in the *Globe*. "The problem is how to make it more than that without invoking compulsory public agencies." Voluntary contributions were not enough to support the goal, and mandatory taxes on all cycle owners were considered unfair. But any requirements to purchase tags were increasingly ridiculed as "class legislation," taxing the lower classes to benefit those above, and the public was not interested in paying for the hobby of a social elite. What could be done?<sup>58</sup>

The New York model was seen as a middle-ground solution, and Minnesota journalists predicted that new legislation could build paths "under the direction of a side path commission similar to the New York commission."<sup>59</sup> The resulting 1901 bill enabled side-path commissions funded by user fees in the largest three counties of the state.<sup>60</sup> The *Globe* felt that the change addressed the "free rider" problem, noting that before the 1901 bill's restrictions, "tags were only bought by the enthusiastic wheelmen, and . . . a great many wheelmen did not think [it] necessary to pay a dollar." By 1902, the private St. Paul Cycle Path Association had declared itself defunct and transferred its funds as well as its officers to the new county sidepath commission. Minneapolis chose not to create a commission and instead stuck with its previous ad hoc alliance of multiple governments, agencies, and the volunteer cycle-path association. But by 1902, both approaches appeared successful: St. Paul boasted 115 miles of paths built for the use of a reported twelve thousand cyclists. Selling tags through the city clerk's

office, Minneapolis built a network of more than fifty miles of side-paths by 1902, expanding to seventy-four miles of paths within the city “and perhaps as much more outside the limits” by 1906.<sup>61</sup>

New York’s user-fee model looked like a good choice, since commissions designed to avoid taxation appeared to be acceptable to state courts. Helene M. Ryan, the owner of what was then rural property in Suffolk County, New York, brought suit in 1901 to prevent the construction of a path along South Country Road near Bay Shore, on Long Island. But the court found that the path did not “impose an additional burden on the highway” and was thus constitutional.<sup>62</sup>

The first years of the new century were the high point of the sidepath movement, fostering dreams of a two-wheeled future. Newspapers imagined a network of bicycle-only paths stretching uninterrupted “from New York to Buffalo and between Detroit, Chicago, Milwaukee and Minneapolis,” thus creating a “transcontinental highway” of sidepaths, putting Europe to shame and making the United States “pre-eminently the country for tourists.” Some of this actually got built: Monroe County had expanded its network of bicycle-specific paths to cover two hundred miles by 1901, and a few other counties across the nation were experiencing more limited success. The sidepath commissioner in Oneida County, New York, was prepared to claim victory, claiming at the 1900 sidepath convention in Utica that “the building of side paths, which was started as a matter of sentiment by public spirited citizens through voluntary subscriptions, has passed the experimental stage, and is now a matter of business.”<sup>63</sup>

By the end of the century, even the LAW seemed to have overcome its previous objections. The group had still been hedging its bets in 1898, when the LAW president grudgingly committed to “the construction of cycle-paths in those parts of the country where good roads are not found and cannot reasonably be looked for in the near future.” But for several years after 1900, sidepath and Good Roads advocacy existed side by side in LAW publications; one article proclaimed that “within five years this country will possess a system of sidepaths that will extend almost everywhere.”<sup>64</sup>

### The Sidepath Not Taken

But the dream of a national network of sidepaths was already fading, hamstrung by the insularity of cyclists. Like a receding tide revealing rotten piers, by 1905 the decline of the exuberant bike fad left the sidepath movement exposed and unable to support itself. The decline in public interest exposed the inherent weakness in the movement's structure: a small, insular group proved unable to create lasting infrastructure without broader support.

The mismatch was obvious in Genesee County, New York, from the start. When the sidepath commissioners organized a public auction for sidepath licenses in 1899, "the auction wasn't the complete success that was hoped for." Just eighteen tags out of the planned one hundred were purchased. At the next year's auction, Commissioner James A. Le Seur tried his best: "You people don't act as though you wanted these tags very badly," he hectored the crowd. "You want sidepaths, but you must know that they can't be built without money."<sup>65</sup>

Le Seur's words were not enough: the sidepath commission ran out of funds at the very beginning of the summer construction season, bringing work to a halt on June 14. The *Genesee Daily News* tried to put a good face on it: "As soon as the Commissioners secure additional funds the path from Le Roy east to the county line . . . will be completed." But at the start of 1901, the commissioners had a grand total of \$1.78 in the bank. They scaled back both fund-raising and operations, canceling the public auction "as so little interest was manifested." They also declared that "no new paths should be undertaken at the outset, or at any time during the season, unless the sales of tags warranted." By May, there were not enough cyclists purchasing tags to even cover repair or maintenance. "The wheelmen seem to take little interest," mourned the *Daily News*. "Without funds the Sidepath Commission can do no work on the paths, and there is no way to get money except from the sale of tags. The paths . . . are not in firstclass condition and cannot be improved until coin is obtained. . . . It rests with wheelmen to decide whether the necessary improvements shall be made."<sup>66</sup> The decision was in the negative: after 1901, the *Daily*

*News* carried no stories about either the sidepath commissioners or their creations. In Genesee and elsewhere, the much-ballyhooed sidepath network was falling apart.

The last gasp of the sidepath movement was an attempt to reintroduce the idea of taxation. While some counties were still successful with funding paths through user fees, Fulton County's *Gloversville Daily Leader* lamented that "in many the receipts are largely expended in repairs, and few extensions are being made, and in some counties the commissioners have given up and resigned in despair." At a state convention of sidepath commissioners, Charles Raymond argued that "the time has arrived, when a part of the construction should be borne by the entire community and not thrown upon the shoulders of a few wheelmen." Road building offered a handy comparison: "No one would think of attempting to build all the roads in the state from the proceeds of a license on vehicles using them," argued the *Gloversville Daily Leader*. "The slogan of Mr. Raymond would be 'What is of benefit to all, all should pay for.'" With that change, opined the newspaper, the state could still be "gridironed with a perfect system of sidepaths."<sup>67</sup> But Raymond's new proposal never made it to the state legislature.

As the commissions weakened, their sidepaths eventually disappeared under newly paved and widened roads. The *Brooklyn Daily Eagle*, after describing the exhaustion of the long-suffering and often-sued Suffolk County sidepath commissioners in 1907, worried that "it is possible that when the state engineer comes along" to survey for newly-funded state roads, "he will demand that the entire width of the roadways where sidepaths now are, be graded, which would cut out the sidepaths." With prescience, the newspaper opined that "it is to the interest of everybody, school children especially, that the sidepaths be allowed to stand, as it is too dangerous in these days of automobiling for a bicyclist to be compelled to ride in the road."<sup>68</sup> But that appears to be exactly what happened: comparing maps from different decades indicates that sidepaths simply disappeared under widened roadbeds. At the time, many cyclists were delighted by the newly paved roads; few realized then that automobiles would eventually threaten their

travel. This outcome would have been inconceivable to the *Daily News* journalist who confidently predicted in 1900 that the paths would never disappear, since legal sources assured him that “a strip of land ‘once a sidepath, would always be a sidepath.’”<sup>69</sup>

### THE PROBLEM WITH ELITES

The funding mechanisms for sidepaths were determined by arguments over whether the paths served a public good. The LAW employed language that claimed the benefit of roads for all, arguing that the prior “work gang” system of rural road building was an “injustice” to the general populace. “Equality of taxation is a familiar principle,” argued one Good Roads advocate, “yet nothing would be more unequal than to tax farm property alone for the construction of roads which ultimately benefit the entire community.” While such arguments had already been applied with success in securing funding for public schools, they failed in the case of sidepaths. It was just too difficult to argue that “cyclists” and “the public” were one and the same. As such, the failure of the sidepath movement was primarily one of social class and social capital. The movement had begun with urban and elite cyclists who were fed up with rural opposition to road improvement. As one cyclist complained 1896: “Why should the bicyclist carry the farmer like a millstone around his neck? What has the farmer, the man most interested, done for good roads when left to himself?” But such distinctions doomed later appeals for public support, and the rhetoric soured attempts to claim that bicycle paths could be counted as a public good. In Monroe County, attempts to tax all cyclists to build sidepaths proved disastrous, susceptible to arguments that an elite group of middle and upper-class men were unfairly benefiting from the taxation of all. For similar reasons, all subsequent sidepath projects were limited to essentially voluntary funding. The sidepath movement was just too early for its own good, emerging before the growing acceptance of twentieth-century funding mechanisms that overcame objections of taxing all for the benefit of some (as in the cases of public schools and

urban infrastructure). These developments might have made path building possible.<sup>70</sup>

If cyclists lost the sidepath battle partly because of the rhetoric of exclusivity, they simultaneously won and lost the Good Roads battle for the same reason. The LAW fought against accusations of elitism for more than a decade, claiming that the interests of urban and rural, rich and poor, were served by good roads. But according to one historian, the association of the bicycle with the urban upper class “threatened to scuttle the campaign for better roads,” leading the group to “downplay their cycling interests when they discussed highway politics” after 1900.<sup>71</sup> Success eventually came through alliances with farmers, which required the Good Roads reformers to obscure their associations with cycling. But hiding bicyclists’ political investment in the new commons, even when the Good Roads movement succeeded, meant that the bicyclists lost. Without broad public support, cyclists were limited to essentially charitable projects, dooming cycling infrastructure.

Farmer Absalom Wyckoff’s habit of horse-whipping cyclists looks a bit different from this perspective. The newspaper related his story as an allegorical tale of overcoming an outdated objection to competing use of the roads, with Wyckoff being taught a hard lesson by a cyclist. But from a modern-day perspective, the crux of the story is the social division between the farmer and the cyclist. This division has persisted in one form or another to the present day. Bicycles were originally identified with dandies in Europe and then with urban elite males in the United States. In the early twentieth century they were associated with childhood; since then they have been variously linked to urban poverty, jobless hipsters, effete environmentalists, and immigrant groups. Whatever the association, bicyclists commingling with motor vehicle traffic are still considered oddities: not fully American; not equally deserving of protection or public expenditure; parasites on the gasoline taxes paid by automobile drivers; and symbols of white, middle-class, urban, environmentalist elitism. Bicyclists remain “them,” not “us.”