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Uncle Sam's Farm: Congress and Free Land Policies in the Nineteenth Century

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Abstract

This paper explores the community of the U.S. Congress and its various approaches to the dispersal of the public domain over the course of the nineteenth century. Congressional decisions stand not only as the work of a community of lawmakers, but also, through individual votes, reflect the values and beliefs of the communities represented by individual legislators. This paper seeks to understand how the Congressional community understood the various issues related to free land legislation, beginning with preemption acts in the early nineteenth-century, and various other legislative efforts to govern the dispersal of the public domain. The paper will examine in depth the ways in which ideas about gender, race, and citizenship impacted three specific pieces of free-land legislation, beginning with the 1850 Oregon Donation Act. This research also considers these issues as related to the Homestead Act of 1862 and the 1887 General Allotment Act (1887). Ultimately, this paper explores how legislative decisions regarding the public domain were arrived at and what these decisions tell scholars about the community of Congress and the communities these men represented.

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The brave in every nation are joining heart and hand
And flocking to America, the real promised land;
And Uncle Sam stands ready with a child upon each arm,
To give them all a welcome to a lot upon his farm.

Then come along, come along, make no delay,
Come from every nation, come from every way;
Our lands they are broad enough, don't feel alarm,
For Uncle Sam is rich enough to give us all a farm.

A welcome, warm and hearty, do we give the sons of toil,
To come to the West and settle and labor on free soil;
We've room enough and land enough, and they needn't feel
alarm—
O! Come to the land of freedom and vote yourself a farm. [1]

"Uncle Sam's Farm," written in the early 1850s by John Hutchinson and popularized by the traveling entertainment troupe the Hutchinson Family, suggests that the U.S. government welcomed with open arms the family who would come to America, settle the west, and revel in the freedom of expansive land and democracy where you could "vote yourself a farm." Indeed, nineteenth-century land policies, particularly the Homestead Act of 1862, suggest that Congress embraced a liberal and generous attitude toward dispersal of the public domain. In his history of the public lands historian Paul Wallace Gates declared that "the Homestead Act breathed the spirit of the West, with its optimism, its courage, its generosity and its willingness to do hard work, in contrast to the vetoed measure of 1860 with its niggardliness, its distrust of foreigners, its failure to apply to other than heads of families."[2] Did the Homestead Act and other free land policies of the nineteenth century truly reflect the supposed freedom of the west in their liberality?

From the earliest days of the republic through the 1890 declaration that the western frontier no longer existed, what to do with the public domain comprised a key question for lawmakers in nine-

teenth-century America. Some of the earliest legislation passed by the new Congress concerned the public domain, notably the Northwest Ordinance of 1785 which laid the groundwork for American public land policies for the next century.[3] Initially, the public domain was seen first as a source of revenue for the fledgling nation and second as a reward for military service to the country. Military bounties comprised the largest donations of public domain to individual settlers in the first half of the century. In a ten year period during and following the war with Mexico, Congress legislated the dispersal of more than 26,000,000 acres of land in military bounties for service dating from 1790 forward.[4]

The belief that the public domain provided a source of reward for those who aided their country extended to a series of donation laws in the first half of the nineteenth century. Beginning in 1842 with the Florida Armed Occupation Act, Congress set a precedent of rewarding those who defended the frontier with free land in the territories they settled. The Florida measure was a clear military initiative that required land recipients to not only settle and cultivate the land, but also to bear arms as necessary in defense of the territory. The Oregon Donation Act of 1850 lacked the militant tone of the Florida bill, but was viewed as a reward for those settlers whose presence in the Oregon Country helped to solidify U.S. claims to the region. The New Mexico donations of 1854 were much like those of Florida, providing a reward for military service in the region. This series of donation acts were, according to historian Everett Dick, "the legal curtain raiser for the real drama of free land."[5] Indeed, an in-depth examination of these measures reveals that Congress considered many of the same issues that would govern debates over homesteading measures. In particular there are numerous similarities in discussions about gender, that is, the place of women in the settlement of the frontier and their rights to the public domain; race, specifically the inclusion and/or exclusion of African Americans; and citizenship, or more specifically, the extension of free land policies to aliens who had not yet obtained citizenship. This paper will examine these three issues in relation to the adoption of the nineteenth century's most famous free-land measure, the 1862 Homestead Act.

Where territorial land grants like the Oregon Bill clearly considered women in the empire-building process, the slew of homestead legislation that followed carried these ideas even further. Enmeshed in the discussion of the western lands that comprised the public domain, and ultimately served as the basis for an American empire, was a consideration of how women fit into the landscape, particularly in regards to marriage. The earliest bills supporting free homesteads typically considered women only in allowing widows to be beneficiaries.[6]

Marriage became evident as a key concern of free land bills in 1852 when Alabama's William Smith opened debate on the topic, arguing that single men should be included in the bill's provisions. They would, he argued, populate the West, eventually taking with them young brides; such unions would produce "young soldiers." Smith concluded that "the fact that this bill will promote early marriages is no light argument in its favor."[7] Smith, like most of his peers, envisioned women on western homesteads as wives and mothers, not landowners. His belief that the bill would encourage marriage reflected common assumptions about the long-term success of an empire—it could be sustained only by introducing women and children.[8]

The following sessions of Congress would address these same issues of eligibility regarding women until the adoption of the 1862 Homestead Act. In the course of the debates in 1854 William Barry of Mississippi articulated what appears to be the sincerest support of single women homesteaders in any debate on the topic. Barry declared, "If a female desires to possess a home, and is willing to conform to the requirements of the law, there is no reason why she should be an alien to the justice or the charity of her country. If she is unfettered by marriage ties she has the same natural right to be provided a home from the public domain that the unmarried man of the same age has."[9] Barry's words went unheeded, and the House adopted the bill without a provision for single women and sent it to the Senate for consideration, where similar attitudes about empire and marriage emerged.[10]

The fullest debate over the merits of a homestead measure occurred in 1860 when both chambers passed a measure and success-

fully shepherded it through conference committee to the President's desk.[11] Here the debate again echoed earlier considerations tied to the view of the Western lands as the foundation for an American empire, and women's place in it. In the Senate, Andrew Johnson introduced a homestead measure, generating debate that echoed earlier discussions. In the course of the debate Senator Grimes proposed amending the bill to extend its benefit to those over the age of twenty-one who were not heads of households. Grimes' suggestion generated strenuous objections to single women being included, with Indiana's Graham Fitch protesting that such a provision created unfair advantages when marriages were contracted between land owners who had each claimed a quarter section while single. Senator Robert Johnson of Arkansas furthered Fitch's objection, declaring, "Young women over the age of twenty-one, are to be brought in the wilderness, make a settlement, build a house, and live in it by themselves, and unmarried. Why, sir, I hope the Senator does not wish to encourage that state of things, even if there are those who would accept it. But few would accept it." The greater danger to this measure, Johnson believed, was the likelihood that young women would be deceived by men who would use them to fraudulently obtain land.[12] In its final form this homestead measure granted any citizen who was the head of a family the right to a quarter section of the public domain, excluding both single women and men. President Buchanan's veto of the bill ended free land measures until 1861 when homesteading legislation was again introduced and ultimately adopted as the Homestead Act of 1862.

Just as questions about women, marriage and empire shaped homesteading legislation, so too did considerations of citizenship and immigration. One of the earliest considerations of citizenship in relation to free land occurred when in 1849 William Seward of New York prepared a resolution proposing that the Committee on Public Lands make a report on the feasibility of reserving a portion of the U.S. public domain as territory for Hungarian exiles being driven from their homeland because of the war with Austria, as well as other Europeans "fleeing from oppression."[13] With this debate the issue of foreign immigrants enters the overall discussion

about homesteading, with various sessions of Congress dividing on the question of whether or not homesteads should be extended only to U.S. citizens, born or naturalized, or should be granted to those who declared their intent to become citizens. In general, Congress embraced immigrants in its free land policies, though not without opposition.

The ability of land ownership to transform a poor man into an American citizen is a theme that runs throughout the debates of the various homestead measures, and one that becomes particularly important in the discussion of whether or not foreign immigrants fit the vision of an American empire. During the 1852 debates over a homesteading measure that limited its benefits solely to American citizens, Thomas Hendricks, a representative from Indiana, argued the merits of Americanizing foreign immigrants through homesteading. It was more dangerous, he believed, to leave these immigrants crowded upon one another in the cities, dependent upon wage labor. ". . . Hold out inducements for them to go out to the new country, each man to settle down upon land that is his own," he argued, ". . .and labor for himself and his children, *associating with the native farmers around him* [emphasis added], and how soon will they become Americanized?" Land ownership would generate in the immigrant a feeling that "they and their children have a stake and interest in the country and its institutions." The result would be a country settled with peaceful and law-abiding citizens who would, in the case of war, come to the aid of their adopted homeland.[14]

As earlier representatives had argued, Senator James Shields of Illinois contended that the provision of land secured the empire, and additionally had the advantage of Americanizing foreigners who were or would become citizens. "There is not a man who lives in the West," he declared, "that does not know this singular fact: that the moment a man builds a log cabin, cultivates a piece of land, and finds himself in possession of a home, he becomes a better man, as well as a better citizen . . . ." Shields saw land ownership as a solution to the problem of foreigners clustered in eastern cities and as a chance to secure their loyalty to the United States. Ohio's Salmon P. Chase concurred, arguing that granting land to those who were not yet, but

would become citizens, would "Americanize them by generosity and justice" and that having become American, these settlers would be loyal and present no threat to the nation.[15] These sentiments were given voice in Senate debates over homesteading measures as well, with some Senators advocating the granting of homestead acreage to foreigners as a means of securing their loyalty to the country. Senator Wilkinson argued that such a measure would "sanctify his patriotism," and cement his allegiance to the Constitution.

Opposition to extending the benefits of free land legislation to immigrants stemmed largely from the Know-Nothings and Southern Congressmen. Southerners feared that the lure of free land would dramatically increase foreign immigration rates. Georgia's Senator Dawson argued that "the old permanent citizens of the original states had built up this country, and he would do all in his power to prevent placing foreigners on an equal footing." His fellow Southerner, Stephen Adams of Mississippi concurred and further suggested that an increased foreign element would lead to an increase in crime.[16]

Adams' argument about crime remained as an objection to the inclusion of alien immigrants as homestead beneficiaries. The 33rd Congress fully debated a homestead measure that again drew criticisms for including those who had only declared their intent to become citizens in the bill's provisions. Clement Clay, senator from Alabama, charged that the provisions allowing non-citizens access to the land claims would spur a "Native American, or Know-Nothing party growing up in the southern States," when southerners realized that Congress would "be generous to [foreigners], and unjust to [American] citizens."[17] Clay was not alone in his objection to this provision, outlined in section 6 of the bill, which would also come under fire for the possibility of allowing blacks to benefit from the proposed law. The *National Intelligencer* also echoed concerns about crime and immigration, charging that the passage of the homestead measure as proposed in 1854 would "draw to our shores the poverty and crime of every clime and kingdom" in Europe.[18] Representative Emerson Etheridge, a Tennessee Whig, shared these sentiments, declaring that extending homesteading benefits to non-

citizens was "nothing more than a bribe to Europe, Asia, and the rest of the world, to come here in pursuit of *land*, not *freedom*, only; for we know many of them are not prepared to appreciate or enjoy the blessings of civil liberty."[19]

Southern arguments against a free land policy extended beyond concerns about foreign immigrants to encompass the issue of African Americans and slavery as well. Southern opposition on the basis of race was most evident at the height of broader arguments about slavery, particularly in 1854 in the wake of the Kansas-Nebraska Act. Roy Robbins argues that in 1854 "the slavery issue had . . . become the most important of the new conditioning arguments against homesteading."[20]

The debates over the 1854 measure dealt with the slavery issue in a number of ways, including the question of African American citizenship. The proposed legislation made eligible for free land "any free white person" who was 21 (or a head of household) and a citizen. Section 6 of the bill made eligible "individual" non-citizens who were residents of the states or territories and had declared their intent to become citizens. In the first days of debate over the measure, section 6 came under attack, including a motion to strike it entirely from the bill. Thomas Pratt, a Maryland Whig, charged that the bill allowed for "any black person from Cuba, or from Africa" to claim land which could then be passed to his descendants solely on the basis of occupancy, without citizenship being established. Pratt contended that the law would allow blacks to "emigrate to Mississippi or Alabama, where, by law, he is not entitled to go at all."[21] This debate over race and citizenship continued throughout the life of the bill.

Kentucky Senator Archibald Dixon proposed to amend Section 6 to read "free white person," thereby mirroring the language of Section 1. Dixon explained that his intent was to "confine the operation of the law to white persons. As it now stands, I suppose free negroes would have a right to the benefit . . ."[22] Dixon's amendment sparked a lengthy debate that forced the Senate to tease out the relationship between race and citizenship. Senator Stuart, opposed to the amendment, suggested that the existing citizenship rules pre-

cluded blacks, noting that "Negroes cannot become citizens. They may be entitled to hold lands in a particular State; they may be entitled to vote in that State; but they cannot be entitled to citizenship in the United States, according to the laws of the United States. The bill, as it stands, provides expressly, that the person, to make his entry of land available, must within the five years become a citizen of the United States. Where, then, is the necessity of any such amendment?"[23]

This relationship between race and citizenship elicited strong opinions in the Senate debate. James Jones, senator from Tennessee, echoed Dixon's argument, stating that "If Senators admit that negroes can become citizens, they admit that Fred. Douglass may take his place in the Congress of the United States, if he should be elected—a proposition against which I enter my solemn protest. They are not citizens in the contemplation of the Constitution, and can never become citizens." Dixon further insisted that the vague wording in section six left open to interpretation by abolitionists could admit blacks to the benefits of the law. "I am not disposed," he declared, "to concede anything to the abolition spirit of the age. I would rather leave nothing to doubt or construction. . . ." Dixon's amendment was adopted by a vote of 37 to 16, with all of the nays cast by Senators from northern states.[24]

This series of debates in 1854 more directly dealt with the slavery question when objections were made that the bill favored northern interests, serving as an "emigrant aid society" that would populate northern territories with anti-slavery settlers. Andrew Johnson, long a champion of homesteading, attempted to convince his fellow senators that this free-land legislation superseded debates about slavery, noting that the measure had, in some form or another, been before Congress in every session since 1846. This was, Johnson declared, "long before we had any emigrant aid societies, long before we had any compromises in 1850 in reference to the slavery question, long before we had any agitation on the subject of slavery in 1854 . . . ." Johnson went on to argue that the homestead measure could go so far as to unite the country, in part by causing Northerners to support the institution of slavery as they realized the necessity of slave

labor for the production of staple crops upon which they depended like cotton, rice, and sugar. "Carry out the homestead policy," Johnson declared, "attach the people to the soil, induce them to love the Government, and you will have the North reconciled to the South, and the South to the North, and we shall not have invidious doctrines preached to stir up bad feelings in either section."[25] Johnson's convoluted argument convinced no one in the Senate and the bill ultimately failed. The *New York Semi-Weekly Tribune* summed up its defeat: "The slaveholders voted against it because they despise free labor, and the doughfaces because they love to serve the slaveholders. The South[ern] Americans voted against the bill because it allowed aliens, who had only declared their intention of becoming citizens, to participate in its benefits."[26]

The issue of slavery continued to plague future homestead bills, though never to the extent of the 1854 debates. In the 36th Congress a homestead bill which passed the House continued to show the sectional divisions occasioned by slavery. The only slave state to approve the measure was a single vote from Missouri and only one free state, Pennsylvania, recorded a vote against the bill.[27] In the Senate, discussion of the homestead measure included Charles Doolittle's (Wisconsin) assertion that the free white men who ventured West to claim their quarter sections would "tend to prevent [the] Africanization" of the territories. Doolittle, like Johnson in the previous session, suggested that a free land measure provided the answer to the slavery question. Implementation of the homesteading policy would open the northern temperate zone to greater settlement by white men, and would, over time, lead to the "peaceful and gradual separation of the races," by inducing Southerners to leave the tropical zones of the South to cultivation by those of African descent.[28] Doolittle's argument did little to convince his peers, and the bill did not become law.

It was not until 1862 that a free land measure became law with the passage of the Homestead Act on May 20. The 1862 measure proved to be much more liberal than any previous versions of the bill. Its benefits extended to anyone who was the head of a family or over the age of twenty-one, regardless of sex, and any citizen

or person who had declared intent to become a citizen. There are any number of possible reasons for the adoption of legislation that had in the previous twenty years been time and again defeated, yet none are readily seen in the records of the Congressional debate. Where earlier Congressmen clearly identified their stances, preferences, and prejudices regarding gender, race, and immigration as related to free land policies, the men of the 37th Congress never addressed any of these issues. In the midst of a civil war, the measure passed both houses with the primary debate centering on two issues--bounty lands for soldiers and a concern that the absence of the public lands as a source of revenue would jeopardize the nation's financial health during the war. The Congressional community in 1862 was admittedly more politically homogenous than any previous legislative body to address a homesteading measure, and it is perhaps this relative unity that facilitated the easy passage of the Homestead Act. Yet, it should not be assumed that it was simply the absence of Southern slaveholders or Democrats that had stalled earlier attempts at homesteading laws.[29] Historians have pointed to numerous other political issues—tariffs, fears of labor shortages and/or surpluses, taxation—that impacted the ways in which Congressmen voted on the free land policies of the nineteenth century. It is clear, however, that in the decades of debate that preceded the adoption of the 1862 Homestead Act, Congressmen clearly identified the ways in which gender, race, and concerns regarding immigration and citizenship were bound up in not just the quest for a free land policy, but in the broader effort to establish an American empire as the country moved westward to establish Uncle Sam's farms.

Notes

1 Quoted in Everett Dick, *The Lure of the Land: A Social History of the Public Lands from the Articles of Confederation to the New Deal*, (Lincoln: University of Nebraska Press, 1970): 134-135.

2 Paul Wallace Gates, *History of Public Land Law Development*, (Washington, DC: Public Land Law Review Commission, 1968): 394.

3 Benjamin Horace Hibbard notes that "Popularly the unsettled land was viewed as a free good to the man who wanted not to exceed a few hundred

acres, and something slightly above a free good as a reward for special services, it being about all the early governments had to offer on such occasions. While, therefore, there were many individuals with interesting, even excellent, ideas on how the public domain should be administered, *it cannot be said that a conscious policy worthy of the name existed* [emphasis added]." See A History of the Public Land Policies, (New York: Peter Smith, 1939): 548. Paul Wallace Gates argues against Hibbard's assertion, noting that a land system existed and the passage of the Homestead Act in 1862 "did not completely change our land system, [but] that its adoption merely superimposed upon the old land system a principle out of harmony with it . . ." See "The Homestead Law in an Incongruous Land System," *American Historical Review*, Vol. 41, No. 4 (July 1936): 654.

4 These donations comprised a land area larger than the state of Ohio. See Gates, *History of Public Land LawDevelopment*, 388-389.

5 Dick, *Lure of the Land*, 134.

6 In 1846 Both Felix McConnell (Alabama) and Tennessee's Andrew Johnson introduced free land bills in the House. Where McConnell's proposed legislation applied to women, single or widowed, who had dependent children, Johnson's bill specifically extended its coverage only to poor men with families. Neither measure was adopted, but the homestead issue continued to crop up in the halls of Congress. See 29th Congress, 1st Session, *Congressional Globe* (March 9, 1846): 473; 29th Congress, 1st Session, *Congressional Globe* (March 27, 1846): 597; McConnell's bill was H.R. 294, "A bill to grant the head of a family, man, maid or widow, a homestead, not exceeding one hundred and sixty acres"; Johnson introduced H.R. 319, "A bill to authorize every poor man in the United States, who is the head of a family, to enter one hundred and sixty acres of the public domain 'without money and without price.'" Over the course of his legislative career, Johnson waffled in his attitude toward women homesteaders, at times introducing legislation that specifically excluded women, and at others extending the benefit of free land to widows with children. This 1850 measure allowed widows to claim land; the following year, however, Johnson's bill once again allowed only men who were heads of household to receive the proposed land grants. Neither bill gained House approval. Johnson's fourth attempt to distribute the public domain, introduced in 1851, was the first to receive approval from the House of Representatives, and allowed widows who were heads of households to claim their portion of the public domain. See 32nd Congress, 1st Session, *Congressional Globe* (December 10, 1851): 58.

7 Speech of Hon. W.R. Smith, 32nd Congress, 1st Session, *Appendix to the Congressional Globe* (April 27, 1852): 514. While Smith's suggestion generated laughter, there were those in the House who saw the merit of Smith's

proposal. James Gaylord (Ohio), during a speech by Fayette McMullin of Virginia, noted, ". . . this bill will encourage commerce, manufactures, and navigation. I should like to inquire whether it will extend any encouragement to matrimony?" While Gaylord's remark generated laughter, McMullin's response indicates that he, like Smith and others in Congress, clearly saw marriage as a central component to a successful empire. The bill, McMullin argued, by encouraging young men to fly "to the fertile regions of the West, with her who is dear to his heart" would produce homes filled with children whose inheritance would be the land, thereby benefiting all concerned. Speech of Mr. McMullin, 32nd Congress, 1st Session, *Appendix to the Congressional Globe* (April 29, 1852): 520. Whether or not to include women as homesteaders first appeared in the debate over the bill in the context of single men. John Allison (Pennsylvania) proposed an amendment that removed the requirement of being a head of household, arguing that men who did not have families were entitled to the land just as much as any father. He went on to express his hope that those members of the House who were not heads of household would further amend the bill so that land would also be "given to persons of the opposite sex." The Congressional reporter noted the laughter that followed Allison's declaration. 32nd Congress, 1st Session, *Congressional Globe* (May 6, 1852): 1280.

8 The 1852 homesteading measure generated significant discussion about marriage. During the debates Joseph Cable, a representative from Ohio, speaking on behalf of the bill, suggested that the proposed measure would benefit "young men and maidens." Orin Fowler interrupted Cable's speech to ask if he intended to "propose a clause, providing for all the old maids in the country?" Cable responded that were he a bachelor he would certainly include such a provision, then went on to explain himself: "I had reference to maidens now, but who shall become wedded hereafter, for they could not conveniently till the soil." While Fowler's remarks were likely prompted because he opposed the measure in general, Cable's response is instructive. Most of those in Congress agreed with his assumptions that first, single women alone would be unable to work the land, and second, that despite this, allowing single women to claim homesteads would at least provide for a future population. See Speech of Hon. Joseph Cable, 32nd Congress, 1st Session, *Appendix to the Congressional Globe* (March 10, 1852): 298.

At another point in the debate Gaylord proposed an amendment that extended the benefits of the bill to all women over the age of twenty-one, regardless of marital status or children; Illinois' Thompson Campbell responded: "They will never settle there," to which Gaylord promptly replied, "They have as much right there as bachelors." Gaylord later withdrew the amendment because Johnson argued that it jeopardized the entire bill, but its appearance in the debate is still significant. These exchanges indicate

that there were those in Congress who favored including single women in the provisions of free land bills, either because it was due them as a right or because their reproductive capabilities promoted civilization. In the end, the House adopted a bill that included women only if they were the head of a family and a citizen, the same requirements that governed men's eligibility, but the Senate failed to pass the bill. See 32nd Congress, 1st Session, *Congressional Globe* (May 10, 1852): 1316 and *Ibid*., (May 12, 1852): 1349, 1351.

9 *Ibid.*

10 Barry's amendment succeeded, but received a challenge from William Dent (Georgia) who argued for lowering the age requirement to nineteen for single men and eighteen for single women. Dent cheekily ended his proposal declaring, "there are a great many young ladies eighteen years of age who are unmarried, though that is not their fault," referring to Richardson's earlier statements about marriage. Dent's proposed amendment garnered only 26 votes in the affirmative, thus the eligibility requirements set out by Yates and Barry stood. 33rd Congress, 1st Session, *Congressional Globe* (February 28, 1854): 502-503, 505, 549. Senator William Dawson (Georgia), though opposed to the bill, articulated the importance of marriage to securing the Western empire, arguing that the public lands should be dispersed to settlers so that the government could ensure its control over the territories. Dawson proposed that land grants be given to anyone willing to settle in the West and, more importantly, that they "increase population by reproduction [by] giv[ing] to every girl over the age of eighteen or twenty-one, one hundred and sixty acres of land." When asked how this would increase the population Dawson answered, "By inducing some to unite with her." 33rd Congress, 1st Session, *Congressional Globe*, (July 10, 1854): 1669. Under Dawson's plan the homestead grant would serve as a dowry for single women, thus ensuring the population of the West with American citizens.

11 The Senate eventually adopted in place of the House's homestead measure a substitution that was more a preemption bill than free land, requiring inhabitants to purchase their quarter sections at a reduced rate of twenty-five cents an acre after residence on the land for 5 years. The House refused to deal further with the measure, killing the bill before it could be sent to the president for approval. 33rd Congress, 1st Session *Congressional Globe* (July 31, 1854): 2024. In the following sessions of Congress, various homestead and free land bills were introduced, but never enjoyed the success of the previous measures. Galusha Grow's Homestead Bill introduced in 1856 was never taken up by the House as a committee of the whole, despite having been passed through the Committee on Agriculture. 34th Congress, 1st Session, *Congressional Globe* (August 4, 1856): 1915. In 1857 the Senate

briefly took up the issue with Senate bill number 2 introduced by Solomon Foot (Vermont), which was referred to the Committee on Public Lands, and again by Andrew Johnson who introduced Senate bill number 25, but attempts to debate the measure were continually delayed so that a vote on the bill never occurred. 35th Congress, 1st Session, *Congressional Globe* (December 22, 1857): 135.

12 36th Congress, 1st Session, *Congressional Globe* (December 20, 1859): 190. Debate would eventually shift from S.R. 1 to H.R. 280, the House version of a Homestead Bill, and ultimately become S.R. 416, though the contours of the discussion remained the same. Marriage again took center stage in the debate over eligibility for free land. Wilkinson objected to the exclusion of single men from the initial bill, arguing that men could not take their families into unsettled lands, and that most women could not endure the hardships of early settlement. 36th Congress, 1st Session. *Congressional Globe* (April 3, 1860): 1510. While Wilkinson clearly did not advocate the granting of land to single women, he did believe that families were a necessary component for settling, if not taming, the frontier. *Ibid*. (May 9, 1860): 1993.

In the course of the debate Stephen Foster, representative from Maine, emphasized the centrality of *proper* marriages to the Western empire. Foster described the practice of polygamy in Utah Territory as an "evil" that had been unheard of until the Mormons were "beyond the reach of civilization." The distance between Utah Territory and the civilized East must be broached in order to end the practice of polygamy, and Foster believed that rapid settlement of the territory was the answer. The homestead measure, in combination with the construction of a transcontinental railroad, would, in Foster's words "people the wilderness, convert it into smiling fields and peaceful homes for millions of Christian families." Speech of Hon. S.C. Foster, 36th Congress, 1st Session, *Appendix to the Congressional Globe* (April 24, 1860): 244-245.

13 31st Congress, 1st Session, *Congressional Globe* (January 30, 1850): 263.

14 Speech of Hon. T.A. Hendricks, 32nd Congress, 1st Session, *Appendix to the Congressional Globe* (April 27, 1852): 485.

15 33rd Congress, 1st Session, *Congressional Globe* (July 12, 1854): 1703.

16 Roy M. Robbins, *Our Landed Heritage: The Public Domain, 1776-1970*, (Lincoln: University of Nebraska Press, 1976): 176.

17 33rd Congress, 1st Session, *Congressional Globe*, (July 12, 1854): 1705-1706.

18 Quoted in J.B. Sanborn, "Some Political Aspects of Homestead Legislation," *American Historical Review*, Vol. 6, No. 1 (October 1900): 30.

19 Etheridge continued, "There are already many thousands of the disciples of

Confucius in California. You must invite more of them to come here, and set up *their* religion in opposition to that of Christ. You must invite all the Latter Day Saints, now scattered throughout Europe, to congregate in the valley of the Salt Lake. Where will this thing stop? You have offered, I say again, a bribe to the lazzaroni of Europe, and the paupers of the whole world, to come here, mingle with us in a free Government, and partake of free institutions, which nothing but a long residence among us could enable them to appreciate and understand." 33rd Congress, 1st Session, *Congressional Globe* (March 3, 1854): 535.

20 Robbins, *Our Landed Heritage*, 175.

21 33rd Congress, 1st Session, *Congressional Globe*, (July 13, 1854): 1709.

22 33rd Congress, 1st Session, *Congressional Globe* (July 14, 1854): 1740. It is interesting to note that in the lengthy discussion over this proposed amendment at one point the question was raised as to why the words "free white persons" were included in section one of the bill. The answer given by Michigan's Charles Stuart declared that "It was done with the intention of destroying the bill. The motion was made under the belief that if those words were put in, there were men enough in the House, of peculiar notions, who would vote against the bill and kill it." *Ibid.,* 1743.

23 *Ibid.*, 1742

24 *Ibid.*, 1743, 1744.

25 35th Congress, 1st Session, *Congressional Globe* (May 20, 1858): 2265, 2272.

26 February 8, 1859, quoted in Sanborn, "Some Political Aspects of Homestead Legislation," 33.

27 Sanborn, "Some Political Aspects of Homestead Legislation," 35.

28 36th Congress, 1st Session. *Congressional Globe* (April 10, 1860): 1632.

29 See Gerald Wolff, "The Slaveocracy and the Homestead Problem of 1854," *Agricultural History*, Vol. 40, No. 2 (April 1966): 101-112.