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NATIVISM OR NOT?

PERCEPTIONS OF BRITISH INVESTMENT IN KANSAS, 1882–1901

LARRY A. McFARLANE

A recurring topic in the historiography of Populism has been the extent to which the Populists and other agrarian radicals were nativist or anti-Semitic in the tenor of some of their reforms. In this article I trace the progress of legislation intended to restrict or eliminate absentee ownership of Kansas lands by aliens, particularly British landlords, from the first demand for such restriction in 1882 through the enactment of restrictive legislation in 1891 to its repeal in 1901. I parallel this study by following the currents of anti-alien rhetoric of the agrarian radicals who advocated the restrictions. While it is easy to show that the reformers not only advocated but also enacted restrictions against alien land ownership, it is much more difficult to determine whether the opposition was fueled by nativism, a xenophobic perception of British investors that was at odds with reality, or by a legitimate fear of

land monopoly during an era when the closing of the frontier of free land in the United States coincided with a major, world-wide economic crisis. In order to answer this question, I compare the records of British investment, colonization, land ownership, and landlordism with the claims of the agrarian reformers. British investment in Kansas land was by no means negligible, but it was even less the menacing specter portrayed by the reformers.

Historians have shown that opposition to alien land ownership was an outgrowth of the antimonopoly fervor that arose in the Gilded Age to reclaim land and transportation for the common people. Already in 1896, scholars analyzing contemporary history had noted the importance of Populist opposition to alien land ownership, a theme that continued in the work of later progressive historians. During the 1950s and 1960s, one focus of dispute became the relative tolerance of the Populists for immigrants, Jews, and other minorities, leading to renewed interest in the extent of Populist opposition to alien land ownership. Richard Hofstadter made the strongest case for Populist xenophobia in his influential book *The Age of Reform* (1955), while Walter Nugent defended the party in *The Tolerant Populists*

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(1963). Nugent's work seemed to put the question to rest, for subsequent important works on Populism have dealt only slightly with the issue since then.¹

In *The Tolerant Populists*, Nugent demonstrates that Kansas Populists in the 1890s were neither nativistic, anti-Semitic, nor particularly irrational in their economic perceptions. However, Nugent tends to accept at face value Populist estimates of foreign—mostly British—land holding and investment in Kansas. He concluded that alien land ownership was a real problem in the state, citing cattle syndicates, land and mortgage companies, and English group colonies. Like the Populists, he argued that British land owners were mostly landlords, renting their holdings to a class of perpetual tenant farmers, and that William Scully was the prime example of this class. Nugent's study also tends to underestimate the breadth of Populist dissatisfaction with British land ownership, particularly overlooking several instances in which Kansas reform party platforms specifically attacked the issue or endorsed national platforms condemning alien land ownership even when the state platform contained no such particular plank. Nugent may also have underestimated Populist Anglophobia because his study did not include all of the books written by reformers, and presumably read by Kansans, that contain attacks on alien landlords and investors. As Nugent's primary focus is not on Anglophobia, his discussion of both the passage of the 1887 constitutional amendment prohibiting alien ownership and the 1891 legislation designed to implement the amendment misses some of the nuances of the debate. Thus, Nugent's landmark work, although it has tended to frame subsequent discussions of Populist nativism, should not be taken as the last word on the element of Anglophobia—if not more generalized nativism—in relation to the attempts by agrarian reformers to restrict alien land ownership in Kansas.

A look at the records of British investment in rural Kansas reveals a pattern far less threatening than that perceived by the Pop-

ulists and other agrarian reformers of nineteenth century Kansas or by most subsequent historians. The most benign form of foreign investment was in cattle ranches. Although British ranches attracted attacks by reformers in other states—especially where they were involved in illegal fencing of the public domain—I have found no attacks on the smaller and less conspicuous livestock holdings in Kansas, where most British companies actually owned the land. One of the largest of many such enterprises was the Diamond Creek Ranch, situated on 46,720 acres of land in Chase and Morris counties and owned by the Western Land and Cattle Company, Ltd. of London. The local press, rather than attacking Diamond Creek, reported favorably on its activities.² After the Civil War Britons did found several group colonies in Kansas, but only two survived long enough to attract the attention of reformers.³ The Victoria colony was founded in 1873 by the British merchant George Grant, who purchased land in Ellis County on credit from the Kansas Pacific Railroad. His holdings reached 31,165 acres in 1877, but after Grant's sudden death in 1878 the British colonists scattered and the railroad reclaimed the land.⁴ However, Grant's colony remained a target for reformers who seemed unaware of its demise. Edward Turnley developed the second colony, Runnymede, on about 1700 acres he purchased in Harper and Kingman counties between 1885 and 1891, but by the mid-1890s a series of internal crises had dispersed the aristocratic young colonists and Runnymede died as both a settlement and a political issue.⁵

Far more frequently attacked than either the ranches or the colonies were British speculators and landlords. In the late 1880s, fourteen British mortgage firms and eleven British-funded American rural loan companies invested in Kansas farm mortgages, but the credit extended by these firms (4.7 million dollars) accounted for only about 2 percent of total rural mortgages in the state by 1890.⁶ Some of these firms bought and resold lands, including the British Land and Mortgage

Company of America, Ltd., of London, one company that reformers singled out as particularly abusive. Beginning in 1883, the firm bought 3,032 acres in Riley and Marshall counties and ten town lots, a grain elevator, and twenty acres of land in the village of Ames in Cloud County. When hard times hit Kansas, the firm acquired more land by foreclosure, hitting a peak of about 3,663 foreclosed acres in 1891. This total was augmented by about 20,296 acres of foreclosed farm land purchased from another British firm in 1894. By 1898, however, the company was rapidly reselling these lands and had disposed of them all by 1903.⁷ Contrary to reformers' exaggerated claims, at no time did the British Land and Mortgage Company hold more than 25,000 acres in Kansas, and its greatest sin may simply have been its name. Other British companies actually held more land. In 1885 and 1886 Close Brothers and Company of London purchased and resold 250,000 acres in Trego and Hamilton counties. Their foreclosures began in 1887 and peaked in the early 1890s, but the land was all resold again by 1900. Close Brothers may not have attracted the attention of reformers because British ownership was concealed behind locally registered firms, but even in Kearny County, where similar holdings were known to be British-owned, no hostile sentiment arose.⁸

Opponents of alien mortgage investments would have been surprised had they known of the small market share held by foreign investors or had they realized that, in response to falling interest rates, British firms had begun a major withdrawal of funds from Kansas prior to the 1887 farm depression and the 1891 anti-alien land ownership law. Yet these opponents were correct in noting a large increase in foreclosures by British firms, beginning in the late 1880s, and they were understandably anxious about the potential for more foreclosures as hard times continued. Although there is no systematic study of foreclosures in Kansas during this era, British mortgage firms suffered fewer bankruptcies than did their American counterparts, and so it is likely that they

foreclosed on fewer farms.

In the case of alien landowners or mortgage holders, however, agrarian reformers focused less on foreclosure itself than on what they saw as the portending specter of landlordism. Although most of the foreclosed lands remained abandoned until they were resold, it no doubt seemed to many agitated citizens that taking back land from struggling farmers was merely a means for the British to create landed estates to be worked by generations of tenants—a clear threat to the American Dream of the yeoman farmer. The fear of landlordism, of “Scullyism,” was the touchstone of reformers' animosity toward alien land ownership. Anglo-Irish landlord William Scully was undoubtedly the most controversial alien property owner in Kansas. He owned land in Illinois and Nebraska, and over a number of years he built his holdings in the Kansas counties of Butler, Dickinson, Marion, and Marshall until he owned 71,750 acres in 1888.⁹ What bothered Kansans was that Scully was not buying land to sell. He settled it with tenant farmers and seemed inclined to keep the land in his own family forever. Reformers feared that British foreclosures portended more Scullyism, that the victories of the American Revolution were being reversed on the plains of Kansas, and that American farmers, as free land ran out, would be reduced to the level of Irish peasants. As Nugent points out, part of the attack on Scully was intended to secure Irish-American votes for reformers, but its symbolic significance extends further than that, for Scully, rather than being a symbol of landlordism in general was in fact a special case.¹⁰ I have been able to locate no other operation in Kansas similar to his, and even his role as arch enemy faded after he became a United States citizen in 1900 (although his descendants, including the current holder of the remainder of his land, remained British). William Scully stopped acquiring land and treated his tenants well.

Agrarian fear of alien landownership in Kansas cannot, then, be shown to be partic-

ularly well-founded. "Scullyism" was not rampant, foreclosure did not result in widespread tenantry, alien ownership of range land was happily regarded by neighboring residents, and the few British colonies that existed collapsed because of their own internal problems. But agrarian opposition to alien land ownership was very real. In order to see if this opposition can properly be called nativism, it is necessary to look in some detail at the legislative history of measures to restrict aliens from owning Kansas land. In August 1882 the Kansas Greenback-Labor Party published its platform calling for an amendment to the U.S. Constitution that would prohibit the "disposal of the public domain to English and other foreign capitalists for rent and speculation." This beginning salvo was echoed two years later not only by Kansas Greenbackers but also by Kansas Democrats and Republicans, who endorsed their national parties' platform planks opposing foreign ownership of land. The Democrats included the issue in their state platforms in both 1884 and 1886, while the 1886 Republicans circularized their adherents with a letter opposing alien landlords.¹¹

These early platforms coincided with British investment in western ranching, but they do not seem to have been aimed at any specific ventures of this sort in Kansas. They also coincided with early purchases of farm land by British investors, but more important, they coincided with a number of reform tracts attacking alien land ownership. The first of these, William Godwin Moody's *Land and Labor in the United States*, deplored acquisitions by British investors—such as George Grant in Kansas—whom Moody claimed displaced family farmers.¹² Beginning with the *Congressional Record* in 1884, the federal government published several committee and agency reports including lists of alien land investment. Examples for Kansas usually appeared with exaggerated acreages. George Grant was credited with 100,000 acres and the British Land and Mortgage Company with 350,000 acres.¹³ In 1886, Sarah M. Brigham's allegory *Waverland* was published. Later serial-

ized in the Kansas press, the novel attacked what Brigham saw as William Scully's use of Irish landlordism in the midwest, including Kansas. Brigham warned that British ranches, estates, and foreclosures on farm mortgages robbed Americans of their landed heritage.¹⁴ In the same year William A. Phillips published *Labor, Land and Law*, citing Grant's Victoria colony as a prime example of estate building by land-hungry European aristocrats and warning that foreigners had recently purchased many more tracts even larger than Victoria. In 1890 Phillips, a former Republican congressman from Salina, would be defeated by a Populist, but the Populist *Advocate* (22 June) was still recommending the book to its readers in 1892.¹⁵ The congressional lists used by Phillips and others did not go unchallenged. U.S. Senator Preston B. Plumb, a Kansas Republican, attacked the lists as "largely exaggerated" and sometimes "erroneous." He contended that no foreign-owned company controlled half as much land as attributed to the British Land Company, and he pointed out that George Grant was dead and his land dispersed.¹⁶ This triumph of agrarian rhetoric over facts suggests that even the earliest attempts to block alien land ownership in Kansas owed more to nativist—or at least Anglophobic—fears than to a rationally perceived threat from non-citizen land owners.

Both the rhetorical and legislative battles continued to heat up throughout the 1880s. In 1887 George W. Bell argued in *The New Crisis* that the land owners of the United Kingdom were rapidly transferring their system to America: "With the cash wrenched from their robbed tenants in the Old World, they came to build more grandly in the New." He rounded up the usual suspects, accusing the British Land Company of holding 320,000 acres of Kansas land, increasing its actual holdings nearly one hundredfold; citing the long-dead George Grant as "Alexander" and restoring to his vanished colony 35,000 acres; mentioning an unnamed Scots woolen manufacturer as sharing 100,000 Kansas acres with equally unnamed parties; and ending up with

the ubiquitous Scully, though referring to the Illinois rather than the Kansas lands.¹⁷ Journalists also clamored against alien investment in land. Their principal target was Scully and his Kansas tenant farms. The editorial attack originated in 1886 in Marion, the town nearest some of Scully's holdings, and spread around the state that summer and fall. Several papers denounced foreign landlords and mortgage foreclosures by alien owners and demanded the surrender of all lands owned by foreigners.¹⁸

This agitation reached a peak in the first half of 1887 and helped convince Kansas legislators to attack what they perceived as a serious problem by passing a joint resolution that would amend the state constitution to permit discrimination against non-citizens in regard to property rights. Although support for the measure was overwhelming, a breakdown of the voting shows regional variations that would persist as long as alien land ownership remained a political issue. Senate Joint Resolution No. 6 was sponsored by Republican Richard Crane of Marion County, the seat of anti-Scullyism. The three lonely negative votes were also cast by Republicans, George Green of Manhattan, headquarters of the British Land and Mortgage Company, and two from eastern border counties. The resolution drew no opposition in the state House of Representatives. Five out of six senators and thirty-two out of thirty-eight representatives who did not cast votes on the measure were from the eastern part of the state. Thus, opposition to alien ownership was a regional, rather than a partisan issue. In the east, where capital formation was established, legislators were reluctant to tamper with property rights, but farther west, closer to the settlement frontier, legislators were more responsive to the perception that "actual settlers" needed protection from absentee landlords. Local conditions and the circumstances of individual senators also affected response, as can be seen in the opposite courses of Senators Crane and Green.¹⁹

Legislation designed to regulate alien land

ownership was withdrawn, pending ratification of the constitutional amendment by voters in 1888. In that year, the Kansas Republican, Democratic, and Union Labor parties all endorsed anti-alien provisions in their national parties' platforms, but none of the state platforms specifically mentioned the pending amendment. Nonetheless, voters overwhelmingly accepted the reform in November 1888.²⁰ The following January the incoming and outgoing governors each sent the legislature messages urging the swift passage of legislation implementing the new amendment. In the House of Representatives, a select committee issued a hastily prepared report. The three committee members, E. W. Hoch (Marion County), D. M. Elder (Butler County), and Fred A. Stocks (Marshall County) were all from areas where Scully operated tenant farms, so, not surprisingly, he was singled out as the prime villain, holding 80,000 acres. British Land and Mortgage supposedly controlled 320,000, a figure apparently borrowed from the congressional lists, and George Grant was listed as holding 100,000 acres, more than three times what he had held at his death eleven years previously. All three figures were wrong, but the House responded to its select committee's report by introducing four bills to regulate alien land ownership. The judiciary committee advanced only one of these, limiting the land owned by an alien individual or corporation to one section per township.

Meanwhile, the Senate passed its own bill, requiring aliens to divest themselves of their Kansas holdings. The House took up this bill and accepted an amendment by Representative Hoch of Marion County that gave foreign owners three years to sell their Kansas real estate or to declare their intent to become American citizens. The House passed this amended version, but a conference committee failed to resolve the differences between the two bills and no measure actually passed the 1889 legislative session. Apparently the House insisted on including an acreage restriction while the Senate continued to demand an

absolute ban, but voting patterns show that anti-alien feeling remained regional. A core group of legislators from the older counties opposed the bills as being too harsh. Easterners provided most of the no votes and abstentions in the House and all of them in the Senate. Only opposition to the three-year amendment was regionally neutral; before the 1893 depression the easterners seemed to think three years was ample time to dispose of land. Unfortunately for the historian, only a voice vote was taken on an amendment in the House to soften the proposal by exempting alien land companies that sold land to settlers. That the proposal was defeated, however, shows that Kansans feared all foreign investment in land, not just "Scullyism."

In August 1889 a powerful new voice entered the debate over land ownership. Stephen McLallin's reform newspaper the *Advocate* commenced publication at Meriden and moved to Topeka five months later. It became the official organ of the Kansas State Farmers Alliance and Industrial Union. McLallin, who advocated the formation of the Populist Party, dominated the paper until 1895, when he sold a controlling interest to W. A. Pfeffer.²¹ McLallin demanded an absolute ban on alien ownership, to be enforced by both state and federal laws. The *Advocate* denounced the rapid purchase of land by foreigners. Mortgage foreclosures and landlordism were resulting in the English conquest of more territory than that in Ireland and Scotland combined. McLallin maintained that Kansas debtors were paying tribute to English lords who used weak American laws to take farms from legitimate settlers.²² In 1890 the *Advocate* devoted more space to the land question than in any other year, identifying it as a major issue of the era. McLallin denounced an unnamed English loan firm as being but one of many such companies that foreclosed as quickly as possible on Kansas farmers and replaced them with imported foreign tenants. He named William Scully as a major alien landlord, but he also claimed that the agent J. B. Watkins of Lawrence had

loaned money to thousands of Kansas farmers and then reclaimed the land for their aristocratic foreign creditors. A foreign firm with 50,000 acres in Kansas, McLallin claimed, was training young Englishmen to take over and farm its foreclosed lands. The fiery editor concluded that America was rapidly approaching Ireland's condition as a vast tenant farm run for the profit of absentee English landlords.²³

Nor was McLallin the only editor to join the fray. In 1889 journalist W. Scott Morgan published *A History of the Wheel and Alliance*, a weighty tome that blamed the disappearance of free land on British purchases. He pointed to the now familiar British Land Company and to the long-reviled ghost of George Grant, whom he also misnamed Alexander. The *Advocate* praised Morgan's book as "The Greatest of the Age."²⁴ A year later Newton B. Ashby asserted in his popular *The Riddle of the Sphinx* that English investors were taking advantage of the farm depression in Kansas and other states to buy vast acreages and to foreclose mortgages on a greater scale than ever before. According to one estimate he cited, aliens already owned 61,900,000 acres in the United States, and English lords allegedly boasted that from these lands they would "wring greater revenues out of American tenants" than absentees had ever wrested from the Irish. Ashby supported a ban on new alien investment and a reclamation for Americans of all land held by foreigners. James R. Elliot's *American Farms* echoed Ashby's accusations, fears, and plans for reform.²⁵ W. A. Pfeffer, editor of *Kansas Farmer*, pressured legislators to ban alien ownership. Another editor summarized a study concluding that landlordism perpetrated by firms from both Europe and the eastern United States was spreading rapidly across the state. The Populist Party in Kansas fielded candidates in the fall of 1890 and their editorial adherents trumpeted the alien land issue. Both the *Wichita Courier* and the *Girard Western Herald* attacked landlordism, and the *Western Herald* serialized *Waverland*, Sarah Brigham's 1886 allegorical attack on Scully.²⁶

This journalistic sentiment both reflected and was reflected in political platforms and resolutions of 1890. On 23 January in Topeka, a joint meeting of the State Farmers Alliance and Grange adopted all of the St. Louis platform that had been passed by the Southern Alliance the previous December. The St. Louis platform called for state and federal laws banning land ownership by foreign individuals and firms and for reclaiming all land already so owned. In a short time, some two hundred sub-Alliances, all bearing allegiance to the St. Louis platform, had formed in Kansas, and the *Advocate* frequently published their platforms, including the obligatory anti-alien land ownership plank. In June, the *Advocate* published the Alliance's message to the people of Kansas, a message that included not only the familiar anti-alien plank but also an emotional appeal against the growing threat of Scullyism. The Kansas People's Party, the Populists, had its official birth in August of 1890, and its platform immediately accepted the alien land plank of its parent organization, the Alliance. The spirit of restriction was so pervasive that even the Kansas Republican platform demanded that foreigners be prohibited from acquiring large holdings of land. Only the Democrats remained silent on the issue.²⁷

Governor Lyman U. Humphrey early reminded the 1891 Kansas legislature of its duty to implement the constitutional amendment of 1888. Republican senators introduced three bills into the Senate, but only one was advanced by the judiciary committee. It passed the Senate unanimously. A House bill to restrict aliens' real and personal property rights died in committee, but the House passed an amended version of the Senate bill. When the Senate refused to accept the amendments, the House acquiesced and passed the original bill. The new law prohibited non-resident aliens and companies that were more than 20 percent foreign owned from acquiring land in Kansas. Adult heirs of foreign land owners had three years and minors five to sell inherited property. Heirs who were United States residents and were in the process of naturalization

had six years in which to attain citizenship or to sell their inheritance. Foreign mortgage holders were permitted to foreclose on properties in default as long as the land was resold within three years.²⁸

The 1891 alien landowner restriction law was a bipartisan bill that revealed regional differences and stress within parties. The bill passed the Senate unanimously, but it met with some opposition in the House. Despite the fact that all the restriction bills were introduced by Republicans, 11 of the 26 Republicans in the House opposed it, as did 3 of the 7 Democrats but only 2 of the 92 Alliancemen. However, 9 of the 16 negative votes were from the eastern half of the state, suggesting that some legislators from the older counties may have feared the law's provisions would discourage British investment, a fear that may have been justified, as British investors did respond by pulling out of a Kansas City packing house.²⁹ The law applied a single standard of residency to all foreigners, whether their holdings were large or small, a circumstance that represented a victory for hardliners, especially those in the Senate. In 1889 there had been five attempts to exempt individual aliens who had modest land holdings—a quarter section in some bills, up to one section per township. Similar exemptions were introduced in 1891 and 1895 but never adopted. Thus, although the main targets of the restrictions were almost certainly the large landholders, real and imaginary, foreigners with small holdings were deliberately included. This inclusion, plus the fact that the legislation was at least partially a response to exaggerated claims and fears of reformers, suggests that the law was to some extent tinged with nativism—or at least with Anglophobia—and not a product of pure economic rationality or even of careless bill drafting that entangled small fish in a net sewn for large ones.

Not surprisingly, the *Advocate* and other Kansas Populist papers hailed the new prohibition on alien land acquisition. McLallin published the Populist legislators' summation of the session, ranking the alien land law as the

most important bill of 1891. He answered the credit flight argument by insisting that American money would replace foreign investment, and he opposed Populist fusion with Kansas Democrats because the Democrats had not taken a strong stand against alien land ownership.³⁰ McLallin and like-minded reformers were not, however, sure that the new law went far enough. In July the *Advocate* printed a long address of the Populists' National Executive Committee, calling for a national ban on alien land holding, and in October McLallin again warned his readers that land ownership was concentrating into fewer hands and alien ownership in the United States was increasing.³¹ The following year McLallin's colleague, Annie L. Diggs, urged her friends and readers to read Lester C. Hubbard's 1891 book *The Coming Climax*. Hubbard believed that a new American civil war could start in Kansas between foreclosed American farmers and newly ensconced tenants led by their English landlords.³²

Nationally, the Populists continued to hammer away on the land ownership issue. In 1892 the Populist candidate for president, James B. Weaver, called on voters to unite behind a Populist ticket that would destroy the land monopoly of the English aristocrats in the western states, a monopoly that had "restored to Britain all the dominion she desires over her lost colonies." Meanwhile, Populist lecturer Sarah E. V. Emery claimed that the nation would fail unless the evil of international purchase of the public domain and overseas investment in farm loans in Kansas and elsewhere could be stopped.³³

After the passage of the 1891 law, however, attacks on alien land ownership were more sporadic than they had been, but no legislation resulted until 1901, when the legislature repealed the provision altogether. The almost ritualistic nature of the protests with their increasingly shopworn topics and the legislative lack of interest suggests that alien landownership had become more a rhetorical than an actual target of the Populists and their contemporaries. McLallin himself did not

discuss the issue at all in 1892, though he reprinted a heated article from *Pennsylvania Farmer* and a bitter letter to the editor decrying Scully.³⁴ The state's political parties also took a rest, endorsing national platforms with anti-alien planks but not, except for the new Prohibition Party, bothering to draft their own.³⁵ A little flurry of legislative activity in 1893 designed to ease the workings of the law attracted little newspaper attention and died without changing anything. The House did approve a bill to exempt resident aliens and lands within cities from the three year provision, but the legislation did not reach the Senate in time for action. The bill broke down on regional rather than on party lines. Of 54 Populists 21 voted for the bill, 21 against, and 12 did not vote. Eastern Kansas provided 15 of these affirmative votes and western Kansas 14 of the negatives. The bill's Republican sponsor was from urban Johnson County, while the two Senators, a Populist and a Republican, who had introduced bills to soften the alien land law were also from the east. Apparently eastern Populists were willing to permit both rural and urban investment by resident aliens, while their western comrades preferred to remain purists, probably because there were more foreclosures in the west and the threat of alien landlordism thus seemed more pressing. The *Advocate* did not comment directly on the legislative efforts of 1893 and simply reiterated old claims and old exaggerated figures of the extent of foreign ownership of farm land. Populist orator Mary Ellen Lease levelled the usual charges against "Lord Scully," while Populist Governor Lorenzo D. Lewelling compared eviction laws and landlordism in Ireland and Kansas. Railing against Scully and other foreign landlords had become part of the Populist rhetorical formula.³⁶

In 1895 the debate broke out of the formulas when the legislature again attempted to weaken or repeal the 1891 law. Again proponents of easing restrictions came from eastern, mostly urban districts, with Republicans sponsoring the changes in the House and Populists in the Senate. McLallin published

letters to the editor that blasted "Viscount Scully" and excoriated American legislators for permitting "British aristocrats and other non-resident foreigners to monopolize" America's birthright, the land itself.³⁷ Meanwhile "Coin" Harvey, one of the most colorful propagandizers of reform in the late nineteenth century, published two new books, *Coin's Financial School up to Date* and *The Patriots of America*. He provided the usual digs against British investors, including the British Land Company and the again misnamed Alexander Grant. His map indicated that about a third of Kansas was "owned by titled foreigners." Mary Ellen Lease repeated similar charges in *The Problem of Civilization Solved*, managing to misname Lord John Scully, whom she singled out as one of many foreign speculators in Kansas.³⁸ These were the usual exaggerations, taken to their height. The new note in the debate came in two letters to the editor of the *Advocate*. The writers pointed out the illogic of limiting opposition to foreign investment and concluded that the problem was landlordism, not the nationality or place of residence of the landlord.³⁹

McLallin retired from the *Advocate* in February 1896, and the paper ceased to pay attention to the alien land issue except for desultory letters to the editor. In 1896 questions about the constitutionality of some procedures used in passing the 1891 law surfaced, but these were resolved and the old law stood until 1901. In that year Republicans introduced repeal measures in both houses of the legislature, and while the House bill was killed in committee, the Senate bill passed easily in both chambers. The old patterns of support for alien land regulation had dissolved completely and the issue had become a partisan one. In the House Republicans overwhelmingly supported repeal, 71 in favor, 3 opposed, and 8 not voting. Only 3 Populists favored repeal, with 14 opposed and 12 not voting. In the Senate the Republicans also formed the majority with the Populists splitting on the question.⁴⁰ The old regional voting pattern disappeared entirely. The *Advocate* did not

even note the repeal of the 1901 law.

Criticism of alien land ownership slowed up in the four years before repeal of the 1891 law, but it did not cease altogether. The *Advocate* published a vintage bitter letter in January 1897 and gentler attacks as late as 1901.⁴¹ The 1898 state Populist platform endorsed a national platform containing an anti-alien landownership plank, but the other parties in Kansas were silent on the issue.⁴² In 1898 Populist John Davis, a former congressman from an area near a Scully farm assailed both landlordism and mortgage foreclosure by foreigners in Kansas and elsewhere and demanded reclamation and resale to yeoman settlers. Coin Harvey published the last book to attack alien landowners in 1899, repeating the same old charges and including the obligatory attack on "Lord Scully."⁴³

The reform rhetoric of 1890 had undoubtedly helped move Kansas legislators to enact the restrictive law of 1891, but by the end of the decade, if it did not fall on deaf ears, it certainly fell on unhearing ones. By the turn of the century, most British firms had resold foreclosed acreage and left the state. Even the arch-villain Scully became a citizen in 1900, and it became apparent that he was not acquiring more land nor mistreating his tenants. One might conclude that legal restrictions on land ownership by foreigners had brought about this happy state of affairs, but that does not seem likely. The depression of the 1890s had made investment even riskier than farming and returning prosperity allowed investors to get rid of their lands. The political climate in Kansas had also changed. Free silver and fusion had blunted the force of Populism, and the rise of McKinley prosperity had turned Kansans into a comfortable electorate that voted for conservative Republicans. These new legislators stressed optimism, progress, and opportunity. They desired neither to imperil individual property rights nor to turn away potential investors.⁴⁴

If the easy passage of the repeal act in 1901 was simply another indication that Kansas had entered a new era, it still does not explain

whether the two decades of opposition to foreign land ownership represented a rational response to a real economic problem or an example of the nativism of Populists and other agrarian reformers. Certainly both the reformers and the historians who have studied them overestimated the actual holdings of foreign landlords and investors. The repetition of one or two names, the vastly exaggerated but often repeated acreage totals, George Grant's posthumous career as bugaboo, and the misnaming of both Grant and William Scully all suggest a true oral tradition that, like the legend of George Washington and the cherry tree, tells more about the tellers of the tales than any truth supposedly objectified in the tales. By the 1880s, the Republicans were ensconced as the party in power, wrapped in the Bloody Shirt of Civil War glory. The tale of "Scullyism" linked the various third party reformers to the rhetoric of the Revolution in a new uprising against the British aristocracy. At the same time, it united the agrarians with immigrants, who were supposedly fleeing old world tyranny. Thus the emphasis on citizenship in the 1891 law and the refusal to exempt any aliens from its provisions help to clarify the mythic dimensions of the anti-alien land ownership campaign.

Both non-Populist and Populist reformers provided the rhetoric, but when it came to the actual passage of laws, both those restricting foreign ownership and those repealing the restrictions, Republicans sponsored almost all the measures, successful and unsuccessful. Until 1901, however, the divisions were on regional, not party lines. Furthermore, the rhetoric does not synchronize very well with the legislation except in 1890-91. Thus we must contrast not only the "real" conditions of foreign land ownership with the reform rhetoric but also the "real" conditions of the passage of laws. Walter Nugent, who was himself involved in a kind of myth making to the extent that he was rescuing the Populists from accusations of xenophobia and anti-Semitism, almost certainly overestimates the real danger of foreign investment in Kansas and underesti-

mates the bitterness of the anti-alien rhetoric. He is right, however, in concluding that the anti-alien land ownership campaign did not represent nativism. For reform writers it represented the glory of the American Revolution, tinged with a fashionable Anglophobia. For western Kansans it represented a way to stave off foreclosure and failure. For eastern Kansans it represented a threat to the capital flow necessary for building up the urban areas of the state. For Kansas Republicans it represented a political issue to be moved one way or another during the decade they were out of power. For modern readers it is an illustration of how marvelously history shifts with point of view.

NOTES

1. For the Gilded Age roots of the movement against alien landownership, see Arthur P. Dudden, "Antimonopolism, 1865-1890: The Historical Background and Intellectual Origins of the Antitrust Movement in the United States," Ph.D. diss., University of Michigan, 1950, and Allan G. Bogue, "To Shape a Western State: Some Dimensions of the Kansas Search for Capital, 1865-1893," *The Frontier Challenge: Responses to the Trans-Mississippi West*, ed. John G. Clark (Lawrence: University Press of Kansas, 1971), pp. 203-34. Important early studies include Frank L. McVey, "The Populist Movement," *Economic Studies* 1 (August 1896): 130-209, and Frank E. Haynes, "The New Sectionalism," *Quarterly Journal of Economics* 10 (April 1896): 269-91. Later progressive historians considering the topic include Raymond C. Miller, "The Populist Party in Kansas," Ph.D. diss., University of Chicago, 1928 and "The Background of Populism in Kansas," *Mississippi Valley Historical Review* 11 (March 1925): 469-89; Harold H. Dunham, *Government Handout: A Study in the Administration of the Public Lands, 1875-1901* (Ann Arbor: Edwards Brothers, Inc., 1941), pp. 166-67, 188-89, 194, 223-24, 263-68, 294-300; Paul W. Gates, "Frontier Landlords and Pioneer Tenants," *Journal of the Illinois State Historical Society* 38 (June 1945): 195-203 and *Fifty Million Acres: Conflicts over Kansas Land Policy, 1854-1890* (Ithaca: Cornell University Press, 1954), pp. 282-90 and *History of Public Land Law Development* (Washington: GPO, 1968), pp. 454-55, 461, 474-75, 482-83. Some important mid-century works are Roger V. Clements, "British Investment and American Legislative Restrictions in the Trans-Mississippi West, 1880-1900," *Mississippi Valley*

Historical Review 42 (September 1955): 207-28; Douglas W. Nelson, "The Alien Land Law Movement of the Late Nineteenth Century," *Journal of the West* 9 (January 1970): 46-59; Edward P. Crapol, *America for Americans* (Westport, Conn.: Greenwood Press, Inc., 1973), Chapter 5; Richard Hofstadter, *The Age of Reform: From Bryan to F.D.R.* (New York: Alfred A. Knopf, 1955); Walter T. K. Nugent, *The Tolerant Populists: Kansas Populism and Nativism* (Chicago: University of Chicago Press, 1963); and O. Gene Clanton, *Kansas Populism: Ideas and Men* (Lawrence: University of Kansas Press, 1969), pp. 60, 232, 162, 285-86. For significant work on Populism since 1970, see Peter H. Argersinger, *Populism and Politics: William Alfred Pepper and the People's Party* (Lexington: University Press of Kentucky, 1974), pp. 15-16, 18, 71; Karel D. Bicha, *Western Populism: Studies in Ambivalent Conservatism* (Lawrence, Kansas: Coronado Press, 1976), pp. 18, 33, 78, 82, 100, 102; Lawrence Goodwyn, *Democratic Promise: The Populist Movement in America* (New York: Oxford University Press, 1976), pp. 80-81, 594, 602.

2. Western Land and Cattle Company, Ltd., annual reports to shareholders, 1882-1891, London Stock Exchange (LSE); Public Record Office, London (PRO), file BT 31 Diss. No. 16964, Box 3006; and Gates, *Fifty Million Acres*, p. 285, note 77.

3. Oscar C. Winther, "The English and Kansas, 1865-1890," *The Frontier Challenge*, ed. Clark, pp. 254-66.

4. James L. Forsythe: "Environmental Considerations in the Settlement of Ellis County, Kansas," *Agricultural History* 51 (January 1977): 38-50; and "George Grant of Victoria: Man and Myth," *Kansas History* 9 (Autumn 1986): 102-14.

5. Winther, "The English and Kansas," pp. 265-66; Capt. Charles Seton, "Reminiscences of Runnymede," *Kansas Historical Collections* 12 (Topeka: State Printer, 1912), pp. 467-69. Later writers added a zero to Seton's 1,700-acre figure, a case not unlike many other examples where the amounts of alien holdings were exaggerated. See Hyle Miller, ed. "An English Runnymede in Kansas—Concluded," *Kansas Historical Quarterly* 41 (Summer 1975): 213, note 14.

6. Larry McFarlane, "British Investment in Midwestern Farm Mortgages and Land, 1875-1900: A Comparison of Iowa and Kansas," *Agricultural History* 48 (January 1974): 179-98.

7. Register of Deeds, Riley County, Manhattan, Kansas, [Deed] Book 45, pp. 613-14; and [Deed] Book 56, pp. 510-12; annual reports to shareholders, 1884-1894, 1896-1901, LSE; records of incorporation, capital, and shareholders, file BT 31 Diss. No. 17965, Box 3122, PRO; and Louise Barry, ed. "A British Bride in Manhattan, 1890-1891: The

Journal of Mrs. Stuart James Hogg," *Kansas Historical Quarterly* 19 (August 1951): 269-86.

8. Jacob Van Der Zee, *The British in Iowa* (Iowa City: State Historical Society of Iowa, 1922), pp. 117-18; *Economist* (London), 22 August, 19 September 1896; and Harold R. Smith, "Populist Study in Need of Revision: A Case Study of Kearny County, Kansas, in the Populist Era" (M. A. thesis, Fort Hays Kansas State College, 1969), Chapters 3-4, 6.

9. Homer E. Socolofsky, *Landlord William Scully* (Lawrence: Regents Press of Kansas, 1979), p. 77.

10. Nugent, *Tolerant Populists*, pp. 117, 48, 65.

11. *Topeka Daily Capital*, 18 July 1884, 23 August 1884 and 30 August 1884; Democratic Party Scrapbook, 1866-1890, Vol. 1, pp. 217-21, Kansas State Historical Society, Topeka (KSHS); Nugent, *Tolerant Populists*, p. 47. All references to national party platforms are from Donald Bruce Johnson, *National Party Platforms. Volume I: 1840-1956* (Urbana: University of Illinois Press, 1956). In *Tolerant Populists* Nugent fails to note several Kansas organizations' endorsements of national platforms containing anti-alien land planks: Republican—1884, Union Labor—1889, Populist and Democrat—1891, 1894, 1896, Populist—1898, Farmers' Alliance—1893. He often does not state the content of relevant state party platforms (pp. 46, 51, 73-74, 129-31, 133), ignores the state Democrat and Greenback Labor planks of 1884 (pp. 73-74, 122), and does not make comparative textual analyses of the planks.

12. William Godwin Moody, *Land and Labor in the United States* (New York: Charles Scribner's Sons, 1883), pp. iii, 58-61, 76-79, 84-87. This book was used as a source on alien land ownership for the Democratic Party's national campaign handbooks in 1888 (p. 229) and 1890 (p. 373).

13. The first lists appeared in the *Congressional Record* 15 (Washington: GPO, 1884), pp. 2359, 4794.

14. Sarah M. Brigham, *Waverland: A Tale of Our Coming Landlords* (Chicago: Stereotype Works, 1886), pp. 8-14, 19, 21. For serialization see the *Girard Western Herald*, 1 November 1890.

15. William A. Phillips, *Labor, Land and Law: A Search for the Missing Wealth of the Working Poor* (New York: Charles Scribner's Sons, 1886) pp. 401-02, 346, 354; *Advocate*, 22 June 1892.

16. *Congressional Record* 17 (Washington: GPO, 1886), p. 7955. Still, he supported anti-alien land laws because he believed that both small-scale and major land owners should be native or naturalized U.S. citizens.

17. George W. Bell, *The New Crisis* (Des Moines, Iowa: Moses Hull & Company, 1887), pp. 102-04, 107, 109, 131, 319, 343. The book was reissued by Vincent Brothers of Indianapolis, India-

na, in 1892 and by the Appeal Publishing Company of Girard, Kansas, in 1902.

18. *The American Nonconformist and Kansas Industrial Liberator* (Winfield), 7, 14 October 1886; Nugent, *Tolerant Populists*, p. 48; James C. Malin, *A Concern about Humanity: Notes on Reform, 1872-1912, at the National and Kansas Levels of Thought* (Lawrence: privately printed, 1964), pp. 156-57. See also Seymour Lutzky, "The Reform Editors and Their Press," Ph.D. diss., University of Iowa, 1951, pp. 164, 178-80.

19. For documentation of the legislative actions and governors' messages see the appropriate Senate and House journals, 1887-1901.

20. Socolofsky, *Landlord William Scully*, pp. 77, 108-09; Gates, *Fifty Million Acres*, pp. 286-87; and Miller, "The Populist Party in Kansas," pp. 68-69.

21. *Advocate*, 9 October 1895.

22. *Ibid.*, 24, 31 August, 7 September, 12, 19 October, 6, 13, 20 December 1889.

23. *Ibid.*, 16 January, 13 February, 13 March, 2, 9 April, 25 June, 2, 16 July, 22 October, 6 November 1890.

24. W. Scott Morgan, *A History of the Wheel and Alliance* (St. Louis: C. B. Woodward Company, 1891) 3d ed. rev., pp. 654, 659, 673-74, 676, 677; *Advocate*, 9, 13 November, 13 December 1889.

25. Newton B. Ashby, *The Riddle of the Sphinx* (Des Moines: Industrial Publishing Company, 1890), pp. 50, 61, 81-82, 251, 258, 265-67, 326, 410, 453; James R. Elliot, *American Farms: Their Condition and Future* (New York: G. P. Putnam's Sons, 1890), pp. 48-51, 54-55, 57, 129.

26. Argersinger, *Populism and Politics*, pp. 15-16; Daniel R. Goodloe, "Western Farm Mortgages," *Forum* 10 (November 1890): 352-55; *Wichita Courier*, reprinted in the *Chicago Tribune*, 5 December 1890. See the *Girard Western Herald*, 1 November 1890 and 5 December 1891, for Brigham's novel and a bitter attack on the Scully system.

27. *Advocate*, 6 December 1889, 30 January, 16 July, 20 August, 10, 17 September 1890. See also *Points for Populists as to organizing the House of Representatives* (Topeka: Kansas Populist Headquarters, 1890) (Copy in KSHS).

28. *Session Laws of 1891* (Topeka: Kansas Publishing House, 1891), pp. 7-10.

29. *Kansas City (Missouri) Times* 23 July 1891; *Further Report on the Status of Aliens and Foreign Companies in the United States*. Commercial No. 13 (1891, United States), In continuation of "Commercial No. 13 (1890): "C. 5969. Presented to . . . Parliament (London: August 1891), pp. 668-69.

30. *Advocate*, 25 March, 29 July, 15 July 1891.

31. *Ibid.*, 29 July, 14 October 1891.

32. Lester C. Hubbard, *The Coming Climax in the Destinies of America* (Chicago: Charles H. Kerr, 1891), pp. 431-32; *Advocate*, 20 April 1892.

33. James B. Weaver, *A Call to Action: An Interpretation of the Great Uprising, Its Source and Causes* (Des Moines: Iowa Printing Company, 1892), pp. 6, 21, 286-88; Sarah E. V. Emery, *Imperialism in America: Its Rise and Progress* (Lansing, Mich.: privately printed, 1893), rev. ed. of 1892 first ed., pp. 16-17, 28, 45-46, 55, 59, 80. Emery's *Seven Financial Conspiracies...* (1887) also was anti-British but contained no reference to the alien land issue.

34. *Advocate*, 9, 30 March 1892.

35. *Ibid.*, 22 June, 6, 20 July 1892; Democratic Party Clippings, Vol. 2, pp. 6-7 (KSHS).

36. *Advocate*, 8 February, 15 March, 21 June, 27 September 1893; The Open Church (eds.) *Great Quadrangular Debate, at Salina, Kansas, December, 1893* (Salina: Press of the Republican Job Room, 1894); Kansas State Governors' Messages, Vol. II, 1883-1895, 1895 (KSHS); Donald H. Ecroyd, "An Analysis and Evaluation of Populist Political Campaign Speech Making in Kansas, 1890-1894," Ph.D. diss., University of Iowa, 1949, pp. 179, 182.

37. *Advocate*, 3 April, 7 August 1895.

38. William H. Harvey, *Coin's Financial School up to Date* (Chicago: Coin Publishing Company, 1895), pp. 109-13; Harvey, *The Patriots of America* (Chicago: Coin Publishing Company, 1895), pp. 35-40; Mary Ellen Lease, *The Problem of Civilization Solved* (Chicago: Laird & Lee, 1895), pp. 314, 316, 317, 324.

39. *Advocate*, 21 August, 6 November 1895.

40. *Session Laws, 1901* (Topeka: W. Y. Morgan, State Printer, 1901), p. 1.

41. *Advocate*, 13 January 1897, 3 October, 28 November 1900, 29 November 1901.

42. *Ibid.*, 13 July 1898.

43. John Davis, "Alien Landlordism in America," C. F. Taylor, ed., *The Land Question from Various Points of View* (Philadelphia: privately printed, 1898), pp. 54-68. William H. Harvey, *Coin on Money, Trusts, and Imperialism* (Chicago: Coin Publishing Company, 1899), pp. 74-76, 78-79, 81-83.

44. McFarlane, "British Investment," pp. 183-98; *Advocate*, 6 November 1895; Socolofsky, *Landlord William Scully*, pp. 130-31, 133, 171, note 14; Argersinger, *Populism and Politics*, pp. 233-311; Robert Sherman LaForte, *Leaders of Reform: Progressive Republicans in Kansas, 1900-1916* (Lawrence: University Press of Kansas, 1974), Chapter 1.