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Western Opposition to the Agricultural College Act*

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"Never since the formation of our government has a more important measure been submitted to Congress . . . ; none that contemplated weightier interests, or . . . would be fraught with more salutary and widespread benefits."¹ Thus spoke the West of the bill to aid in establishing agricultural colleges in each state of the Union. Yet the representatives and senators of this area either opposed or supported with extreme reluctance the Agricultural College Act of 1862 which provided for grants of land to endow such an institution in each state.² Was this sheer partisan politics? Were the western congressmen violating instructions and opposing the will of their constituents? Or was there something inherently wrong in the land grant measure which they could not favor?

American land policy has developed through a series of conflicts between opposing groups representing different philosophies, different sections and different economic interests.³

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¹ *Cincinnatus* in *Indiana Farmer* (May, 1858), VII, 49.

² Most writers have maintained that the Agricultural College Act was peculiarly a western measure. Professor Earle D. Ross mentions western opposition to the Agricultural College Act in his "Northern Sectionalism in the Civil War Era," *Iowa Journal of History and Politics* (October, 1932), XXX, 464-465.

³ Benjamin Horace Hibbard, *History of the Public Land Policies* (New York, 1924), is the standard work on the history of the public domain.

The group dominant at the outset looked upon the public lands as a national treasure which should produce revenue for the government and thereby minimize the need for taxation. It favored limited sales at high prices, wished to restrict the area open to settlement and was not disturbed if speculators monopolized the public lands when they were opened to sale. The agrarians opposed the revenue feature of the land system, wished to open the lands freely to settlers, and resented the ease with which speculators acquired great tracts and seemed to control land policy. As the agrarians, representative of the landless poor in the east and of the small farmers of the West and South, grew in numbers and political power after 1800, they extorted from a reluctant Congress, still revenue minded, a series of measures which gradually liberalized land policy. The smallest unit of sale was reduced from 640 acres to forty; the minimum price was lowered from \$2.00 to \$1.25 in 1820, and, in 1854, to twelve and one-half cents an acre for certain lands; squatters were granted pre-emption rights which protected their claims against speculators; and, finally, in 1862, the capstone of the agrarian demands was attained in the Homestead Act which promised actual settlers a free grant of 160 acres.

Running counter to this agrarian trend in land policy was the demand that the public lands be granted to aid schools, highways, canals, railroads, and other public institutions. The lusty young nation, growing in size and numbers at an amazing rate, was too impatient to wait for private initiative or local government to meet these needs. The inadequacy of federal income and credit prevented money grants, but the nation possessed a gigantic quantity of publicly owned land which might be used instead of cash donations. From the outset of our national existence the policy had been followed, although haltingly at first, of granting lands to aid in establishing common schools, endowing normal schools and universities, erecting public buildings, constructing highways, canals and finally railroads in the public land states and territories. Altogether hundreds of millions of acres were given to these states and to private corporations as part of this grant-in-aid policy. The grantees were expected to sell their lands at the government minimum price or better and of course were interested in receiving the highest possible return from their donations. Such grants-in-aid

seriously weakened the land reforms which the agrarians were obtaining because they led to the creation of innumerable land agencies whose disposal policies were the antithesis of that towards which the Federal Government was working.

It was in the Lincoln administration that the free homestead and grants-in-aid policies clashed most seriously. At the very moment that Congress adopted the Homestead Act, it was considering making grants to western railroads which would take more than 100,000,000 acres out of the public domain. Furthermore, thirteen days after the Homestead Bill became a law, Congress passed the Agricultural College Act which offered to the states some 9,000,000 or 10,000,000 acres for the endowment of agricultural and mechanical arts colleges. The west had always supported measures for grants-in-aid but the College Act of 1862 differed so radically from those previously adopted that westerners were forced into opposition despite their thorough approval of the object of the measure.

Early in the nineteenth century, several attempts were made to establish schools of agriculture but these small experiments were not particularly successful.⁴ Being unable to obtain sufficient support from individual states, agricultural leaders turned to the Federal Government for aid. They argued that while industry and commerce had been aided in numerous ways, for example by tariffs, patent laws, ship subsidies, river and harbor appropriations, and canal grants, little or nothing had been done for agriculture.⁵ The demand

⁴ Arthur Charles True, *History of Agricultural Education in the United States, 1785-1925* (Washington, 1929), 45 *passim*; *House Reports of Committees*, 35 Cong., 1 Sess. (1857-1858), No. 261, 8-10.

⁵ See the views of Henry L. Ellsworth, Commissioner of Patents, *Annual Reports*, 1837 (p.5), 1842 (p.2); also memorial of Charles Lewis Fleischmann, December 8, 1838, in *House Documents*, 25 Cong., 3 Sess. (1838-1839), No. 70. Fleischmann stated that he had previously memorialized Congress for aid in establishing an agricultural college in Washington but had then doubted the power of Congress to grant such aid. Now, in 1838, he urged that the Smithsonian bequest be used for this purpose. Silas Wright, former Governor of New York, commented in 1847, upon government neglect of agriculture as follows: "It is universally conceded that agriculture has shared but lightly in the fostering care and government patronage which have been liberally extended to commerce and manufacturers . . ." *The Albany Cultivator* (October, 1847), IV(new series), 318. Wright's speech was also published in the *Western Farmer and Gardener* (September, 1847), III, 119. In a memorial of the Minnesota legislature, of January 29, 1858 (*Laws of Minnesota*, 1 Sess., 1858, 351-352), asking for land grants for agricultural colleges, it was pointed out that "large appropriations have been made for Naval and Custom

for federal aid for vocational or agricultural schools was fostered by agricultural societies, farm journals, labor organizations and social reformers. By 1857 the movement had gained such wide support that Justin Smith Morrill, Representative in Congress from Vermont, was persuaded to introduce a bill to provide for grants of land to the states to aid them in financing farmers' and laborers' colleges.⁶ The bill specified that for the purpose of establishing such a college each state would be given 20,000 acres of public land for each senator and representative it had in Congress. In those western states where there still existed public land, the selection could be made by the state or by officials of the college to which the grant was given. Such states would be privileged to sell their lands at once or to withhold them from market until they would bring higher prices. The states in which there was no public domain were to receive scrip for the acreage to which they were entitled. The bill prohibited the landless states from entering land with the scrip and required them to sell it to assignees who could use it to enter "any of the unappropriated lands of the United States subject to sale at private entry at one dollar and twenty-five cents, or less, per acre." The congressional debates on the Morrill Bill bring out clearly the conflict of philosophies over land policy. Support for the measure

House establishments, and for Military Academies and Colleges, and extensive grants of land have been made for the improvement of rivers and harbors, for railroad purposes, and the like, yet but little or nothing has been done to aid the farmers and promote the interests of agriculture, and for the practical and industrial education of the people."

⁶ *Congressional Globe*, 35 Cong., 1 Sess. (1857-1858), December 14, 1857, 33, and April 20, 1858, 1697; *House Reports of Committees*, 35 Cong., 1 Sess., No. 261.

⁷ Much controversial writing has been devoted to the question as to the authorship of, or the responsibility for, the Agricultural College Act. Professor Earle D. Ross has reviewed the controversy in an article which is a model of historical investigation and restraint, "The 'Father' of the Land-Grant College," *Agricultural History* (April, 1938), XII, 151-186. To the student of land policy the controversy appears to be of little importance for practically all the features of the Act of 1862 were carried over from earlier measures. Agricultural colleges were not new in 1862. Land grants had been given to endow universities in the colonial and early national period and every public land state had received a donation for the endowment of a university, or "seminary of learning." The actual method of aiding the proposed agricultural colleges was borrowed from the "Dix Bill" of 1854, which is described below. The Morrill Act, so far as the land donation policy is concerned, contained not one new feature which had not been discussed for years prior to 1857.

came from the old states of the North and opposition came from the South and the new states and territories of the West.

Since 1789 the South had clung tenaciously to a narrow interpretation of the constitution. Its attitude was based on fear lest an aggressive majority in the North, if not shackled by constitutional limitations, adopt a series of measures which would place the south permanently in bondage to its more powerful rival. The constitutional susceptibilities of the South were especially keen in the matter of disposing of the public lands. The section maintained that free homesteads to settlers, free grants to railroads, and donations to agricultural and mechanical colleges were all contrary to the spirit and letter of the constitution. Listen to some of the classic statements uttered in the debate on the Morrill Bill by southern state rights advocates. Said Senator James M. Mason of Virginia: "It is one of the most extraordinary engines of mischief," it is "misusing the property of the country," it is "an unconstitutional robbing of the Treasury for the purpose of bribing the States."⁸ Senator Clement C. Clay, of Alabama, denounced the measure as being "most delusive and seductive," a "magnificent bribe to the states," a "long step toward the overthrow of this truly Federal . . . Government. . . . It extorts the consent of the States by a sort of moral duress. You tempt them to their own self-abasement and self destruction" He called it "one of the most monstrous, iniquitous and dangerous measures which have ever been submitted to Congress."¹⁰ George E. Pugh, Senator from Ohio, who held similar constitutional views, said the object of the measure was "to displace the control of the State governments over the most important of all the pursuits of our citizens" He declared the measure involved "as atrocious a violation of the organic law as if it were the act of an armed usurper."¹¹

It is the opposition of another group, however, which is the more important for it looked into the future, rather than backward to the constitution to test the wisdom of the agri-

⁸ *Cong. Globe*, 35 Cong., 2 Sess. (1858-1859), February 1, 1859, 718.

⁹ *Ibid.*, February 7, 1859, 852.

¹⁰ *Ibid.*, February 3, 1859, 786.

¹¹ *Ibid.*, February 1, 1859, 715.

cultural college measure. Many critics of the American land system directed their severest strictures not at the revenue provisions but at the wide open character of the land laws which permitted capitalists and incorporated companies to purchase unlimited amounts of public land anywhere in the West. Since the first settlement in America, capitalists and land companies had been buying land in extensive quantities and when settlers reached the areas so acquired they found no land available except at speculators' prices. Despite the growing liberality of the land laws, speculators continued to forestall the settlers and prevented the development of a democratic land system in many areas. Listen to a writer in the Bloomington, Illinois, *Pantagraph*,¹² who hoped for the adoption of a free homestead law to strike at speculation:

It is the demon of *land speculation* that is to be throttled by the homestead law; land speculation that seizes the choice spots of the country in advance of the emigrant's arrival, separates the settlers' cabins by widespread tracts of unreclaimed wilderness, and encircles every embryo town and populous city with leagues of waste land as absolutely wild as when the deer and the Indian were its only inhabitants.

A resident of the Badger state observed:¹³

All the lands immediately on the banks [of the Rock River near Janesville] were already taken up & held at high prices. One half the county in which Janesville was situated was already bought up by speculators & held at high prices. From these facts I was satisfied that the county would settle slowly, that neighborhoods would be scattered & extended & not sufficiently compact for society & schools & that on the whole I should never be fully pleased with my situation if I should locate there.

A Nebraska writer was equally critical of speculators' holdings:¹⁴

Four miles from the city [Salt Creek] we strike the Speculators' Reservation, and for TWELVE miles we travel this lonely waste, with scarcely an object to vary the monopoly of the rolling prairie and teeming grass. To the North, to South, or perhaps to the West, along some tardy stream, amid a patch of timber, a tenant's cabin heaves in sight. . . . This land for beauty or utility is unsur-

¹² *Pantagraph*, March 8, 1859.

¹³ C. M. Baker, Geneva, Walworth County, Wisconsin, January 13, 1839, to George W. and James Baker, Bridgeport, Addison County, Vermont, in Edward Larrabee Baker, editor, *Charles Minton Baker and the Pioneer Trail* (Chicago, 1928), 213-214.

¹⁴ *Peoples Press* (Nebraska City), August 21, 1862.

passed in the world, yet it is as useless to the actual settler as if it was as barren as the desert of Sahara.

The legislature of Iowa, frightened by the concentration of ownership in the hands of speculators, memorialized Congress, in 1858, urging that all remaining public lands be reserved only for actual settlers:¹⁵

The sale of public lands to other than actual settlers [argued the memorial] has materially retarded the growth and prosperity of our State; that many large tracts of our best lands have been purchased by speculators, and placed beyond the reach of the great mass of emigrants who are seeking new homes within our borders, and thus sacrificing the interests of thousands of the enterprising and industrious poor for the benefit of a few non-producers.

Your memorialists will not attempt to enumerate the many evils which have resulted from this system, nor will they endeavor to portray the incalculable benefits that would accrue to the newer States and Territories from the proposed change.

The speculators' holdings not only retarded local development but forced the wide dispersal of population, made necessary the extension of highways and railroads into thinly populated areas, and raised the costs of local government. Furthermore, it was difficult to collect taxes from absentee owners as a result of which the resident proprietors had to bear an unfair share of the tax burden. Speculators frequently found it desirable to place tenants upon their lands to protect them from being plundered and to begin improving them, and the west deeply resented the intrusion of an institution it felt to be un-American and undemocratic. More than anything else the westerners disliked the fact that it was the improvements made by settlers in the vicinity of land owned by speculators which gave value to the latter's holdings. The speculators' profits, whether from rents or sales, were drained off to the East and contributed nothing to western development. "What the land speculator makes upon the rise of his land is wrung from the hard labor and incessant toil of the honest but poor settlers," is the way a Senator from Minnesota described it.¹⁵

Thoughtful westerners, no matter how much they wanted agricultural colleges could not bring themselves to support a measure which would further land monopoly by giving

¹⁵ *House Miscellaneous Documents*, 35 Cong., 1 Sess., No. 89. The memorial is dated February 20, 1858.

¹⁶ *Cong. Globe*, 37 Cong., 2 Sess. 1861-1862), May 28, 1862, 2395.

speculators the chance to acquire nine or ten million acres of public lands at substantially less than the government minimum price. They had before them the experience of the country with the military bounty land warrants granted to the veterans of the Mexican War and various Indian engagements. These warrants, to the amount of 61,228,110 acres¹⁷ had promptly depreciated to as low as fifty cents an acre, although they generally ranged in price from 62 cents to \$1.10 per acre.¹⁸ They quickly passed into the hands of dealers who advertised them for sale and by far the largest proportion were purchased by speculators who entered tracts ranging from 5,000 to 100,000 acres in the states of the upper Mississippi valley.¹⁹ The scrip granted in the agricultural college measure to the eastern states would, it was feared, go into the same hands as had the military land warrants and would carry further the large scale speculation in public lands.

These western critics argued that it was inconsistent for Congress to promise free homesteads to actual settlers while at the same time facilitating land monopolization by the grant of scrip to the eastern states. They pointed out that the proposed bill continued the old paradox of liberalizing the land laws without terminating policies which produced land monopoly. Senator Morton S. Wilkinson of Minnesota said:²⁰

The scrip . . . will pass into the hands of speculators, a remorseless class of vampires, who care little for the common prosperity, and still less for the cause of education The practical effects of this measure would be to negative or counteract the salutary result which we all hope will grow out of the passage of the homestead bill.

Jim Lane, of Kansas, a state which already had seen much

¹⁷ Hibbard, *op. cit.*, 132.

¹⁸ W. W. Corcoran, Washington, April 4, 1849, to Sidney Breese, Corcoran Mss., Library of Congress; *New York Tribune*, February 5, 17, March 11, 29, 1852; *Freeport (Illinois) Journal*, May 23, 1856; Leavenworth (Kansas), *Daily Conservative*, January 8, 1862. The warrants were regularly quoted in the financial columns of the New York papers.

¹⁹ The abstracts of warrant entries of the numerous land offices in Illinois, Indiana, Iowa, Wisconsin, Michigan, Minnesota, Missouri and Kansas reveal that a large proportion of these warrants were used by speculators. The abstract volumes are in the General Land Office, Department of the Interior, Washington.

²⁰ *Cong. Globe*, 37 Cong., 2 Sess., May 28, 1862, 2395.

of its best lands bought up by speculators, thundered against the Morrill bill, predicting that it would bring to his troubled land a far greater concentration of absentee ownership, comparable only to that which prevailed in Iowa.²¹ No bill, he said, had ever been introduced into Congress which was²²

more iniquitous so far as the western States were concerned. . . . In it is contained the ruin of the State that I . . . represent. In it is a contradiction of the homestead proposition. My understanding has been that the wealth of the locality is to educate the children of the locality. By the provision of this bill . . . you say to the laboring white man who has no land, 'you can have the land, but before you get it you must establish and maintain an agricultural college.'

Henry M. Rice, of Minnesota, as practical a politician as sat in the Senate, predicted that agents of non-residents would call out the choicest lands, "blighting, like the locusts every region which may attract them. . . ." ²³ With Senator James T. Shields of Minnesota, he sought to amend the bill to prevent speculators from entering lands in his state with the scrip.²⁴ Trusten Polk, of Missouri, tried to protect his state in the same way while Samuel C. Pomeroy of Kansas proposed that no person be permitted to acquire more than 640 acres with the scrip. All these amendments, which would have made the scrip less attractive to speculators, were defeated.²⁵ James S. Green of Missouri, William M. Gwin of California, and George E. Pugh of Ohio, shared the fears of their western colleagues. Pugh predicted that the states would sell their scrip for nominal prices, and that speculators would purchase and locate it "by empires on your public domain."²⁶ He maintained that the military bounty acts had put the "States of Iowa and Wisconsin, and perhaps Minnesota and others, into the hands of non-resident proprietors,"

²¹ In no state, save Illinois, was there a greater amount of land owned by non-residents than Iowa, a fact of which Senator James W. Grimes was somewhat sensitive. He attempted to challenge Lane's statement but the latter in reply turned the tables on Grimes by calling attention to his well known propensity for land speculation. Lane had good reason to fear the speculators' influence in parts of his own state which were already blighted by absentee ownership. *Cong. Globe*, 37 Cong., 2 Sess., May 22, 1862, p. 2276.

²² *Ibid.*, 2275. The speaker was James H. Lane, formerly of Indiana.

²³ *Cong. Globe*, 35 Cong., 2 Sess., February 1, 1859, 717.

²⁴ *Ibid.*, February 4, 1859, 785.

²⁵ *Cong. Globe*, 37 Cong., 2 Sess., June 10, 1862, 2626-2627.

²⁶ *Cong. Globe*, 25 Cong., 2 Sess., February 1, 1859, 715.

a fate from which he wanted to save the newer states and territories.²⁷

Another fundamental objection to the Morrill Bill was that it would benefit the older states at the expense of the newer ones. As the grants would not be based on actual need but on population, the densely settled and wealthiest states would receive the largest grants and the poorest, the least developed and the most needy would receive the smallest grants. California and Rhode Island would receive grants of the same size while other eastern states in which farming was relatively unimportant would receive grants greater than would be given to Minnesota, Kansas or Nebraska.

All these arguments might well have led the advocates of the measure to consider the counter proposal made by Timothy O. Howe of Wisconsin. Senator Howe urged that Congress grant to the states out of the land revenues the sum of \$30,000, instead of 30,000 acres of land, for each Congressional representative and senator to which the states were entitled.²⁸ Unfortunately, Congress was as yet unable to bring itself to make financial grants for education and consequently resorted to the long standing custom of using the public lands, regardless of the direful predictions of the western representatives.

Western opposition to, and eastern support for, the agricultural college bill was chiefly owing to the fact that it included a new principle of land distribution. This was that land in one state should be given for the benefit of another. Hitherto, the Federal Government had made grants to states and territories of land within their borders for education and local improvements. Such donations had been a method by which individual states were permitted to share in the administration of the land and they had been given, in part, to quiet opposition in the west to the rather slow process by which the Federal land policy was being liberalized. As the eastern states had administered their own lands, new states coming into the Union were inclined to resent Federal

²⁷ *Ibid.*, 716. A writer in the New York *Tribune* who signed himself "Free West," urged the editor to oppose the measure to grant lands for the aid of agricultural colleges because it was a "nefarious outrage on the West," calculated "to loot" that section of the public lands promised to actual settlers under the Homestead Act. He condemned the "sinister designs" of those supporting the measure. New York *Tribune* May 27, 1862.

²⁸ *Cong. Globe*, 37 Cong., 2 Sess., June 10, 1862, 2632.

control and to demand cession to them of all unallotted lands. Complete cession was never achieved though some of the newer states were to acquire considerable portions of their lands. Had the agricultural college bill followed precedent by providing for grants of land only to states in which there were still public lands available, thereby avoiding the use of scrip, it would have received the unqualified support of all westerners. But this would have deprived the East of any direct benefit from the measure and eastern Representatives were insistent that land grants should be given to all states, regardless of the effect such a policy would have on the land system.

Representatives of the eastern and non-public land states had early advocated donations of public lands to aid various enterprises within their boundaries but without notable success.²⁹ When prejudices against the liberal donation of land for worthy purposes seemed to be breaking down in the fifties, Congress was asked to make grants to aid the states in caring for the indigent insane. This measure came close to enactment in 1854. Dorothea Dix, one of that remarkable coterie of women reformers who did so much to arouse Americans to the existence of major social abuses in the nineteenth century, created so strong a sentiment for federal aid for the care of the insane that members of Congress dared not resist it, regardless of their doubts as to the constitutionality of such a measure. A bill to grant to the states 10,000,000 acres of public land to be apportioned "in the compound ratio of geographic area and representation . . . in the House of Representatives"³⁰ passed both houses by large majorities. Many ardent states rights' advocates refrained from voting so fearful were they of the scorn of the reformers under the leadership of Miss Dix. In effect, they "passed the buck" to President Franklin Pierce who had the courage of his convictions and vetoed the meas-

²⁹ In 1819 the Connecticut assylum for the education and instruction of deaf and dumb persons was granted a township of public lands or 23,040 acres, to be located in some western state or territory. Similarly, in 1826, the Kentucky assylum for teaching deaf and dumb persons was given a township, less the sixteenth section, or 22,400 acres, to be located somewhere on the surveyed portion of the public domain. *6 United States Statutes-at-Large*, 229, 339.

³⁰ *Senate Journal*, 33 Cong., 1 Sess., May 4, 1854, 372-374.

ure.³¹ The veto message is disappointing for it is a resume of the views of those who sought to shackle federal power to protect minority interests and does not consider the wisdom of the measure from the point of view of land policy.³² Pierce's veto served to stiffen the attitude of strict constructionists who had previously dodged the vote on the measure and it was sustained by a vote of 21 to 26 whereas the bill originally passed the Senate by 25 to 12.³³

The Dix bill, however laudable its purpose, threatened serious damage to the land system and to the west. Though it was defeated, the principle of granting land in the West for the benefit of improvements or institutions in the East bobbed up again in measures to grant four million acres in Michigan, Wisconsin and Minnesota to subsidize a canal around

³¹ The vote in the House was 81 to 53 and in the Senate 25 to 12. On the move to pass the measure over the president's veto fourteen additional Senators plucked up sufficient courage to vote no and it was defeated 21 to 26. *Cong. Globe*, 33 Cong., 1 Sess., March 8, 1854, 572, and April 19, 1854, 954; *Senate Journal*, 33 Cong., 1 Sess., 479.

³² *Senate Journal*, 33 Cong., 1 Sess., May 3, 1854, 361-369.

³³ The successful campaign of Dorothea Dix to induce Congress to adopt her measure is positively amazing when one considers the obstacles she had to overcome such as inertia, disinterestedness, constitutional opposition, and dislike of the West for a measure which obviously would make easier large scale acquisitions by speculators and land companies. Williamson R. W. Cobb, member of Congress from Alabama, and a strict constructionist, gives an inkling of her methods and success in a speech of expiation in 1858:

"I have a . . . difficult job before me, and that is to reconcile the vote which I shall give in relation to this bill (agricultural college) with the vote which I gave upon another bill. And I cannot perform it without simply coming down and acknowledging frankly that I was wrong in the vote which I gave, when the impulse of this heart, whether good or bad, prompted me to act in behalf of a proposition to grant lands for the establishment of insane asylums in the States—a proposition gotten up by Miss Dix. . . . She is a meritorious, generous, and noble-minded woman. She went down into my State, and her charms had such an extraordinary effect upon the people of that portion of the country that the Legislature of my State adopted a joint memorial to the Congress of the United States, without a dissenting voice, requesting their Representatives and instructing their Senators to vote for that bill. Then it was, sir, that I gave way to my better feelings, and voted for that bill." *Cong. Globe*, 35 Cong., 1 Sess., April 22, 1858, p.1742. Similar explanations were made by others. Additional information on the remarkable ability of Miss Dix to stir up sentiment for a measure whose object was highly laudable but whose means of obtaining that object threatened serious damage to the land system may be found in Francis Tiffany, *Life of Dorothea Lynde Dix* (Boston and New York, 1892), especially chapter XV, "The Five Million Acre Bill," chapter XVI, "The 12,225,000 Acre Bill," chapter xvii, "Again the 12,225,000 Acre Bill," and chapter XVIII, "The Presidential Veto."

Niagara Falls,³⁴ and to aid the public schools of the District of Columbia by a donation of another million acres.³⁵ These measures which had no Dorothea Dix behind them were not acted upon by Congress.

The agricultural college bill was actually more unpalatable to the West than the Dix Bill. The former provided for grants of land to the states solely on the basis of population while the latter provided for grants according to the area and the population of the states. Under the Dix Bill the western states because of their greater size would have received a fair share of the lands it was proposed to grant but under the Morrill Bill the East's share would be disproportionately large. Efforts to substitute the donation ratio of the Dix Bill for that of the Morrill Bill failed.³⁶

The conflict of ideas between those who supported land grants for western institutions and those who favored reserving the public lands for actual settlers was never settled. Opposition to grants for *absentee* institutions, such as were provided for in the Dix and Morrill bills was especially strong in the West and the bars were let down only once—in 1862. There was also developing in the West before the Civil War a feeling that the railroad land grant policy had gone too far, as is evidenced by a memorial of the Nebraska legislature of 1857, in which it is argued that the Pacific Railroad Bill then before Congress should not be passed because it would further land monopoly and harm settlers' interests. Although railroad land grants were to be made until 1871, there were many people in the West who had grave doubts as to the wisdom of the policy.

³⁴ It was natural for the New York legislature to memorialize Congress in support of the bill to grant land for the construction of a canal around the Falls of the Niagara River but one is somewhat surprised to find the Wisconsin legislature adopting a similar resolution. *Senate Miscellaneous Documents*, 35 Cong., 1 Sess., No. 261; *House Miscellaneous Documents*, 35 Cong., 1 Sess., No. 131.

³⁵ *Cong. Globe*, 35 Cong., 2 Sess., December 23, 1858, 186, and February 1, 1859, 717.

³⁶ As President Buchanan pointed out in his veto message the Morrill bill provided for the donation of some 580,000 acres to the states in which there was public land while the non-land states would receive almost ten times as much, or 5,480,000 acres. The move to substitute the more liberal feature of the Dix bill was defeated in the Senate, 25-28. *Cong. Globe*, 35 Cong., 2 Sess., February 1, 1859, 713, and February 4, 1859, p. 785. Another amendment to make the grants proportional to the area tillable land in each state was also defeated. *Ibid.*, 785.

By 1857 the West was coming to question the wisdom of the entire public land system based as it was on the revenue concept. Revenue meant sale to settlers or speculators and when settlers lacked funds they had to depend on loan sharks or speculators to buy for them. The preëmption law had not been of any assistance to penniless frontiersmen unable to buy their claims; neither had the claim association been able to protect the squatter beyond the opening of the land sale. The result was, according to contemporary estimates, that between a third and a half of the farms in the West were mortgaged.³⁷ To relieve the embattled squatters when it seemed that a free homestead measure could not be passed because of southern opposition, the West suggested that no further lands be opened to sale. The next step it took was to demand that all public lands be closed to entry save by settlers.³⁸ Such steps were too advanced for the East and South but, if adopted, they would have made the agricultural college scrip of little or no value. It is clear that the West wanted no more land to pass into eastern control whether it was individual or institutional.

The strongest support for the Morrill Bill naturally came from the eastern states which were to receive the largest grants under it. This section had always maintained that the public lands belonged to the nation and should be used for the general welfare rather than for the benefit of the particular states in which they lay. The income from the sale of lands went into the federal treasury, from which the eastern states derived benefit, and they were naturally reluctant to countenance any reduction in land revenues. Opposition to land reform, consequently, had been strong in the east prior to 1850, but thereafter it subsided as this section saw the advantages which would come to it from a rapidly developing west. Many easterners were now ready to support free homesteads and liberal land grants to railroads in exchange for support for high tariffs, favorable immigration laws, a national banking system and ship sub-

³⁷ *New York Tribune*, January 23, 1860.

³⁸ Memorial of the legislative assembly of the territory of Minnesota to the President, March 10, 1857, *Laws of the Territory of Minnesota*, 8 Sess., 1857, 298-299; memorials of the legislature of Minnesota, January 11, 1858, January 22, 1858, January 29, 1858, August 12, 1858, *Laws of Minnesota*, 1 Sess., 1858, 351-354, 371-373; memorial of the legislature of Iowa, February 20, 1858, *House Misc. Doc.*, 35 Cong., 1 Sess., No. 89.

sidies. They also demanded as a *quid pro quo* a direct share in the public lands of the West for charitable purposes, railroads, canals, and agricultural colleges. In the Morrill Bill the East hoped to secure a part of the public lands and also to pay off its obligation to the farmers for their support of the major legislation of the Lincoln administration.

Horace Greeley typified the Republican Party with two of its major planks for protective tariffs and free lands. Greeley detested speculation in lands and took great pleasure in condemning measures which made possible easy acquisition of land by non-residents. His travels through the west had given him a realistic picture of the problems of that area and a deep sympathy for the debt ridden farmers who were desperately striving to secure title to their claims. No man dealt harder blows in the campaign for the adoption of the free homestead policy. But his zeal for agricultural colleges overcame his realistic understanding of the land system. He called the agricultural college measure "a very moderate concessions to the Old States," and chided the West for not being willing to give the East this act in return for free homesteads and railroad land grants.³⁹ The Homestead Act, he thought, would virtually end land speculation; he failed to see that the agricultural college measure provided another opportunity for speculators, and he was blind to the obvious conflict between the principles of the two measures.⁴⁰

Representative Morrill undertook to answer the arguments of the opposition. He paid his respects to the members of the state rights school as follows:⁴¹ "I know very well that when there is a lack of arguments to be brought against the merits of a measure, the Constitution is fled to as an inexhaustible arsenal of supply." Less satisfactory was his reply to the arguments of the western representatives. He was convinced that the scrip "will go into the hands of bona fide settlers, because such will be the only purchares to be found, unless a depreciation of price, and these will be obtained by the several states disposing of their scrip on a credit and retaining the lien on the land. Such an arrangement will not certainly be to the disadvan-

³⁹ *New York Tribune*, June 21, 1862.

⁴⁰ *Ibid.*, February 28, 1859, February 1, 1862.

⁴¹ *Cong. Globe*, 35 Cong., 1 Sess., April 20, 1858, 1692.

tage of the land States."⁴² From this muddled statement one can see how misinformed the Vermont Representative was concerning the operation of the federal land system. If one thing was clear it was that the scrip would be chiefly used by non-settlers.

Jacob Collamer, Senator from Vermont, and John Bell, Senator from Tennessee, agreed with Morrill in deploring the grudging illiberality of the land states toward the East.⁴³ When the bill for a grant of land to aid in the construction of the Mobile and Chicago Railroad was being considered in 1850, Bell had tried to have a part of the federal land grant—which lay in Illinois, Mississippi, and Alabama—applied to the construction of that portion of the line extending through Kentucky and Tennessee. His failure rankled nine years later when he was still contending for the "equitable distribution of the public domain among all the states"⁴⁴

The same feeling of resentment against the insistence of the West that the public land should only be used for public institutions and improvements in that section may be seen in actions taken by the legislature of New York and the Vermont State Agricultural Society. In the midst of the discussion on the Morrill Bill when the West was voicing its opposition, the legislature of New York adopted a joint resolution⁴⁵ urging the New York Representatives and Senators.

note to vote any further special appropriations of the public lands to the new states, until some just general provisions be made by which the original states shall receive their equitable proportion of said lands, or the proceeds thereof.

The resolutions of the Vermont State Agricultural Society reflect the eastern attitude even better:⁴⁶

Whereas, The Public domain has been achieved by the united valor and common treasure of the country, and of right belongs to all—to the people of the old States as well as to those of the new and

⁴² *Cong. Globe*, 37 Cong., 2 Sess., June 6, 1862, Appendix, 257.

⁴³ *Cong. Globe*, 35 Cong., 2 Sess., February 1, 1859, 722.

⁴⁴ *Ibid.*, February 7, 1859, 856.

⁴⁵ *Laws of New York*, 81 Sess., 1858, p. 667. An observer in Washington, in 1857, is quoted as saying: "Incredible as it may seem there is actually a prospect that the old States are going to share in the distribution of public lands." *American Farmers' Magazine* (January, 1858), XII, 12.

⁴⁶ *Country Gentleman* (February 4, 1858), XI, 81.

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as the agriculture of our country is the foundation of our national prosperity, and is of vital importance to all other interests, and the education and intelligence of those devoted to its pursuits are of a paramount consideration . . . therefore,

Resolved, by the Vermont State Agricultural Society . . . that some portion of this widely extended domain should be set apart and appropriated for the purpose of education, equally among all the States of the Union, in proportion to the ratio of Representatives in Congress While our public lands are being squandered and frittered away, why should not the people lay claim to some of the benefits accruing therefrom.

Dorothea Dix had taught the country much about lobbying and her methods were effectively copied by the advocates of the agricultural college bill in building up support for the measure.⁴⁷ As Miss Dix had done, they went to the state legislatures to get joint resolutions adopted in which the Senators and Representatives of those states were urged to support the bill. This was no difficult task in the eastern states where sentiment for sharing in the proceeds of the public lands was strong. The legislatures of Rhode Island, New Jersey and Maine each adopted such resolution.⁴⁸ Western legislatures could be moved less easily but sufficient pressure was exerted to get favorable action from Illinois, California⁴⁹ and Ohio.⁵⁰ The Illinois resolution—a project of Jonathan Baldwin Turner—asked for grants of land for each state of a value of not less than \$500,000.⁵¹ The resolution of the Ohio legislature was adopted “without due consideration, and in an unguarded moment.” The legislature subsequently made a complete reversal, declared strongly against the land grant method of the Morrill Bill and urged that public lands be granted only to actual settlers.⁵² Four other western states—Michigan,⁵³ Iowa,⁵⁴ Wisconsin⁵⁵ and

⁴⁷ Earle D. Ross, *Agricultural History*, XII, 169 ff., and Arthur C. True, *op. cit.*, 103, mention the actual lobbyists who were working in Washington to get the bill through Congress.

⁴⁸ *Senate Misc. Doc.*, 35 Cong., 1 Sess., docs, 183, 184, 224.

⁴⁹ *Ibid.*, doc. 259.

⁵⁰ *Laws of Ohio*, 53 Assembly, 1 Sess., 1858, 194.

⁵¹ *House Misc. Doc.*, 33 Cong., 1 Sess., doc. 31.

⁵² *Laws of Ohio*, 53 Assembly, 2 Sess., 308. Ben Wade professed ignorance of these resolutions when they were called to his attention by his colleague. *Cong. Globe*, 35 Cong., 2 Sess., February 1, 1859, 714.

⁵³ *House Misc. Doc.*, 35 Cong., 1 Sess., doc. 57.

⁵⁴ *Senate Misc. Doc.*, 35 Cong., 1 Sess., doc. 202.

⁵⁵ *Senate Misc. Doc.*, 35 Cong., 2 Sess., doc. 46.

Minnesota—in which the desire for agricultural colleges was in conflict with the prevailing distrust of the method of subsidising them contained in the Morrill Bill, memorialised Congress to grant lands to them individually, but did not endorse the Morrill bill. Wisconsin, in 1858, asked for a grant of 500,000 acres⁵⁶ and in 1859 it asked for “an adequate amount of public lands” for an agricultural college.⁵⁷ The action of the legislature of Minnesota is the most revealing. In a joint resolution of January 29, 1858, the legislature condemned land speculation as being detrimental to the interests of the people, stated that it was the duty of Congress to protect settlers against land monopoly, declared for a free homestead policy and urged that a “liberal grant of land may be made to this state, and to others similarly situated” for an agricultural college.⁵⁸ Four days later a second resolution was adopted calling for a land grant for a Minnesota agricultural college.⁵⁹ The Indiana house of representatives adopted a resolution urging the enactment of a measure to grant lands for agricultural colleges but the state senate did not act upon the matter.⁶⁰

A combination, unique in American history, was brought together to support the agricultural college bill. It included the agricultural societies, farm and rural journals,⁶¹ east and west, organized labor, the brilliant but erratic Horace Greeley and the highly influential New York *Tribune*, the leaders in the movement for vocational education, and many members of Congress commonly identified with the commercial and industrial interests. If state vocational schools must come, the latter interests certainly preferred to have them subsidised from the proceeds of western land sales instead of by taxation. There was also support for the measure from western members of Congress who were more interested in the establishment of agricultural colleges than they

⁵⁶ *Laws of Wisconsin* (1858), 241-242.

⁵⁷ *Laws of Wisconsin* (1859), 254.

⁵⁸ *Laws of Minnesota*, 1 Sess. (1858), 351-352.

⁵⁹ *Ibid.*, 358.

⁶⁰ *Indiana House Journal*, 40 Sess. (1859), 229-230.

⁶¹ Most of the farm journals supported the movement for agricultural colleges, but some, like the *Ohio Cultivator*, were skeptical about it. This journal held that it would “build up the most stupendous literary hospital for political invalids and sap-rotted theorists that the world ever saw.” Quoted in Eugene H. Roseboom and Francis P. Weisenburger, *History of Ohio* (New York, 1934), 312.

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were fearful of the unfortunate effects the issuance of the scrip would have in furthering land speculation. The combination was irresistible. In the sessions of 1858 and 1859 Justin Smith Morrill in the House and Ben Wade in the Senate—despite the instructions he received from the Ohio legislature—drove the measure through Congress.⁶²

The sectional lineup in both branches of Congress shows that the bill received the solid support of New England, strong aid from the Middle Atlantic States, and scattered votes from the border states and the Old Northwest. The public land states gave thirty-five votes for the measure and fifty-three in opposition.

*Vote on the Agricultural College Bill of 1858-1859**

	House		Senate	
	For	Against	For	Against
Maine	6	0	2	0
New Hampshire	3	0	2	0
Vermont	3	0	1	0
Massachusetts	11	0	1	0
Connecticut	3	0	1 (1)	0
Rhode Island	2	0	2	0
<hr/> New England	28	0	9	0
New York	23	7	2	0
Pennsylvania	10	9	1 (1)	0
New Jersey	5	0	1 (1)	0
<hr/> Middle States	38	16	4	0
Delaware	1	0	0	1
Maryland	4	1	1	0
Kentucky	2	8	2	0
Tennessee	3	6	1	0 (1)
Virginia	0	9	0	2
North Carolina	0	7	0	2
South Carolina	0	4	0	2
Georgia	2	6	0	0 (1)
<hr/> Old South	12	41	4	7
Indiana	6	5	0	0 (1)
Illinois	4	3	1 (1)	0
<hr/> Old Pub. Land States	19	17	2	1
Michigan	4	0	1 (1)	0
Wisconsin	0	2	2	0
Minnesota	0	0	0	1

⁶² The House passed the bill on April 22, 1858 and the Senate on February 7, 1859. *Cong. Globe*, 35 Cong., 1 Sess., 1412-1414.

Iowa	2	0	1	1
Missouri	1	6	0	2
California (a)	1	1	2	0
New Pub. Land States	8	9	6	4
Alabama	0	7	0	2
Arkansas	0	2	0	2
Louisiana	0	3	0	1 (1)
Mississippi (b)	0	3	0	2
Texas	0	2	0	2
Florida	0	0	0	1 (1)
New South	0	17	0	9
Total vote	105	100	25	22

* The numbers in parenthesis represent those paired for or against the bill.

a. Senator William M. Gwin voted for the measure because he was so instructed by the legislature of California, though he had doubts as to the wisdom of his action. *Cong. Globe*, 35 Cong., 2 Sess., February 7, 1859, 854-855, and February 13, 1859, 784.

b. Senator Albert G. Brown voted against the bill because of instructions from the Mississippi legislature. *Ibid.*, February 7, 1859, 856.

If the old fashioned views of the strict constructionists were losing their hold upon the North, they were still cherished by James Buchanan. He agreed with Mason and Clay that the agricultural college bill would destroy the old balance of power between the states and the Federal Government and he therefore stood squarely with the South in unalterable opposition to the measure. But Buchanan was a Democrat and the Democratic Party had always depended for much of its support upon the frontier West. He therefore embodied in his veto message the view earlier stated so forcibly by Pugh of Ohio, Rice of Minnesota, and Green of Missouri that,⁶³

This bill . . . will operate greatly to the injury of the new States . . . Nothing could be more prejudicial to their interests than for wealthy individuals to acquire large tracts of the public land and hold them for speculative purposes. The low price to which this land scrip will probably be reduced will tempt speculators to buy it in large amounts and locate it on the best lands belonging to the Government. The eventual consequence must be that the men who desire to cultivate the soil will be compelled to purchase these very lands at rates much higher than the price at which they could be obtained from the government.

Buchanan also expressed the fear that the measure would further reduce revenues derived from the public lands at a

⁶³ *Ibid.*, February 26, 1859, pp. 1412, 1414.

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time when government expenditures exceeded revenue. His veto was sustained, but an aggressive North did not accept the decision as final.⁶⁴

In 1862 the agricultural college bill was introduced into Congress again, this time with the amount of land to be granted to each state increased to 30,000 acres for each Representative and Senator in Congress. Again the northeast which stood to gain so much from it overwhelmingly supported it. Southern opposition was now silenced but the outcry from the frontier states was still shrill. Many westerners, more of them than in 1858 and 1859 when the issue was involved in politics, were torn between their desire to support a democratic system of higher education for the farmers and workers and their fears that the measure would contribute further to land speculation and land engrossment. They made a last desperate effort to amend the bill to limit the amount of land individuals could acquire with the scrip to 640 acres. The Senate adopted the amendment by the close vote of 20-19,⁶⁵ but promptly reversed itself.⁶⁶ The two votes taken on the amendment reveal solid support by Illinois, Indiana, Iowa, Kansas, Oregon and one vote each from Minnesota, and Wisconsin. Lacking southern assistance, the west was overwhelmed by the aggressive east, now firmly in the saddle. The measure passed the Senate, June 10,⁶⁷ the House, June 17, 1862, and was signed by President Lincoln.⁶⁸ The latter's views on land policy, despite his frontier connections, were closer to those of Henry Clay than to those of Jefferson. It was also true that he, like others, regarded the agricultural college act as less a land and more an educational measure. Only the most consistent land reformers kept up their opposition to the bitter end.

⁶⁴ Horace Greeley took Buchanan to task in his most biting language for the presidential veto. He argued that the states would retain their lands instead of selling them to speculators as Buchanan and others had predicted; he denied that the measure would be of aid to speculators and maintained that the revenue feature was not important. But worse still, he practically said that the votes of western Democrats were given because of their subservience to the "Slave Power." This is scarcely fair to those who fere sincerely opposed to the measure but it shows how much Greeley permitted his hatred of slavery to becloud his judgment. *New York Tribune*, February 28, 1859.

⁶⁵ *Cong. Globe*, 37 Cong., 2 Sess., June 10, 1862, 2627.

⁶⁶ *Ibid.*, 2629. The vote on reconsideration was 25-15.

⁶⁷ *Ibid.*, 2634.

⁶⁸ *Ibid.*, 2770; *U.S. Stat.* XII, 503.

The combined House-Senate vote on the measure showed the non-land states voted 93 to 5 for it and the public land state voted 30 to 27 for it.

Vote on the Agricultural College Act of 1862

	Senate		House	
	For	Against	For	Against
Maine	2	0	1	0
New Hampshire	2	0	2	0
Vermont	2	0	2	0
Massachusetts	2	0	8	0
Connecticut	2	0	3	0
Rhode Island	2	0	1	1
<hr/> New England	12	0	17	1
New York	2	0	17	3
Pennsylvania	1	0	17	0
New Jersey	1	0	3	0
<hr/> Middle States	4	0	37	3
Delaware	0	1	1	0
Maryland	1	0	3	0
West Virginia	2	0	4	0
Kentucky	1	0	9	0
Tennessee	0	0	2	0
<hr/> Old South	4	1	19	0
Ohio	1	0	12	3
Indiana	0	1	1	7
Illinois	2	0	2	4
<hr/> Old Pub. Land States	3	1	15	14
Michigan	2	0	2	2
Wisconsin	0	2	0	1
Minnesota	1	1	0	2
Iowa	1	1	0	1
Missouri	0	0	1	0
Kansas	1	1	0	0
Oregon	2	0	0	0
California	2	0	0	1
<hr/> Public Land States	9	5	3	7
<hr/> Total vote	32	7	91	25

It is not difficult to account for the opposition of the members of Congress from Indiana and Illinois to the Agricultural College Act. These states had nothing to fear from the further acquisition of land by speculators through the use of scrip since their public lands were practically gone. Moreover, they were to receive generous subsidies compared

with the newer public land states. Yet, their representatives had not as yet assimilated the eastern attitude sufficiently to make them forget their frontier prejudices concerning the public land system. In these two states were great tracts of land owned by resident and non-resident speculators and landlords whose opposition to expenditures for roads, schools, bridges, and other public construction and whose extensive and unimproved holdings retarded the development of some of the richest counties. In Indiana the Ellsworths, the "Yale Crowd," the "cattle kings,"⁶⁹ in Illinois the Scully, the Funks, the Vandevcers, all great landed proprietors, still possessed estates which would put to shame many principalities and duchies abroad. Some of these great estates were only slightly developed; on others dwelt tenants in wretched hovels.⁷⁰ Absentee ownership blighted great areas of fertile land, prevented the development of an independent proprietor class, introduced what many considered an un-American system—tenancy—led to the abuse of the land and early soil depletion and fed the fires of sectional hatred and social discontent.⁷¹

At the very time the agricultural college bill was being considered in Congress, there was beginning in the Indiana legislature⁷² a fight which was to last for a full generation over a bill to facilitate the collection of rents by giving landlords a lien on the crops of tenants. Believers in the democratic way of life were shocked at the introduction of such a measure and succeeded in defeating its enactment until 1881. Until then, the issue cropped up in almost every session, producing many acrimonious debates between those legislators who seemed to represent the interests of the landlords and those who were sympathetic to the increasing tenant class.⁷³

George W. Julian and William S. Holman, sturdy Hoo-

⁶⁹ Paul Wallace Gates, "Land Policy and Tenancy in the Prairie Counties of Indiana," *Indiana Magazine of History* (March, 1939), XXXV, 1-26.

⁷⁰ Wm. Goodwin Moody, *Land and Labor in the United States* (New York, 1883), 79.

⁷¹ Mention should be made of Granger, Greenback and Populist movements, the causes of which may be traced to the breakdown of the democratic land system.

⁷² The session of 1857 was marked by numerous arguments over the measure. *Indiana House Journal*, 39 Sess., 1857, 998-999, 1155; *Indianapolis State Sentinel*, January 13, 14, 23, 1857.

⁷³ *Brevier Legislative Reports*, 40 Sess., 1859, p. 79; *Brevier Legislative Reports*, 41 Sess., 1861, 76.

sier representatives of the underprivileged, out of the experience of their own state became leaders in the movement for land reform.⁷⁴ Staunch supporters of a free homestead policy and of all measures designed to curb land speculators by assuring settlers the sole right of acquiring land from the Federal Government, Holman and Julian conducted a notable crusade in Congress and in the popular journals of the day to carry out Jefferson's ideal of creating a nation of landowners through a democratically functioning land system.⁷⁵ None could say they opposed vocational education for farmers and workers. Yet they voted with a majority of the Indiana delegation against the Morrill Bill, basing their opposition on the unfortunate effects of unbridled speculation and land accumulation which the measure would facilitate.

Senator Joseph A. Wright, of Indiana, a real son of the soil, had a better understanding of western farm problems than any other member of Congress. He spoke from experience when he observed: "Nothing is so disadvantageous to a new State as to have a large amount of its land held by non-residents prior to its settlement."⁷⁶ He deplored tenancy,⁷⁷ a product of land speculation, and frequently condemned unsound farm practices which were already becoming associated with tenant operation of land.⁷⁸ Neglect of crop rotation, too much dependence upon corn for the major crop, the failure to keep cattle and to manure the land called forth his scathing denunciation. Education, he believed, would lead to better farm practices. In 1851, when governor of Indiana, he urged the establishment of agricul-

⁷⁴ Since 1845 Holman had acted as agent for Allen Hamilton in renting a farm in Dearborn County for which, because there were no good public lands in the vicinity, there was always a ready supply of tenants. Letters of Holman to Hamilton, March 29, 1845, February 15, 1848, March 24, 1849, January 23, 1850, September 5, 1850, December 16, 1855, December 20, 1856, December 3, 1858, April 13, 1861, Hamilton Mss., Indiana State Library.

⁷⁵ Paul Wallace Gates, "The Homestead Law in an Incongruous Land System," *American Historical Review* (July, 1936), XLII, 677 ff. This article contains some material on the connection of Browning and Harlan with the sale of the Cherokee Neutral Tract.

⁷⁶ *Cong. Globe*, 37 Cong., 2 Sess., May 30, 1862, pp. 2441-2442.

⁷⁷ *Address of Governor Joseph A. Wright Delivered before the Wayne County Agricultural Fair, 1851* (Indianapolis, 1851), 6.

⁷⁸ *Ibid.*, 7; *Address of His Excellency, Jos. A. Wright, Governor of the State of Indiana, Pronounced at the New York Agricultural State Fair, Elmira, Oct. 5, 1855* (Indianapolis, 1855), 11.

tural schools where experimental farming could be carried on and training be given in modern methods of agriculture.⁷⁹ The same year he asked the legislature to establish a State board of agriculture to which should be appropriated money sufficient to provide for state and local agricultural societies and for numerous agricultural fairs.⁸⁰ In 1858, when minister to Prussia, he visited a famous agricultural school at Hohenheim, about which he wrote glowing descriptions to the *Ohio Farmer*.⁸¹ He early advocated a free homestead law which would, he hoped, create a large class of owner-operators independent of land speculators and landlords.⁸² At the peak of his political power in 1862, when he was regarded by President Lincoln as "the most potent man in the State . . . ,"⁸³ Wright could not bring himself to vote for the Morrill Bill which, he was convinced, would further land speculation.

Three other prairie politicians who, because of the exigencies of party politics had been led to support the agricultural college bill in 1858 and 1859, reversed themselves in 1862. Schuyler Colfax of a northern Indiana constituency, Owen Lovejoy of the Alton district of Illinois, and James R. Doolittle, of Wisconsin, lived in areas where the heavy hand of the land speculator was everywhere felt. When they could no longer count upon a presidential veto, they felt themselves obliged to join in the fight against the measure.

Prairie politicians who supported the effort to restrict the amount of land individuals could acquire with the scrip but who voted for the bill in the end were Browning and Trumbull of Illinois, Harlan of Iowa and Pomeroy of Kansas. Orville H. Browning, whose extensive legal practice had brought him into intimate contact with James F. Joy, the rising railroad king, James F. Harlan, a time serving politician, Lyman Trumbull, a conservative Illinois Sen-

⁷⁹ *Address of Governor Wright to the Citizens of Cannelton, Indiana, on Saturday, May 5, 1851*, 4. In 1857 Wright urged that certain funds be used to endow an "Agricultural Professorship" at the State University. *Wabash Weekly Intelligencer*, January 21, 1857.

⁸⁰ *Monticello Prairie Chieftain*, January 14, 1851.

⁸¹ *American Farmers' Magazine* (November, 1858), XII, 666-671.

⁸² *Address of Governor Joseph A. Wright Delivered before the Wayne County Agricultural Fair*, 6-7.

⁸³ J. W. Usher, Washington, July 25, 1862, to R. W. Thompson, Thompson Mss., Indiana State Library.

ator whose sense of ethics was surprisingly high for the "Gilded Age," were all close friends of Lincoln. Samuel E. Pomeroy, the "Senator Dillworthy" of the "Gilded Age," rarely showed regard for settler's interests. Henry M. Rice, Senator from Minnesota, himself an able and successful speculator, condemned the measure strongly in 1859 and again in 1862; nevertheless, in the latter year he voted for it.⁸⁴ A few other relatively unknown congressmen from the public land states, including Albert S. White, of Indiana, supported the measure. A lawyer, a railroad president, and a "conservative,"⁸⁵ White lacked the sympathetic understanding of the settler's problems possessed in such abundant measure by Julian and Holman. He was the only member of the Indiana delegation who voted for the Agricultural College Act in 1862.

Unlike the long series of land reforms which had been adopted since 1800, the Agricultural College Act cannot be considered a western product. It was one of the few land bills of the mid-nineteenth century which was forced on the west by a combination of older states having no federal lands. The West won its homestead demand, in part, but suffered defeat on the Agricultural College Act.

Over a long period of years the Federal Government had devised a land system which, imperfect though it was, yet worked fairly satisfactorily in the physical details of surveying, advertising, selling and patenting the lands. Complaints were directed at its administration, at the honesty of many of its officers, and at its inefficiency, but, despite all, its record was fairly clear of major scandals. This could not be said of state land policies by the most charitable critic. Large quantities of public lands had already been granted the states for education, swamp drainage, canals and railroads and the administration of these lands was notoriously fraudulent and wasteful. But worse still, the new principal embodied in the Agricultural College Act of granting to the older states, land or scrip which could only be located in the west made it necessary for twenty-seven different states to provide for the management and sale of this scrip.

⁸⁴ *Cong. Globe*, 35 Cong., 2 Sess., February 1, 1859, 718, February 4, 1859, 785, February 7, 1859, 857; *Cong. Globe*, 37 Cong., 2 Sess., June 10, 1862, 2634.

⁸⁵ *Dictionary of American Biography*.

⁸⁶ Gates, *American Historical Review*, XLI, 655 ff.

The story of the disposal of the agricultural college scrip by the states is one of neglect, carelessness, incapacity and something closely akin to corruption.⁸⁷ Political morality had reached such a low level in the sixties that the possession of millions of acres of scrip by the states seemed to call forth a concerted effort by spoilsmen to make use of it for their personal benefit. The manner in which the Maine scrip was sold illustrates this point. In March, 1866, Cyrus Woodman, a dealer in land and scrip, stated that he had found the governor of Maine and a member of his council friendly to him and through them had learned the bids of all competitors. Woodman was permitted to submit a late bid after the others had been opened and, as a result, secured 60,000 acres at 52½ cents an acre, which was the lowest price paid.⁸⁸ In July, 1866, Woodman was negotiating for the New Hampshire scrip and urged his brother to go to Concord and consult with the state treasurer about its sale. *That the same tactics were to be used in the negotiations is seen by the following statement:*⁸⁹ "It may be safe & expedient to offer him say \$250 to let us know, (in case of competition) what bid from us will secure the scrip." The Woodmans were unsuccessful in New Hampshire where they lacked the influence they enjoyed in their native state of Maine. They noted, however, a peculiar dodge used by the New Hampshire agent who advertised for bids at not less than 62½ cents an acre and, not receiving any, then sold the scrip privately to another dealer at less than the minimum price.⁹⁰ The Woodmans were offered the Massachusetts scrip calling for 360,000 acres provided they would

⁸⁷ A writer in the *American Farmers' Magazine* (December, 1858), XXII, 705-706, foretold the story of the disposal of the scrip, as follows: "Some of the land would be fooled away, and nobody would know exactly where the avails had lodged. Some of the money would stick to the troughs, instead of flowing into the central reservoir. Politicians would swallow large juncks [sic], and you could not get it out of their maws There would be sad doings with the land and the money. Some of it would go to erect piles of buildings, that would not be worth a tithe of the coast Some would pay very unworthy professors for doing nothing. Scamps would in some cases get the control, instead of honest men."

⁸⁸ Cyrus Woodman, Boston, March 2, 21, 1866, to George Woodman; George Woodman, New York, March 3, 26, 1866, to Cyrus Woodman, Woodman Mss., Wisconsin Historical Society.

⁸⁹ George Woodman, New York, July 10, 1866, to Cyrus Woodman, *loc. cit.*

⁹⁰ *Id.* to *id.*, New York, January 25, 1867, *loc. cit.*

give a share of the profits derived from the business to a number of state officers, including the attorney general.⁹¹

In most cases sale of the scrip brought in disappointingly small returns. The states were expected to set in operation agricultural colleges and for that purpose were to use only the interest upon the endowment derived from the sale of scrip. Consequently, there was a strong incentive to turn the scrip into cash quickly. Those states which acted promptly in accepting the scrip dumped it on the market in 1864 and 1865 at a time when the number of land entries being made was relatively small and in such quantities that the price fell to as low as forty-two cents an acre. Indiana, for example, sold its 390,000 acres of scrip for fifty-three cents an acre; New York, through Cornell University, did somewhat better, selling a portion as high as \$1.00 an acre but only because it waited until the market had cleared to some extent.⁹²

Three states sought to evade that provision of the Act which stated that the scrip should be sold by the states and not used by them to enter lands in the West. The first of these, Rhode Island, turned its scrip over to Brown University which selected some choice land in Kansas and then, frightened by high taxes and questions concerning the legality of the business, sold out for the lowest price which any state received for land or scrip.⁹³ Illinois selected 25,000 acres of land in Nebraska and Minnesota, held them for a generation and then sold them for more than the 455,000 scrip acres previously sold had brought.⁹⁴ Cornell, the agricultural college of New York State, through its founder, Ezra Cornell, undertook to locate 525,000 of its scrip acres in Wisconsin, Minnesota, and Kansas. Although the University was under a great strain in its effort to carry the lands thus entered, pay taxes on them, prevent thieves from steal-

⁹¹ *Id. to id.*, New York, June 7, 1864, *loc. cit.*

⁹² The fullest information in print concerning the sale of the scrip by the various states may be found in *New York Senate Document 103*, 1874, *passim*.

⁹³ The story of the Rhode Island scrip is related in a collection of documents in *New York Senate Document 103*, January 1874, 381-400.

⁹⁴ Illinois Industrial University, Board of Trustees, *Annual Reports*, 1868-1890; C. P. Slater, "History of the Endowment Fund of the University of Illinois," March 5, 1934, Mss., President's office, University of Illinois.

ing the timber, and sell them for a fair consideration, it ultimately cleared nearly \$5,000,000 from the transaction.⁹⁵

Most of the western states, which received lands instead of scrip, managed their possessions as badly as the eastern states did their scrip and consequently had little to show for the generosity of Congress. Exceptions are Minnesota, California, and Kansas.

The meager returns received from the land and scrip were discouraging and supporters of vocational education came to regret that they had not received a cash subsidy in place of the land or scrip donations. The endowments were quite inadequate and, in consequence, the early history of many of the agricultural colleges is marked with promising beginnings, followed by quick retrenchments. The states at the outset were not prepared to support the struggling institutions except by small appropriations for buildings and additional federal assistance was sought. In 1872 the National Agricultural Convention representing the land grant colleges and agricultural societies, met in Washington for the purpose of securing a further donation from Congress. There was some controversy among the members as to the best proposal to urge upon Congress; some members like William W. Folwell of Minnesota, favored equal donations of land or scrip to all states regardless of population; others favored an additional donation based on population as in the Morrill Act. The discussion showed that few—whether westerners or easterners—were satisfied with the grants of land and scrip the states had received. The western states, it was pointed out, had received little land, though some of them had obtained high prices for their tracts by withholding them from sale for a few years. The eastern states had received large scrip acreages but had been forced to sell at low prices. Cornell University's experience, which already promised much, was envied by all. The members pressed hard for a grant of lands or cash, but were unsuccessful.⁹⁶

From the outset the opponents of the Morrill Act had

⁹⁵ Samuel D. Halliday, *History of the Federal Land Grant of July 2, 1862 . . . with a Full Account of the Land Scrip allotted to the State of New York and afterward Given to Cornell University* (Ithaca, 1923), *passim*.

⁹⁶ "Proceedings of the National Agricultural Convention," February 15-17, 1872, *Sen. Misc. Doc.*, 42 Cong., 2 Sess. (1871-1872), 3-84; Illinois Industrial University, Board of Trustees, *Fifth Annual Report* (1871-1872), 71; *Sixth Annual Report* (1872-1873), 74.

contended that the measure was designed to make easier the accumulation of land by eastern speculators and that the forced sale by the eastern states of their scrip would depress the prices to such low levels that small benefit would accrue to the newly established colleges. Unlike the military land warrants, previously referred to, the agricultural college scrip could not be used by preëmtors to secure their small claims. This restriction made the scrip of no use to a large class of settlers and depressed its price. Also, the scrip had to compete with free homesteads which further reduced the demand for it. When, therefore, in 1864 and 1865, the northern states began to sell their scrip they found they were selling in a buyers' market and that the chief demand came from speculators.

The vast amount of military land warrants issued to ex-soldiers between 1847 and 1855 had prevented any dealer in warrants or any combination from controlling the market and pegging the price. The warrants were issued to soldiers in all parts of the country and, in most cases, were sold to agents, banks, or land dealers. They were bought and sold on a small margin by brokers and their price was regularly quoted in the large dailies. The agricultural college scrip, in contrast, was issued to twenty-seven states which, in most instances, endeavored to sell their entire amount in one deal. Bids for small quantities were not encouraged but the broker who could take the full issue, even though on time, was favored. The result was that most of the scrip was acquired by a small number of dealers, and by 1866 one man had come to control the market.

Gleason F. Lewis, of Cleveland, for himself and as agent for David Preston & Co., of Detroit, outdistanced all rivals in handling the scrip. Lewis described himself as a "land warrant broker who cashed government vouchers, bought and sold land warrants, collected pensions, dealt in agricultural college scrip and edited the 'Old Soldiers Advocate.'"⁹⁷ He had no lack of resources, was as shrewd as any competitor in negotiating for the scrip and had sufficient outlets for its sale. In 1867 he advertised that he had bought all the scrip of Kentucky, Indiana, Maryland, North Carolina, New Hampshire, and parts of that of Pennsylvania, Ohio, Massa-

⁹⁷ G. F. Lewis, Cleveland, Ohio, March 16, 1865, to J. M. Edmunds, G. File, General Land Office, Department of the Interior, Washington.

chusetts, and other states, which amounted to more than 3,000,000 scrip acres.⁹⁸ Subsequently, he acquired nearly 2,000,000 scrip acres additional. These deals gave him a practical monopoly of the scrip and it was but natural that the states should turn to him to dispose of their holdings.

The land boom of the post war years was stimulated by the agricultural college scrip which made possible the entry of vast tracts at relatively low costs. It was in the timbered sections of Northern Michigan, Wisconsin and Minnesota that the greatest boom occurred. Within two or three years, the rush for land threatened to absorb the 1,000,000 acre maximum which the Morrill Act allowed for scrip entries in individual states. To secure the scrip entries they wanted before the maximum was reached, lumbermen and eastern speculators frantically pushed their land hunting expeditions and rushed their selections to the land offices for entry. In 1867 the maximum was reached in Michigan and Minnesota and in 1868 it was reached in Wisconsin, and Nebraska. When the totals of entries for the various districts were compiled, it was found that in each state the maximum had been exceeded, by as little as 78,000 acres in Nebraska and by as much as 397,000 acres in Michigan. Those making the late entries now sought relief from Congress and joined with another group seeking further liberalization of the Act of 1862 with respect to the use of scrip. In 1870, a pliant Congress legalized these entries in excess of 1,000,000 acres.⁹⁹

The rush of scrip entries in the western states in 1866-1869 aroused the antimonopolists in Congress to great indignation. They pointed out that Lewis had come to control the market for the scrip and that huge tracts were being entered by speculators who had no intention of improving the land but were merely holding it for a rise in value. They urged the adoption of restrictions upon the entry of the scrip lands to prevent such large scale accumulations.¹⁰⁰ Had they

⁹⁸ George W. Julian refers to the advertisement in a speech in Congress on March 6, 1868, *Cong. Record*, 40 Cong., 2 Sess. (1867-1868), 1715; Bureau of Corporations, *The Lumber Industry* (4 parts, Washington, 1913-1914), Part 1, 253.

⁹⁹ 16 *U.S. Stat.*, 186.

¹⁰⁰ See the speeches of Oliver P. Morton of Indiana, Alexander Ramsey of Minnesota and Timothy O. Howe of Wisconsin in the *Cong. Record*, 40 Cong., 1 Sess. (1867), March 26, 1867, 346-347, and of George W. Julian, *Cong. Record*, 40 Cong., 2 Sess., March 6, 1868, 1712-1716.

examined the entry books of some of the land offices they would have found fine ammunition for the battle against monopolists. As the opponents of the measure had predicted, the issuance of 7,830,000 scrip acres had the effect of reducing the land prices to speculators. Homesteaders had no need for the scrip, preëmtors were denied the right to use it but, to the capitalists who were looking for large tracts of land the scrip was a great boon as it enabled them to get nearly double the amount of land they could buy with cash. The land office abstracts of the three Lake States, Kansas, Nebraska, and California show that most of the scrip was used by speculators to acquire timber and farm lands. Such prominent names as Henry Ward Beecher, Simon Cameron, Samuel J. Tilden, John Sherman and Amos A. Lawrence appear on the entry books. The following table lists only a few of the largest acquisitions secured by agricultural college scrip:¹⁰¹

Name	Located in	Acreage
Chapman, William S.	California	210,000
Dodge, Satterlee & Mason	Michigan	85,000
Crothers, John P.	Nebraska	29,000
Cornell, Ezra	Wisconsin	499,000
Friedlander, Isaac	California	192,000
Frost, Geo. E.	Michigan	34,000
Hansell, B., Trustee	Michigan	72,000
Harper, Rice (Jor Jay Cooke et al)	Minnesota	45,000
Howe, Calvin	Minnesota	89,000
Lawrence, Amos A.	Kansas	62,000
Miller & Lux	California	79,000
Mitchell, John W.	California	32,000
Palms & Driggs	Michigan	103,000

Dozens of other lumbermen, speculators and mining groups entered from 5,000 to 50,000 acres in the same way. For a generation the areas in which these great acquisitions were made to regret the action of Congress in granting land and scrip in 1862 to aid agricultural colleges.

Such large scale land engrossment of public lands led the anti-monopolists to introduce a bill into Congress in 1868 to restrict the number of sections which might be acquired

¹⁰¹ Compiled from the abstracts of entries made with agricultural college scrip, General Land Office, Department of the Interior, Washington.

with scrip in any township to three. The measure slipped through Congress easily and became a law on July 27, 1868.¹⁰² As usual, the General Land Office was lax in getting out notices of it to the local officers, but speculators were not as slow. After the passage of the bill but before news of it was received at the Stockton and Visalia offices, in California, 66,720 acres had been entered in solid tracts. In Nebraska, Minnesota and Iowa there was also an unusual activing in land entries by people seeking to engross solid tracts with the scrip before the new measure went into effect.¹⁰³

The Act of 1868 naturally depreciated the value of the scrip which led to demands for its repeal by representatives of the eastern states. Ezra Cornell, still holding for Cornell University 100,000 scrip acres which he now found difficulty in selling, made one of his frequent trips to Washington to secure the repeal of the obnoxious act. He induced Roscoe Conkling to support repeal in an able speech in which he stated that the restrictions on the scrip had depreciated its value from \$1 to sixty cents an acre. Conkling appealed in behalf of Cornell University and two or three other colleges which still held their scrip for the repeal of the restrictions. Cornell and Conkling won converts for repeal but when they approached Thomas A. Hendricks, of Indiana, they found they had caught a tartar for Hendricks replied by getting off a typical anti-monopoly speech, opposing repeal, wherein he said:¹⁰⁴

As I understand . . . the purpose of Mr. Cornell is to hold this scrip until he makes the locations himself, selecting good lands, and to hold the lands until they shall go up in value. So far as he may locate the scrip upon pine lands in the timber region of country, there is no serious objection to that; but when the proposition is distinctly made to locate large bodies of the public lands for the benefit of a college or for the benefit of any other institution, and let them be held thus in dead hands, if I may so express it, until the farmers go in and improve the surrounding country, make farms, school-houses, churches, and roads, and give a value to this land that is held in large bodies, so that there may be a speculation to the holder growing out of the enterprise of the

¹⁰² 15 *U.S. Stat.*, 227.

¹⁰³ Letter of January 19, 1869, of Jos. S. Wilson, Commissioner of the General Land Office, in *Cong. Record*, 40 Cong., 3 Sess., February 4, 1869, 874.

¹⁰⁴ *Ibid.*, 874-5.

farmers, I shall not approve upon any proposition whatever. I think that is the purpose, and I think the purpose is not right in view of the interests of the settler.

Cornell's visit to Washington was unsuccessful but the following year the restrictions on the use of the scrip were somewhat lightened.¹⁰⁵

In the early seventies the southern states which previously had been denied their share of scrip finally received their allotments. In practically all cases they sold the scrip to Lewis who paid ninety cents an acre for it. The reconstructionists may have delayed the establishment of the colleges but they did the South a service in withholding the scrip from sale for a time. The southern states received nearly double the price received by such northern states as New Hampshire, New Jersey, Pennsylvania, Indiana, and Maine. But none of the states receiving scrip, save New York, could feel that Congress had adopted a system of endowing the colleges which was adequate.

The Agricultural College Act has been overrated by those writers who have attributed to it the beginnings of numerous state agricultural colleges which, in fact, were underway prior to 1862. It did, however, give a great impetus to the establishment of state colleges wherein applied science was ultimately, if not immediately, taught. Its major historical significance rests on its contribution to educational progress in the United States. As a land measure it definitely was a backward step for which there was little justification. Yet, that section which opposed it most consistently has doubtless enjoyed the most benefit from the colleges it was instrumental in founding and endowing.

¹⁰⁵ Act of July 1, 1870, 16 *U.S. Stat.*, 186. This Act authorized the use of scrip by actual settlers in the same way that military warrants could be used in entering preemption claims, thereby removing an obvious discrimination from the Act of 1862. Prior thereto only speculators could use the scrip. The Act of 1870, as interpreted by the Commissioner of the General Land Office, in instructions to the local land officers, July 22, 1870, did not remove the three section limitation upon entries in a township, nor did it remove the million acre maximum, save in so far as preemption claims with scrip were concerned. Circular: *Application of Agricultural College Scrip to Pre-emptions*, copy in Cornell University Library.