

George W. Julian: Radical Land Reformer

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While still a young man George Washington Julian pledged himself to the task of destroying all "oppression and inequality," whether it took the "undisguised form of chattel slavery, or that organized cupidity which makes labor the helpless drudge of capital, or that system of agricultural serfdom which rests upon the unrestricted monopoly of the soil."¹ For nearly half a century—from the 1840's to the 1890's—this Hoosier reformer labored to make freedom and opportunity for the individual a reality in America. Slaveholders, capitalists, and land monopolists felt the lash of his fiery, vituperative tongue. Today, unfortunately, Julian is remembered almost exclusively as a courageous antislavery crusader. Joining the Free Soil forces in 1848 and the Republican party in 1854, he was certainly one of the foremost abolitionists of the nineteenth century. But Julian was also a significant and influential land reformer to whom the American homesteader was much indebted. The Hoosier's place in history should rest as much on his fight against land speculation, land grants to railroads, military land bounties, and cash sales of federal land as on his role as an abolitionist. Julian's interest in public land policy began in the 1840's, almost as early as his antislavery agitation, and continued until his death in 1899.² He accomplished his most significant work, however, during the period he served as congressman from Indiana's "Burnt District" to the House of Representatives.³ During those twelve years, 1849-1851 and 1861-1871, Julian greatly influenced federal land policy.

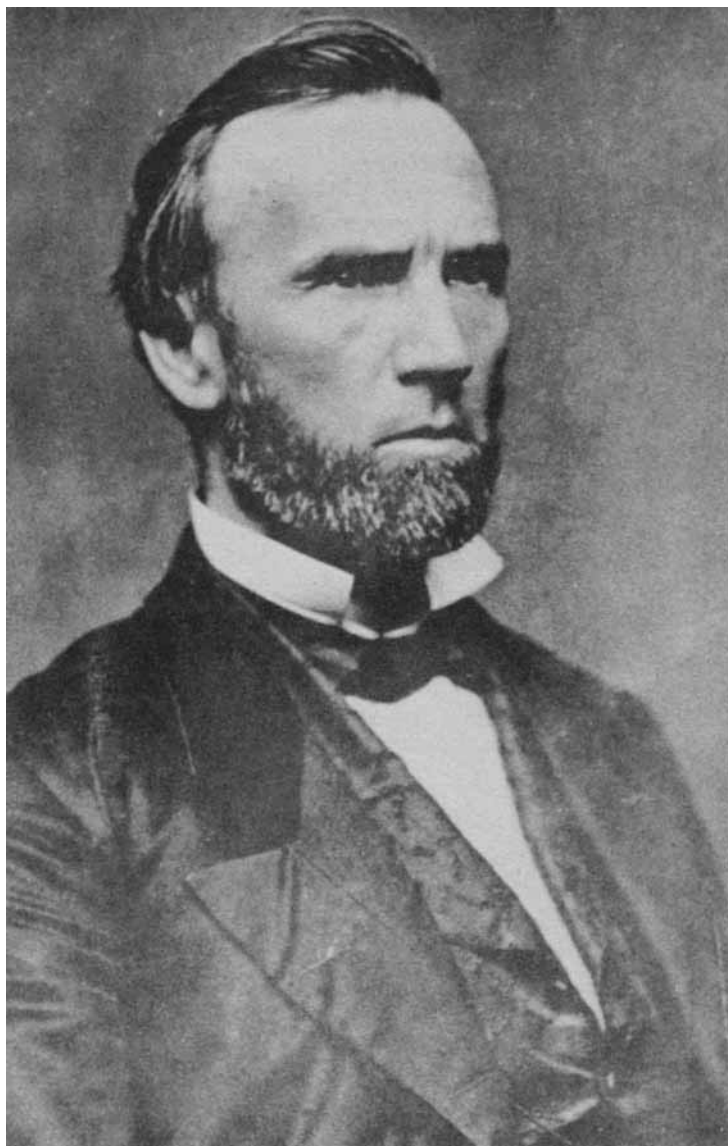
Julian's career as reformer can best be understood as the working out of a creed he adopted in 1843 from William Ellery Channing. In a volume of Channing's essays Julian found this thought: "The grand doctrine that every human being should have the means of self-culture, of progress in knowledge and virtue, of health, comfort, and happiness, of exercising the powers and effectuations of a man,—this is slowly taking its place as the highest social truth." Because Channing so clearly and concisely stated the very thoughts that whirled through his own mind, Julian immediately committed

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¹ George W. Julian, "A Search After Truth," *Indiana Magazine of History*, XXXII (September, 1936), 253; Grace Julian Clarke, *George W. Julian (Indiana Historical Collections, Vol. XI; Indianapolis, 1923)*, 65.

² Patrick W. Riddleberger, *George Washington Julian: Radical Republican (Indiana Historical Collections, Vol. XLV; Indianapolis, 1966)*, 41, 76, 187-88; Paul W. Gates, "The Homestead Law in an Incongruous Land System," *American Historical Review*, XLI (July, 1936), 677-81.

³ Grace Julian Clarke believed that the term "Burnt District" might have been coined in 1841 by Andrew Kennedy, a Democrat, when he defeated, or "burned," his Whig rival in the congressional election. Grace Julian Clarke, "The Burnt District," *Indiana Magazine of History*, XXVII (June, 1931), 119-24.



GEORGE WASHINGTON JULIAN

Reproduced from Patrick W. Riddleberger, *George Washington Julian, Radical Republican* (Indianapolis: Indiana Historical Bureau, 1966).

the passage to memory.⁴ It became his vision of the good society toward which he would labor.

Channing, however, offered Julian more than a vision; he also presented a resolution to an extremely vexing problem. While still a boy Julian began to question the Quaker faith of his parents. His search for religious truth took him from Quaker to Unitarian to free thinker; but rather than peace, his quest brought only confusion and depression. When he began working for the cause of abolition and land reform, as part of his attempt to make his vision a reality, he very happily discovered that "just in proportion" as he gave his "heart unselfishly to the work [of reform], the doctrinal doubts and anxieties that had so troubled me faded away. . . ." He quickly concluded that for him the "only safe 'plan of salvation' is that of personal duty and endeavor."⁵ Never confident that his faith would assure salvation, Julian turned to a doctrine of hard work for good causes to accomplish the same objective. The need for personal strength and tranquility of mind continued to generate reform activity for the rest of Julian's life.

To less dedicated people reformers sometimes seem arrogant, humorless, pugnacious, and holier-than-thou. Julian's unshakable belief in the righteousness of his objectives and the purity of his own motives certainly made him appear this way to some of the men who wrote about him at his death.⁶ "With truth on my side," Julian boasted, "I was delighted to find myself perfectly able, single-handed, to fight my battle. . . ."⁷ His broad utopian vision made politics appear a moral struggle; therefore, as a politician his job was to accomplish "moral and political regeneration."⁸ Years after his congressional career had ended he could proudly state, "Step by step I saw my constituents march up to my position."⁹ Self-righteous, impatient, and intense, he was also an able, earnest, and sincere man who worked with indefatigable ardor to create a better and more just society.

Julian never had to fear becoming a radical without a cause, for mid-nineteenth century America abounded with causes for social missionaries. One of the oldest was land reform. Roy M. Robbins has described the history of the national land system as basically a struggle between two forces, speculation and squatterism, the man of wealth and the poor man. From the early days of the republic land reformers raised their voices in support of the squatter, but they were often drowned out by the more potent spokesmen of the speculator. Generally, the speculator's position was adopted by

⁴ Julian, "A Search After Truth," 253.

⁵ *Ibid.*, 254-57; Clarke, *George W. Julian*, 41-42, 69-73.

⁶ The *Indianapolis News*, July 8, 1899, described Julian as "impatient of obstruction, conscious of the loftiness of his desires, dwelling ever in scorn. . . ." The *Springfield Republican*, July 8, 1899, said he was "bitter" because things did not get better quickly enough. Quoted in Clarke, *George W. Julian*, 424-27.

⁷ George W. Julian, *Political Recollections, 1840 to 1872* (Chicago, 1884), 67.

⁸ George Julian to [not legible], October 24, 1857, Giddings-Julian Papers, Manuscripts Division, Library of Congress, Washington.

⁹ Julian, *Political Recollections*, 322.

the more thickly settled, capitalistic part of the country; the East, and the squatter's viewpoint was accepted by the land-hungry pioneers of the frontier.¹⁰

Julian was born in 1817 on the Indiana frontier and reared near the pioneer community of Centerville, located on the national road midway between the two forks of the Whitewater River. His own family could have benefited from a homestead policy had it been in effect in 1823. In that year, when Julian was only six, his father died. His mother scraped together what was left of the family money to purchase a fifty-acre farm.¹¹ Julian remembered these lean years as a "struggle for survival."¹² Land reform was a familiar subject to people in the Centerville area. The local paper frequently carried articles supporting the cause and favoring the adoption of a homestead law.¹³ The persuasive arguments of the French political economist, Jean-Baptiste Say, were also familiar to Julian. In his *Political Economy* Say showed that unused land was valueless, but land that was farmed benefited both the individual farmer and the nation as a whole.¹⁴

Individual ownership of land became the crux of Julian's own maturing plan for universal human freedom. Through his reading and personal experience he came to believe that no man could be truly free as long as he had to till another man's soil. Land ownership was the traditional trademark of American democracy, and the fact that the country was entering a new industrial era did not alter Julian's concepts. It made him more adamant in his convictions. Like Thomas Jefferson, he had a horror of the effects of the industrial revolution on America.¹⁵ The Hoosier declared that industry "tends to aggregate our people in towns and cities, and render them mere consumers, instead of dispersing them over our territory, and tempting them to become the owners of land and the creators of wealth." Moreover, it fostered "the taste for artificial life and the excitements to be found in great centers of populations, instead of holding up the truth that 'God made the country,' and intended it to be peopled and enjoyed." Julian dreamed of men with their families, working for themselves on their own farms, depending neither on capital nor slaves, developing those "characteristics called virtues."¹⁶

¹⁰ Roy M. Robbins, *Our Landed Heritage: The Public Domain, 1776-1936* (Princeton, N.J., 1942), 9-10, 34; Fred A. Shannon, *The Farmer's Last Frontier: Agriculture, 1860-1897 (Economic History of the United States)*, Vol. V; New York, 1945), 73-75; St. George L. Sioussat, "Andrew Johnson and the Early Phases of the Homestead Bill," *Mississippi Valley Historical Review*, V (December, 1918), 254-55.

¹¹ Clarke, *George W. Julian*, 21, 29-31, 58.

¹² George S. Cottman, "Mr. Julian's Autobiography," *Indiana Magazine of History*, II (June, 1906), 70.

¹³ Riddleberger, *George W. Julian*, 76-77.

¹⁴ Clarke, *George W. Julian*, 58; Jean-Baptiste Say, *A Treatise on Political Economy; or the Production, Distribution, and Consumption of Wealth* (Philadelphia, 1859), 292-97, 359-65.

¹⁵ LaWanda Cox, "The Promise of Land for the Freedmen," *Mississippi Valley Historical Review*, XLV (December, 1958), 426-27; Morton and Lucia White, *The Intellectual Versus the City: From Thomas Jefferson to Frank Lloyd Wright* (Cambridge, Mass., 1962), 12-29.

¹⁶ George W. Julian, "Our Land Policy," *Atlantic Monthly*, XLIII (1879), 336-38; *Congressional Globe*, 40 Cong., 2 Sess., 1716.

Also like Jefferson, Julian was concerned with the political implications of the nation's land system. In Julian's mind the impact of the land policy on the nation's development could not be overstated. "Laws regulating the ownership and disposition of landed property," he said, "not only affect the well-being but frequently the destiny of a people." The land system, in fact, directly determined the political system of a country. Real political democracy depended on democratic land holdings.¹⁷ If the nation's democratic institutions were to be preserved, the United States needed "small farms, thrifty tillage, compact settlements, free schools, and equality of political rights," and not "large estates, slovenly agriculture, widely-scattered settlements, popular ignorance, and a pampered aristocracy lording over the people."¹⁸ Large landed estates, therefore, were antithetical to both economic and political democracy. Like many men from the agrarian West, Julian adhered to a philosophy that would not be appreciated by a new, rising breed of industrial capitalists.

The idea that government should give land outright to actual settlers, surrendering entirely the seeking of revenue, had been presented to Congress as early as 1814; but until Thomas Hart Benton introduced his Graduation Bill in 1825, which provided for outright grants of refuse lands, nothing approaching this idea received action by the national government. By the early 1850's, however, the West was almost completely won over to homesteading;¹⁹ and, as the expansionist and slavery issues temporarily slipped into the background after the Compromise of 1850, new advocates of free land for the landless went into action. Andrew Johnson, friend of the poor white class of the South, had previously introduced his cherished homestead bill in Congress but had received no favorable action. In the short session of 1850-1851, Johnson again introduced his bill, this time gaining the support of a freshman representative, Free Soiler George W. Julian.²⁰

On January 29, 1851, the thirty-three-year-old "Burnt District" representative delivered his first speech on the homestead measure. It is doubtful if Johnson appreciated Julian's support, for the Hoosier crusader violated the spirit of the Compromise of 1850, the "final settlement" of the slavery issue, by combining with his advocacy of the homestead principle an out-and-out abolition argument. Julian told the House that the homestead bill would make a "formidable barrier" against the introduction of slavery

¹⁷ Julian, *Political Recollections*, 296-97.

¹⁸ *Congressional Globe*, 38 Cong., 1 Sess., 2249.

¹⁹ Benjamin H. Hibbard, *A History of the Public Land Policies* (New York, 1924), 350; Robbins, *Our Landed Heritage*, 92-111.

²⁰ Sioussat, "Andrew Johnson and the Early Phases of the Homestead Bill," 254-60. Some of the antislavery elements of both major parties bolted in 1848 to form the Free Soil party, which was dedicated to keeping slavery from expanding into the territories. Antislavery sentiment had long been strong in the "Burnt District," in part because of the large population of Quakers. Julian, running as a Free Soiler, owed his election to the strong antislavery forces in his district and to the votes of many Democrats, who entered no candidate of their own. Riddleberger, *George W. Julian*, 45-50.

into the territories. Since it provided for farms of only 160 acres, and because slavery needed extensive estates to flourish, Julian explained that slavery could never establish a foothold in the public lands under such a policy. The outspoken Hoosier was convinced that the homestead principle offered far greater protection against slavery than Daniel Webster's "ordinances of nature."²¹

Julian did not advocate the homestead measure just because it was a handy and effective tool to use against southern slavery. To him, it was a great humanitarian effort which fulfilled his dream that every family would have the opportunity to earn a home on the public domain. Homes kept men from crime and almshouses, he declared, and gave them a surrounding conducive to "virtue, to the prosperity of the country, and to loyalty to its government and laws." Not only would the homestead bill aid the poorer classes, he claimed, but all classes would benefit. In a plan somewhat reminiscent of Clay's American System, Julian contended that homesteads would create markets for eastern manufacturers and produce foodstuffs for eastern cities. At the same time it would draw off from urban centers surplus laborers who were the source of crime and poverty.

He insisted, furthermore, that the government's coffers would not suffer by giving land away rather than selling it. Instead of diminishing public revenue, the homestead bill would actually increase it. Governmental revenues were chiefly derived from duties on imports, he explained; and because homesteading would increase national production, the nation's exports would increase. He predicted that the rise in exports would be matched by a corresponding rise in imports. Thus, under the homestead principle, he said, "Humanity and the dollar will go together."²² The homestead bill was more to Julian than an antislavery measure or a humanitarian effort or an economic enterprise; it was a national panacea. His coupling of free land with free soil, however, did not help the chances of the measure; and both the Senate and the House failed to approve the homestead bill.

More than a decade lapsed before Congress passed the Homestead Act. It was almost that long before Julian returned to Congress. Defeated for reelection in 1851, he resumed his seat in Congress ten years later, quickly becoming important in the radical Republican faction. Because of his hatred and disgust for the institution of slavery, he returned to Washington to wage a holy war to free the slaves. Abraham Lincoln on the other hand was not prepared to lead that crusade for freedom, at least not at the expense of the Union. Against Lincoln's moderate policy Julian dedicated himself.²³

²¹ Webster believed that slavery could never expand into the territories because nature herself had forbidden it by unfavorable soil and climate. The discussion of Julian's speech, in this and following paragraphs, is based on the *Congressional Globe*, 31 Cong., 2 Sess., Appendix, 135-38; George W. Julian, *Speeches on Political Questions* (New York, 1872), 50-66.

²² Julian, *Speeches on Political Questions*, 64.

²³ Julian, *Political Recollections*, 118, 181, 191-201; Riddleberger, *George W. Julian*, 128, 154, 164-69; Julian, *Speeches on Political Questions*, 192-211.

As long as slaves were chained to southern plantations, Julian's primary goal was the extinction of Negro slavery. This crusade, however, did not preclude spirited work for land reform, the emancipation of the American farmer. When Speaker Schuyler A. Colfax, in December, 1861, offered him an appointment to the important House Committee on Public Lands, the Indiana representative leaped at the chance. Reforming the "undemocratic" and "monopolistic" land system had long been a "pet project"; indeed, it would become no less a missionary effort for the Indiana crusader than freeing the slave.²⁴

Because of the overwhelming problems accompanying the outbreak of the Civil War, it was not until early in 1862 that Congress concertedly attempted to deal with other questions. Just as the cries of the emancipationists were reaching a shrill pitch, there arose a demand to implement other planks of the Republican platform of 1860. That platform protested against, among other things, "any sale or alienation to others of the public lands held by actual settlers," and against "any view of the free-homestead policy which regards the settlers as paupers or suppliants for public bounty. . . ." In short, it demanded a "complete and satisfactory homestead measure."²⁵ Land appropriation by railroad companies, combinations of capitalists, and individual speculators had reached a high point on the eve of Lincoln's election; and Julian, shouting his fidelity to the Jeffersonian dream, waded into the battle for the passage of a homestead act.²⁶

During the debate on this measure Justin Morrill, the vigorous Vermont representative, voiced one of the major objections of its opponents. After first stating that he favored the bill in principle, he asserted simply that the war made it inexpedient to pass such a sweeping measure. Seeing a chance to enter the fray, Julian jumped to his feet to rebuke Morrill. Even though the Vermont representative did not explain or elaborate his objections, Julian proceeded to castigate him for believing that vacant land had value or in any way aided the northern war effort. Harking back to his theme of 1851, he advocated settlement as the best way for the public lands to bring in revenue and fill the Union treasury. This bill, Julian assured the House, would "promote the highest interest of the soldier by conferring the greatest possible benefit on the country."²⁷

On May 20, 1862, President Lincoln signed the Homestead Act. At the time Julian was as joyful and as sanguine as any of its supporters. "It was a magnificent triumph of freedom and free labor over the slave power," he thundered, and "its final success is among the blessed compensations of

²⁴ *Congressional Globe*, 39 Cong., 1 Sess., 21; Julian, *Political Recollections*, 236.

²⁵ Kirk H. Porter and Donald Bruce Johnson (comps.), *National Party Platforms, 1840-1964* (Urbana, 1966), 31-33.

²⁶ Paul W. Gates, *The Farmer's Age: Agriculture, 1815-1860 (Economic History of the United States, Vol. III; New York, 1960)*, 95.

²⁷ *Congressional Globe*, 37 Cong., 2 Sess., 136.

the bloody conflict in which we are now plunged."²⁸ Within a few weeks the Hoosier began to see that the act left many holes through which speculators and monopolists could squeeze. He then began his determined effort to plug these holes. By 1883 events had forced Julian to admit that there were fatal mistakes in the bill. The "half-way measure," he said grimly, furnished "a remarkable commentary upon the boasted friendship of the Republican party for the landless poor."²⁹

In less than a month after Congress approved the Homestead Act, another plank of the Republican platform was on the statute books. On July 1, 1862, Julian joined with his fellow congressmen to incorporate the Union Pacific Railroad Company, endowing it with 30,000,000 acres of public land, the most liberal land grant in history. Within a few years Julian would become the most outspoken critic of railroad land grants in Congress, but it was not until after the Civil War that he finally realized the extent of this threat to the homestead principle. In 1862, in the heat of the war, he believed that the nation's defense demanded that the Union be tied together with the black steel ribbons, whatever the cost.³⁰

The settlers' watchdog, however, was not completely asleep; for when Morrill presented his bill granting public lands to states and territories for the purpose of establishing agricultural and mechanical colleges, Julian sprang to the settlers' defense. He branded the plan "legalized plunder" which vitiated the homestead principle passed barely two weeks earlier. The new bill provided that those states with no public lands in their borders would receive shares of college scrip, or land office money, which could be sold. These grants, Julian declared, would be nothing more than "monopolies" donated to states which would dispose of them with only revenue in mind and without a second thought for the settler. What good would the Homestead Act do, he queried, if the eastern states looted the West of its broad domain? He prophesied that Morrill's bill would not be successful in endowing colleges; for when the college scrip flooded the market, its price would drop to a fraction of what the land was worth. Thus, in the end, only the speculator would benefit.³¹ Few congressmen were impressed with the Hoosier's reasoning, and on July 2, 1862, the bill became law. Eventually under the Morrill Act nearly 11,000,000 acres—an area slightly less than half that of Indiana—passed into the hands of the states, much of which in turn went to land speculators. Scrip land sold at prices as low as fifty cents an acre, and as a result in many states school funds were low.³²

²⁸ George W. Julian, *Select Speeches of Hon. Geo. W. Julian of Indiana* (Cincinnati, 1867), 19.

²⁹ Julian, *Political Recollections*, 218.

³⁰ Robbins, *Our Landed Heritage*, 207; Julian, *Political Recollections*, 217.

³¹ *Congressional Globe*, 40 Cong., 2 Sess., 1712-16.

³² Paul W. Gates, *Agriculture and the Civil War* (New York, 1965), 259-66; Shannon, *The Farmer's Last Frontier*, 273-75. A table of the administration of land granted to agricultural and mechanical colleges by the act of 1862 can be found in Hibbard, *Public Land Policies*, 335-37.

During the Civil War none of the bills passed concerning public land permitted the states in rebellion to partake of any of the benefits. The seceded states received no grants of land for railroad construction or for agricultural colleges, nor were they able to take advantage of the Homestead Act.³³ Rather than offering the areas in rebellion additional land, some northern congressmen ached to appropriate existing southern holdings. Just before Congress adjourned in the spring of 1862, Julian joined the radicals in passing the Second Confiscation Act.³⁴ As originally framed it demanded the confiscation of all property of persons in rebellion against the United States. Before Lincoln would sign the bill, he insisted that Congress approve a joint resolution which softened the measure. The resolution declared that confiscation would not be retroactive and that the forfeiture should not extend beyond the natural life of the owner.³⁵

Julian was furious and denounced Lincoln's plan of limited confiscation as shortsighted and a disgusting "anti-republican discrimination" just when "the nation was struggling for its life against a rebellious aristocracy founded on the monopoly of land and ownership of negroes." Unlike Lincoln, he envisioned *permanent* confiscation of southern lands. Permanent confiscation was, in fact, a necessary prerequisite to the plan which crystalized in Julian's mind. His plan combined confiscation, homesteading, and military bounties. After the rebels had forfeited all lands in the insurgent districts, Julian wanted the land divided into free homesteads for men who had served in the military service or who had otherwise aided in putting down the rebellion. Julian wanted Negro laborers specifically included as eligible. To make it a genuine homestead bill instead of a pure land bounty, a residence of five years would be required.³⁶ When Congress reconvened in December, 1862, Julian began hammering away at Lincoln's confiscation restrictions.

In 1863 during the debate on Lincoln's suspension of the writ of habeas corpus, Julian gained the floor but did not speak on the business before the House. Joshua Reed Giddings, in a January, 1863, letter to Julian, had prodded, "Why don't you give us a speech that shall shake that old capital?"³⁷ Perhaps the Hoosier accepted his friend's suggestion, for he gave his most vigorous and bitter speech yet. Reaffirming his view of the war as a conflict against slavery, Julian reiterated the radicals' demand for a vigorous war effort. Lincoln had recently issued his Emancipation Proclamation; but Julian demanded action, "instant, decisive, defiant action," that would give effect

³³ Robbins, *Our Landed Heritage*, 209-10.

³⁴ The First Confiscation Act was limited to property actually used for "insurrectionary purposes." George P. Sanger (ed.), *Statutes at Large, Treaties, and Proclamations of the United States of America* (Boston, 1863), XII, 319.

³⁵ *Ibid.*, 589-92, 627; T. Harry Williams, *Lincoln and the Radicals* (Madison, Wis., 1941), 163-66.

³⁶ Julian, *Speeches on Political Questions*, 212-28; Julian, *Political Recollections*, 219-20.

³⁷ Joshua R. Giddings to George W. Julian, January 18, 1863, Giddings-Julian Papers.

to the proclamation of freedom. Outlining his program, he called for the arming of slaves, confiscation of *all* property belonging to traitors, and boldly revealing part of his new plan, the distribution of some southern plantation land among the Negroes.³⁸ The speech was primarily a broadside at Lincoln's administration. Julian's mention of giving soldiers and Negroes plantation land was brief, but it served notice of what would be one of the Hoosier representative's main concerns for the remainder of the war.

The appointment of Julian to the chairmanship of the Committee on Public Lands in December, 1863, was the official event that marked the new era in his career. Happily he asserted that "it opened a coveted field of labor" on which he "entered with zeal." The chairmanship continued for eight years and gave him a decided advantage for presenting measures bearing on the land question. He made the most of his position.³⁹ Julian had always emphasized the close relationship between the homestead principle and the destruction of slavery. During the fifties he had preached that homesteading would render the plantation system impossible on the public domain. With the outbreak of the war and the actual passage of the Homestead Act, he had won the battle which he thought would save northern territories from slavery. He was then able to ask, could not the homesteading of southern land effectively destroy the plantation—the breeding place of slavery? He believed that only by drastically reforming the whole land system of the South could the emancipated slave be truly and forever free.⁴⁰

Even while the Civil War raged, Julian made tremendous efforts in Congress to weld land reform and reconstruction together. He contemplated the genuine emancipation of the slaves by breaking up once and for all the large agricultural estates of the South, thereby destroying its landed aristocracy and punishing it for its rebellion against the Union. Thus, homesteading in the South would become a two-edged ax, chopping at both land monopoly and the old slaveholding aristocracy. Unfortunately for Julian and his program, the Civil War was, in part, a contest for supremacy between southern agricultural capitalists and northern industrial capitalists. As long as the northern railroad, mining, and lumbering interests were convinced that land legislation was a means of remolding and controlling the South, Julian received powerful support and won some success. But when it came into conflict with those northern interests, Julian found himself brushed aside. In the end he battled both northerners and southerners in his attempt to reconstitute southern society.⁴¹

³⁸ *Congressional Globe*, 37 Cong., 3 Sess., 1064-69; Julian, *Select Speeches*, 10-18; Riddleberger, *George W. Julian*, 168-69.

³⁹ Riddleberger, *George W. Julian*, 187-88; *Congressional Globe*, 38 Cong., 1 Sess., 18; Julian, *Political Recollections*, 236-37; Clarke, *George W. Julian*, 252.

⁴⁰ Julian, *Speeches on Political Questions*, 56-58; Julian, *Select Speeches*, 19-21, 23.

⁴¹ Julian, *Select Speeches*, 24; Riddleberger, *George W. Julian*, 188; Shannon, *The Farmer's Last Frontier*, 76; Henry Nash Smith, *Virgin Land: The American West as Symbol and Myth* (New York, 1950), 227; Paul W. Gates, "Federal Land Policy in the South, 1866-1888," *The Journal of Southern History*, VI (August, 1940), 303-307; *Congressional Globe*, 39 Cong., 1 Sess., 716.

On March 18, 1864, Julian presented to the House a bill which represented the culmination of his ideas on homesteading confiscated southern lands.⁴² In its final form the bill provided for eighty-acre tracts for soldiers, while other loyal persons, without regard for race or color, could procure half that amount. "The bill is novel," the Hoosier admitted in his accompanying speech, but the "civil war in which we are engaged is one of the grandest novelties the world has ever seen."⁴³ Julian declared that one of Congress' greatest responsibilities was the protection of the Homestead Act. This act was already endangered, he claimed, by those who insisted that the public lands would have to be sold to pay the war debt. Julian explained that even more threatening were the lavish grants of land to railroads, agricultural colleges, and female normal schools. Speculators were "cheating the government out of their productive wealth, and the poor man out of the home which else might be his at the end of the war." If Congress did not want the nation to return to the "Jewish darkness of land speculators and public plunder," it had to pass an immediate and effective remedy.⁴⁴

The cure Julian prescribed was his scheme of confiscating and homesteading. Millions of acres of additional land would be made available to faithful soldiers and loyal landless poor. More immigrants would be tempted to put "land to the plow and make it pay and produce." The freedman's wistful dream of "forty acres and a mule" would be fulfilled. This rebellion had been considered a "slaveholders' rebellion," but, he declared, it was also a "landholders' rebellion." Julian claimed that the slaveholders owned five-sixths of all the land in the South while constituting only one-fifteenth of the population. The bill, therefore, sought no sweeping confiscation of land, only restoration to the people of their "inalienable rights." It would do no more than break up and distribute the vast land monopoly of the South.

The Hoosier reformer turned next to a consideration of the legality of his confiscation measure. The act of rebellion, he asserted, was an act of "suicide," which meant that the traitors had no constitutional rights. "For them the Constitution had ceased to exist." He declared that the "honest refusal" of Lincoln to allow Congress to touch the real estate of the rebels "was the saddest and grandest mistake of his life."⁴⁵ Julian pleaded with Congress to repeal the joint resolution passed the previous year protecting rebel land. He explained to the House that Lincoln had changed his mind about the right of Congress to confiscate the landed estates of rebels. He did not elaborate his claim; but two decades later when he wrote his *Recollections*, Julian explained that one day while he was visiting the President, Lincoln

⁴² The following discussion of Julian's presentation and defense of his bill is based on the *Congressional Globe*, 38 Cong., 1 Sess., 1185-90; and Julian, *Select Speeches*, 19-22.

⁴³ *Congressional Globe*, 38 Cong., 1 Sess., 1185.

⁴⁴ *Ibid.*, 1186.

⁴⁵ *Ibid.*

remarked that when he had prepared his veto of the confiscation bill, he had not examined the matter thoroughly and that after further reflection and study he thought that he would then sign a bill striking at rebel property.⁴⁶

Whether or not Congress allowed rebel land to be appropriated, Julian continued, millions of acres in the South would fall into its hands in other ways, such as military seizures and forfeitures for the nonpayment of taxes. Congress, therefore, had to choose between two courses: either the land must be placed under the jurisdiction of the government "in trust for the people," or it would fall into the grasp of speculators. The rich lands of the South, Julian asserted, "have been cursed by this evil [land monopoly] from the beginning; and without the interposition of Congress the system will be continued and vitalized anew by falling into fresh hands."⁴⁷ If the "loyal millions" were to have homes on the land, the government would have to guard them from the "remorseless exactions of capital," and from the "pitiless rapacity for avarice." By thus throwing down the gauntlet to northern capitalists, Julian courted and eventually won the enmity of a most powerful interest. "Mr. Speaker," he said in conclusion, "nothing can atone for the woes and sorrows of this war but the thorough reorganization of society in these revolted States."⁴⁸ Making perfectly clear the dual purpose of his bill, he demanded that Congress see to it that the South was "studded over with small farms and tilled by free men."⁴⁹

For the next two months Julian battled to get his bill through Congress. On May 11, 1864, he again forced debate on the measure.⁵⁰ Representative Fernando Wood, Peace Democrat from New York and staunch opponent of the bill, declared his belief that there was a motive other than home-steading the South in Julian's proposal. Julian's extraordinary zeal in presenting the measure, he explained, first made him wary. "I suspected there was an African somewhere," Wood said, "and after some search I have found him." The bill specifically stated that there would be no distinction between races in its operation. "There is the nigger, sir," he cried. The New Yorker claimed that Julian was trying to aid "his black friends" under the "pretext of doing a patriotic and humane act in behalf of our soldiers and sailors. . . ." Wood's greatest objection to the bill was its assumption that the Union would never be restored; for if it were to be restored, each state must come back with its territory intact. All confiscated property would either have to be paid for or returned.⁵¹

Evidently Julian did not care to dispute the charge that he was the Negroes' friend, but he did disagree with the charge that his bill would be

⁴⁶ Julian, *Political Recollections*, 245-46.

⁴⁷ *Congressional Globe*, 38 Cong., 1 Sess., 1187; Julian, *Select Speeches*, 23-26.

⁴⁸ *Congressional Globe*, 38 Cong., 1 Sess., 1188.

⁴⁹ *Ibid.*

⁵⁰ *Ibid.*, 2108.

⁵¹ *Ibid.*, 2233-34.

a hindrance to the restoration of the Union. "On the contrary," he interrupted, "I think it would do more to cement and perpetuate the Union than any legislative measure that could possibly be devised." Peace and harmony would be insured by assuring that loyal men would people rebel land.⁵²

The next day, May 12, following a lively exchange between Robert Mallory of Kentucky and Julian over the question of who—southern plantation owners or itinerant northern schoolmasters—was responsible for the white blood in mulattoes, Congress voted on the bill. It passed the House by the close vote, largely along party lines, of 75 to 64. Before the Senate could take up the act, Attorney General James Speed stopped confiscation in the South by ordering that all property seized by the federal authorities be restored to its owners.⁵³ Julian's hope for confiscation did not end with this defeat. He hoped that the 1864 national Republican platform would endorse his measure. A platform subcommittee favorably reported such a plank, but it failed to pass the general resolutions committee.⁵⁴ Although Julian did win some success in opening the South to homesteading in 1866 when Congress approved his Southern Homestead Bill, which extended the Homestead Act of 1862 to nearly 50,000,000 acres of public lands in the South, his defeat in 1864 marked virtually the end of his agitation on the confiscation question.⁵⁵

In March, 1864, during the heat of the battle for his confiscation act, Julian asked, "Of what avail would be an act of Congress totally abolishing slavery, or an amendment of the Constitution forever prohibiting it if the old agricultural basis of aristocratic power shall remain?"⁵⁶ Julian maintained this sentiment throughout his long life, but on January 31, 1865, his skepticism about the efficacy of a constitutional amendment to abolish slavery temporarily dissolved under the flood tide of emotion generated when Congress began balloting on the Thirteenth Amendment. When the amendment became law, Julian felt that he "had been born into a new life" and that "the world was overflowing with beauty and joy." He was "inexpressibly thankful" for the privilege of recording his name on "so glorious a page in the nation's history."⁵⁷ Even though Julian continued to believe and to preach that the newly freed men needed free land, he felt relieved enough to turn his full attention for the first time to the thorny problems in land policy that had no direct relationship to slavery.

Almost immediately Julian was back at work on land reform, this time advocating a complete overhaul of the federal government's policy

⁵² *Ibid.*, 2249. Julian's entire exchange of ideas with other members of Congress runs from pages 2249-52.

⁵³ *Ibid.*, 2251; Robbins, *Our Landed Heritage*, 210-11.

⁵⁴ Julian, *Political Recollections*, 242-43; Riddleberger, *George W. Julian*, 194.

⁵⁵ *Congressional Globe*, 39 Cong., 1 Sess., 715-18, 748; Shannon, *The Farmers' Last Frontier*, 76-78; Gates, "Federal Land Policy in the South," 304-306.

⁵⁶ *Congressional Globe*, 38 Cong., 1 Sess., 1187.

⁵⁷ Julian, *Political Recollections*, 251-52.

toward the nation's mineral lands. Before long he was busy protecting homesteaders in California or Kansas or New Mexico against the buccaneering of speculators and the Indians against the piracy of railroad barons. Julian's concern for the Negro and the South had by no means ended, but clearly by 1865 his missionary efforts were headed in a new direction.⁵⁸

Although Julian labored in the whole spectrum of social reform, reforming the nation's land system was his most persistent and perhaps his most significant activity. He established his basic position on public land policy early in his career; and once established, he held to it tenaciously. "It may be taken for granted as a general truth," he said in 1851, "that a nation will be powerful, prosperous, and happy, in proportion to the number of independent cultivators of its soil."⁵⁹ Julian fought to bring about the United States of which Thomas Jefferson had dreamed, but he was unable to stop the relentless tide of the new America. His career proved, however, that no other man had the homesteader more at heart, spent more energy protecting him, or more loved the world he symbolized than George W. Julian.

⁵⁸ Riddleberger, *George W. Julian*, 204.

⁵⁹ Julian, *Speeches on Political Questions*, 54.