

which may be necessary to vindicate the authority of the Union, and establish on a firm basis the principle of self-government and the inalienable rights of man. So long as this money is honestly and economically expended, they will not repine. While the rich and the thrifty will be obliged to contribute largely from the abundance of their

means, we have the consolation to know that no burdens have been imposed on the industrious laborer and mechanic; that the food of the poor is untaxed; and that no one will be affected by the provisions of this bill whose living depends solely on his manual labor.

71.

The Homestead Act

The desire for free land had motivated wave after wave of westward migrations from early colonial days. By the 1850s, important figures like Horace Greeley and organizations like the labor unions and the Free Soil Party were urging the passage of homestead legislation. The first homestead bill was presented to Congress in 1846. Senator Wade of Ohio called the legislation a "great question of land to the landless," and Congress finally passed a Homestead Act in 1860, but President Buchanan vetoed it. Southerners opposed it on the grounds that it would result in the settling of the territories by antislavery people; employers opposed it because they feared that it would deplete the labor market, and thus bring about an increase in wages. The Republican platform in 1860 promised a new homestead bill, and Lincoln's victory, along with the secession of the Southern states, insured its passage. On May 20, 1862, President Lincoln signed the Homestead Act into law. The Act, reprinted below, has been the basis of all subsequent public land policy.

Source: *Statutes*, XII, pp. 392-393.

An act to secure homesteads to actual settlers on the public domain.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, that any person who is the head of a family, or who has arrived at the age of twenty-one years, and is a citizen of the United States, or who shall have filed his declaration of intention to become such, as required by the naturalization laws of the United States, and who has never borne arms against the United

States government or given aid and comfort to its enemies, shall, from and after January 1, 1863, be entitled to enter one quarter section or a less quantity of unappropriated public lands, upon which said person may have filed a preemption claim, or which may, at the time the application is made, be subject to preemption at \$1.25, or less, per acre; or 80 acres or less of such unappropriated lands, at \$2.50 per acre, to be located in a body, in conformity to the legal subdivisions of the public lands, and after the

same shall have been surveyed: *Provided*, that any person owning or residing on land may, under the provisions of this act, enter other land lying contiguous to his or her said land, which shall not, with the land so already owned and occupied, exceed in the aggregate 160 acres.

Section 2. *And be it further enacted*, that the person applying for the benefit of this act shall, upon application to the register of the Land Office in which he or she is about to make such entry, make affidavit before the said register or receiver that he or she is the head of a family, or is twenty-one or more years of age, or shall have performed service in the Army or Navy of the United States, and that he has never borne arms against the government of the United States or given aid and comfort to its enemies, and that such application is made for his or her exclusive use and benefit, and that said entry is made for the purpose of actual settlement and cultivation and not, either directly or indirectly, for the use or benefit of any other person or persons whomsoever; and upon filing the said affidavit with the register or receiver, and on payment of \$10, he or she shall thereupon be permitted to enter the quantity of land specified.

Provided, however, that no certificate shall be given or patent issued therefor until the expiration of five years from the date of such entry; and if, at the expiration of such time, or at any time within two years thereafter, the person making such entry — or if he be dead, his widow; or in case of her death, his heirs or devisee; or in case of a widow making such entry, her heirs or devisee, in case of her death — shall prove by two credible witnesses that he, she, or they have resided upon or cultivated the same for the term of five years immediately succeeding the time of filing the affidavit aforesaid, and shall make affidavit that no part of said land has been alienated, and that he

has borne true allegiance to the government of the United States; then, in such case, he, she, or they, if at that time a citizen of the United States, shall be entitled to a patent, as in other cases provided for by law.

And provided, further, that in case of the death of both father and mother, leaving an infant child or children under twenty-one years of age, the right and fee shall inure to the benefit of said infant child or children; and the executor, administrator, or guardian may, at any time within two years after the death of the surviving parent, and in accordance with the laws of the state in which such children for the time being have their domicile, sell said land for the benefit of said infants, but for no other purpose; and the purchaser shall acquire the absolute title by the purchase, and be entitled to a patent from the United States, on payment of the office fees and sum of money herein specified.

Section 5. *And be it further enacted*, that if, at any time after the filing of the affidavit, as required in the 2nd Section of this act, and before the expiration of the five years aforesaid, it shall be proven, after due notice to the settler, to the satisfaction of the register of the Land Office, that the person having filed such affidavit shall have actually changed his or her residence, or abandoned the said land for more than six months at any time, then, and in that event, the land so entered shall revert to the government.

Section 6. . . . *Provided, further*, that no person who has served, or may hereafter serve, for a period of not less than fourteen days in the Army or Navy of the United States, either regular or volunteer, under the laws thereof, during the existence of an actual war, domestic or foreign, shall be deprived of the benefits of this act on account of not having attained the age of twenty-one years.

72.

Public
and the

*Agriculture,
many years
agriculture,
make public
of Vermont
agriculture
of Southern
Morrill Act
the years, to
educational
exception of
education c.*

Source: Sta...

*An Act don
States and Te
leges for the
Mechanic Art*

*Be it enact
Representative
ca, in Cong
granted to th
poses hereina
public land, to
a quantity ec
senator and
which the sta
the apportio
1860: Provide
be selected o
sions of this a
Section 2.
the land afo
shall be appo*