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THE FEDERAL LAND POLICY AND MINNESOTA POLITICS, 1854-60

WHATEVER THE CAUSES elsewhere in the United States for the great political upheaval of 1860 and the election of Abraham Lincoln, the first Republican president, the decision in Minnesota turned upon distinctly local and western issues relating directly to the federal land policy, rather than upon such matters as Negro slavery. And of the many questions involving the public domain and the settler, two in particular stand out—the operation of railroad land grants and the sale and distribution of lands under the pre-emption system.

From every standpoint the period from 1854 to 1860 was one of the most critical in the history of Minnesota. The launching of the territorial government in 1849 had occurred amid generally favorable conditions. Economic life, though simple and frugal, was good, and a happy and optimistic spirit prevailed. However, the unprecedented expansion of the Minnesota frontier in the early 1850's, which was well under way by 1854, though at first viewed with great enthusiasm, introduced many new problems.

The very name "Minnesota" was everywhere at the moment synonymous with riches and opportunities. An advertising campaign, extending even to some of the nations of the Old World, had been started; its objective was to "sell" this last portion of the Old Northwest to settlers. How effective the campaign was proving is indicated by the fact that by 1854 thousands of immigrants—men, women, and children of almost every creed and race—were surging into the region.

Those who watched the phenomenal growth of Minnesota in the 1850's saw the movement assume the character and the dimensions of a boom. Under the impact of this tide of humanity, made up of many racial groups with many points of view, the older and simpler concepts of the frontier rapidly gave way to a more artificial and sophisticated outlook upon life. New communities and townsites sprang up in every direction, newspapers and business enterprises were launched with reckless speed, and governmental activities expanded tremendously. In fact, the area's territorial status lasted less than a decade; and before 1860, Minnesota had become a full-fledged member of the union of states, making its new-found strength felt in national politics.

The horde of immigrants to the region, as might be expected, bombarded the land offices with applications for farms and quickly strained to the breaking point the federal machinery set up to cope with the problem. Land surveyors soon found that their best efforts were insufficient, although the general land office insisted that surveys were keeping pace with the settlers' demands for new lands. Surveys begun in 1847 near the St. Croix River had been extended by 1855 to the lands west of the Mississippi only recently acquired from the Sioux. By the latter date, moreover, six land offices were organized and operating, and within a short time two more were created. Four were located west of the Mississippi. Over four and a half million acres were at least partly surveyed by 1855, and five years later this area had been increased nearly fivefold. Despite this seemingly creditable record, settlers continued to pour into Minnesota, swamping the land officers under an avalanche of claim filings.¹

¹The Minnesota land offices of 1855 were located at Brownsville, Winona, Red Wing, Minneapolis, Sauk Rapids, and Stillwater, according to the *St. Peter Courier* of August 9, 1855. Two years later their number had been increased to eight and they were located at Stillwater, Sauk Rapids, Chatfield, Minneapolis, Faribault, Henderson, Buchanan, and Ojibway. The latter list appears in the *Henderson Democrat* of July 23,

The fact that large numbers of squatters were settling where surveys had not been made gives clear evidence that the machinery for land administration was inadequate. In 1854 Congress took cognizance of this state of affairs in passing legislation which legalized squatter rights by extending the privilege of pre-emption to unsurveyed lands.

Census estimates in 1855 indicate that Minnesota Territory had a population of 40,000, as compared with about 350 in 1840, and 4,500 in 1849, when the territory was organized.² Such a growth, naturally enough, tended to create other new problems besides those relating to the operation of the land system. For instance, transportation facilities were proving woefully inadequate. Soon after 1850 agitation for railroads began. By 1857 it had become an incessant clamor, for steamboating had demonstrated its general ineffectiveness, since it could cope successfully with neither cold weather and frozen waterways nor with dry summers and low water. Again in this emergency, Congress acted, passing in 1854 the first railroad land grant law for Minnesota, affecting nearly eight hundred thousand acres of the public domain. This act never became operative, for Congress promptly repealed it when evidences of fraud were discovered on the part of the corporation organized to exploit the grant. The general effect, however, was far-reaching, for the first step had been taken in the direction of the huge Congressional grants soon to come.

In 1857 and many times thereafter, new acts were passed. While they were beneficial in encouraging railroad construction, they served to stimulate many speculative tendencies

1857. For references to the heavy demands for land in Minnesota, see the report of the commissioner of the general land office for 1854, in 33 Congress, 2 session, *House Executive Documents*, no. 1, p. 78, 192 (serial 777). A summary of conditions in 1860 appears in the commissioner's *Report* for that year, p. 19.

² William W. Folwell, *A History of Minnesota*, 1:351, 352, 359 (St. Paul, 1921).

and otherwise to complicate the administration of the federal land system.³ Then, too, the natural tendency after the beginning of the era of railroad land grants was to link inseparably the various problems of land administration and transportation. Since those relating to transportation were especially complicated and frequently resulted in bitter controversies among settlers, railroad companies, local governments, and the federal government, the entire land system was more often than not under suspicion on the Minnesota frontier. Many of the actions and policies of the administration which might have been easily justified under other circumstances were subjected to heated criticism and condemnation.

This attitude of the frontier was reflected as early as 1855 in Governor Willis A. Gorman's annual message to the territorial legislature. Having painted a rosy picture of agricultural, mining, and manufacturing prospects in Minnesota, the governor proceeded to deal with one of the oldest as well as most fundamental of frontier problems—how to facilitate the transportation and marketing of the region's products. His conclusion was that the lack of transportation facilities was partly due to a lack of railroad land grants, but more especially to the harsh provisions of the existing federal land grant policy, which made it impossible for the companies and the local authorities to receive the benefits intended in the Congressional acts. Referring directly to the Minnesota act of 1854, he charged that the federal administration was without intimate knowledge of practical conditions on the frontier and was guilty of interpreting too technically the provisions of the law. He therefore suggested that in the future those responsible for land administration would do well to adopt a more liberal attitude and to view the situation simply as might a single land-

³ For accounts of the railroad land grants of 1854 and 1857, see Folwell, *Minnesota*, 1:332-339, 2:37-43, especially a map, facing p. 38, showing the course of the proposed railroads and grants in Minnesota.

owner who plans to open "a road through his farm to facilitate his taking care of his products."⁴

The governor might have added, using the same analogy, that when, as in this case, the landowner was an absentee and quite unfamiliar with the intimate details of his farm, he would do better to allow the tenant to build the road wherever it would be most useful. For the crux of the issue, not so clearly evident in his message, was that neither the act of 1855 nor land grants of the next few years provided for outright gifts to the railroad corporations for construction purposes. Even more important from the frontier standpoint was the lack of provision for direct jurisdiction by the local government in the operation of such grants. On the contrary, the law set up a form of trusteeship by which the federal government retained ownership and control of the lands under the grant until such a time as there had been substantial compliance with certain specified conditions both by the railroad interests and by the local governmental agencies. After that, the lands passed directly to the railroad corporations.

The objections to this policy were many. The railroads objected because preliminary financing, always a difficult and heavy burden in frontier sections, had to be arranged for without the certainty that the prospective grants would ever be forthcoming, for the grants could not be made unless the railroads met all prescribed conditions successfully within fixed time limits. The settlers objected because lands along railroad rights of way were removed from the operation of the usual land system and no one could be quite sure when or under what terms and conditions farms in these

⁴For the text of Gorman's message, see *Minnesota Council Journal*, 1855, Appendix, p. 3-15. See also Folwell, *Minnesota*, 1: 329-343, 2: 37. Congress almost immediately repealed the act of 1854, and as a result the Minnesota and Northwestern Railroad Company filed a suit which was lost in the Supreme Court. The company sought to compel a performance of the terms of the original grant.

areas could be obtained. If the settler took the chance of squatting upon such a farm, he might some day find himself forced to purchase the land on a cash basis from a railroad company or to give it up because of inability to comply with terms he could not meet. As for the local government, it was obliged to stand by during the tedious delays involved in working out the provisions of the law, meanwhile lacking jurisdiction as well as the capacity to tax and to collect revenues from huge tracts of lands in Minnesota.

The panic of 1857, one of the most general and severe in the history of the country, added still further to the undigested problems of the Minnesota frontier. Railroad development was still in its tender infancy, and outside capital was reluctant to enter a region still in a relatively raw condition. Such companies as had been formed were composed for the most part of local men using local capital. In the first stages of the financial depression, these enterprises quickly collapsed, since they were unable to fulfill the terms of the railroad land grants.

The newly organized state government, faced with the prospect of the bankruptcy of these promising activities and the potential markets and business which they might bring, was impelled to take drastic steps. In the crisis it hit upon a scheme for issuing five million dollars in special bonds, backed by the public credit and circulated without any security except the future expectation of salvaging the railroads and land grants. It was assumed that the day would come when, supported by the state's credit, the companies would begin to move steam locomotives and cars over the prairies of Minnesota, the railroad lands would be open to settlement, and industry would flourish. A revived and prosperous young region then could easily call in the bonds and write off the transaction. Such was the fantasy of the five million dollar loan, conceived in a moment of desperation and confusion.

To secure its ratification by the voters, its sponsors used the strange argument that the state would never be directly responsible for the redemption of the bonds. Rather, said they, the public credit was merely being employed to endorse a promissory note and to guarantee the continuation of a public enterprise the solvency and good name of which was in the interest of the people, who were the real beneficiaries. But the advocates of the bond issue neglected to tell what might happen if the railroads were unable to continue despite this show of public confidence. After some debate, nevertheless, sound economic considerations were ignored and the loan was ratified.

But the depression continued and the worst fears of the minority, which had opposed the questionable scheme, were realized. The railroads went into bankruptcy before even a train was operating, the bonds were defaulted, and a deluded public gave evidence of its disappointment and anger.⁵ It was such a situation as logically called for a scapegoat. What more likely object for the public wrath than the public land system? Had not the land officers held out the promise of rich grants of thousands of acres to encourage the frontier railroad builders? And were they not now seeking to hide themselves in a maze of technicalities, contending that the law had not been complied with and refusing to go through with the implied bargain? Certainly, the citizens of Minnesota reasoned, the federal government owed something to the brave men and women who dared to go into the wilderness and to develop new wealth and resources for the nation. And for a government which was wont to call itself a democracy, the role of a Shylock was most unbecoming and contemptible. Those who under these circumstances refused to liberalize the restrictions surrounding the land grants and who insisted upon a strict construction

⁵ The story of the "Five Million Dollar Loan" is told in Folwell, *Minnesota*, 2:37-58.

of the law were highhanded and unfair, according to the disciples of frontier philosophy.

The abuse heaped upon the administrators of the public land system by a frontier which refused to admit the possibility that its own folly had had much to do with its misfortunes, while directed partly toward the practices involving the land grants, took another and more violent form just at this moment. In truth, the fundamental quarrel between the settlers and the public land administration, which was soon to wreck the Democratic party in Minnesota, in the period between 1857 and 1860 was to revolve particularly about the question of the sale and distribution of lands under the provisions of the general pre-emption law. Strangely enough pre-emption and the policy of public land sales were probably the most thoroughly established and highly regarded of all the elements of the American land system. For years it had been regarded as the most vital part of the machinery of federal administration, and it was so accepted even by the most radical exponents of liberalism. Yet now on the frontier, and especially in Minnesota, the uprising against it became overwhelming—in fact this controversy accounts, more than any other factor, for the growth of Republicanism in the West and the election of Lincoln to the presidency in the fall elections of 1860.

In this connection, it is well to note that in the states and territories containing the federal domain the fight to put land administration upon the most liberal basis possible had been in progress for over half a century. In 1820, for instance, the size of settler claims was reduced to eighty acres and the minimum price per acre was fixed at \$1.25. This reform made it possible for many people, otherwise unable to purchase government land, to take advantage of the opportunities in the West and there to establish new communities and homes. Twenty-one years later, in 1841, after another

period of experimentation in land policy, the general pre-emption act was passed. Its purpose was to award to actual settlers the lands of their choice, provided they established themselves thereon and paid the purchase price at the proper time. The pre-emption system operated to liberalize land policy greatly, and in the period before the Civil War it became truly the basis of the American method for opening and developing the frontier.

When the pre-emption system was extended still further in Minnesota by making pre-emption claims applicable not only to surveyed but to unsurveyed land, many felt, with some justification, that finally the settler had been fully recognized and had been accorded every right and privilege to which he was reasonably entitled. In addition the federal government was liberally making grants in aid of education and internal improvements, as well as for the creation of townsites. Moreover, military land warrants and Indian scrip circulations had been enlarged to a point where it was possible for anyone to secure and use these forms of paper in payment for acreage; in fact, it was an open question whether this liberality was not already unduly encouraging speculation and scandal.⁶

The general feeling that a well-rounded land system had been fully realized was evident as early as 1852, when for a brief period Henry H. Sibley, Minnesota's first delegate to Congress and later its governor, advocated a free homestead law.⁷ He ceased his efforts in this direction shortly afterward, however, when it became clear that immigration was flowing without apparent obstruction into Minnesota Territory. Possibly 100,000 people entered the portals to this promised land between 1855 and 1857, and it was en-

⁶ Thomas Donaldson, *The Public Domain*, 205, 214-216, 223-237, 289, 298-305 (Washington, 1880).

⁷ Donaldson, *Public Domain*, 332. The bill for free homesteads, which was supported by Sibley as a "favorite with the masses of the people," is discussed in the *Minnesota Pioneer* (St. Paul) for September 23, 1852.

thusiastically claimed in the latter year that the total population had reached a figure of 247,500.⁸ Though this was an exaggeration, the estimate was used when Minnesota applied for statehood as the basis for its apportionment and division into legislative districts. Under the circumstances, a land policy the operation of which permitted so substantial a growth in the brief space of time between the organization of the territorial and state governments could hardly be made to appear harsh and reactionary.

But the psychology of the Minnesota frontier, especially after the effects of the panic of 1857 began to be felt, was such that the land system was unsparingly criticized by a large majority of its inhabitants. Land speculators, who had once been regarded with high public esteem as promoters of the common good, fell from grace and became a hated class. Placed in practically the same category, the public land officers now also were exiled from a frontier society which formerly had held them in a most favorable light.

In this connection the federal policy regarding public land sales has a significance that may be easily overlooked in favor of other, but certainly not more dramatic, evidence by those seeking to explain the political revolution of the late 1850's in Minnesota. The public sale was always an important feature of the land system. After the passage of the general pre-emption law, it assumed a place of even greater distinction in the operation of the federal policy. In the late 1850's, a settler locating on unsurveyed land was required to do only one thing when he took a claim—to announce publicly at the nearest land office what he was doing. To be sure, he could not yet accurately describe his claim according to section, township, and range, but only by approximate metes and bounds, making reference to known geographical features. But a general description was suf-

⁸ Folwell, *Minnesota*, 2: 1.

ficient to constitute a legal record of his status as a pre-emptor.

After the land in question was surveyed, a second act was required within three months of the date of the receipt of the survey plats in the land office. This was the filing of a "declaration of intention" with the local land officers, setting forth the settler's position as a pre-emptor and giving a legal description of his claim in accordance with now legally recorded information of the survey. If the settler, on the other hand, were pre-empting land already under survey at the time of his first residence upon it, the declaration of intention was the first step for him to take. In either case, however, he was, strictly speaking, a squatter until the actual date of the sale of his land at public auction. Thus he had certain potential legal rights as well as the privilege of living upon the soil of his choice and of using it in the intervening period just as if it were his property in fee simple. Especially did he have the right to farm it and to put upon it such improvements as he wished.

The fixing of the time for the public land sale under the pre-emption law, it should be emphasized, was not a matter of any established rule of the calendar, but it was rather an executive and discretionary prerogative solely within the powers given to the president of the United States. For the settler pre-emptor living upon land which he perhaps had farmed for several months or even years and upon which he might have made extensive improvements, the sale was of utmost importance. For in return for an arrangement with the federal government granting him as a pre-emptor the privilege of purchasing his claim ahead of all others at the minimum price asked at any time before the public sale, he agreed to forfeit his pre-emptor's rights if for any reason, financial or otherwise, he was unable within the limits and conditions of the law to exercise them.

It was usually the custom to set the date of sale as soon as possible after the completion of the final surveys. The

president might, however, take other facts into consideration, such as the general economic condition of the settlers. In any event, his action was almost invariably based upon the recommendations of the department of the interior and land officers; and efficient administration under ordinary circumstances required that the title in fee simple pass to the settler at an early date. There were other factors to consider, such as the inability of the local government to derive taxable revenue from the land until it had passed into private ownership. When economic conditions on the frontier were good, the settler might willingly accept the responsibilities of a taxpayer in his adopted community. If the contrary were true, he was apt to be less anxious to pay taxes.

Thus it will be seen that much depended upon the presidential proclamation, which determined the time and the conditions for the sale of the public lands. The sale not only changed the status of the land from an unoffered to an offered position, but also abrogated any pre-emption claim not exercised before it was opened to bidding. In case there was no offer at public sale, the parcel in question might then be sold later to the first individual willing to pay the minimum price.

Certain interesting practices developed among groups of original squatters to protect what they felt to be their legitimate rights. Protective associations, using some of the methods familiar to modern racketeers, were organized in many communities. Pressure and threats were used to obtain postponements of sales, and land officers sometimes were coerced into making recommendations to their superiors for delays in carrying out executive decisions. If these tactics failed, squatter organizations were likely to try to prevent active bidding at the sale. In extreme cases the settlers assembled at the land office, where they proceeded to intimidate newcomers who showed any disposition to bid. Thus in every way possible, public opinion was di-

rected to vigorous and even violent dissent against any proposal calculated to injure actual occupants of the domain.

The derangement of every form of economic life as a result of the panic of 1857 greatly accentuated the forces of discontent, as well as the settler's determination to prevent the public land sales. The very flexibility of the law proved disastrous to sound administration. The orders of the president were made to appear personal, capricious, and unjust. In the period from 1857 to 1860 this attitude was especially evident, for then, more than at any other time in the history of the pre-emption system, the settler did not want his status to be put in jeopardy; and he knew that if it were, he would not be able to obtain the money with which to purchase his claim. Thus throughout Minnesota a general clamor arose, with demands that the federal government adopt a course which would operate in favor of the bona fide settler and against the land speculator.

The practice of postponing land sales after the issuing of a presidential proclamation began as early as 1855.⁹ In that year approximately five and a quarter million acres were advertised, but when the date of sale arrived, hardly a fifth of the total was offered at auction. The rest of the lands were withdrawn, despite the fact that some had been surveyed for nearly five years.¹⁰ From 1850 to 1860, al-

⁹ For the provisions and executive interpretations of the pre-emption system with its various legal ramifications, see W. W. Lester, *Decisions of the Interior Department in Public Land Cases*, 342-465 (Philadelphia, 1860). Among the Minnesota newspapers that published letters and notices relating to the operation of the pre-emption system in the territory are the *Saint Croix Union* (Stillwater) for September 1, 15, and 29, 1855, the *St. Paul Democrat* for September 4, 1855, and the *St. Peter Courier* for October 11, 1855. The latter paper gave its readers the "Good News" of a decision to take lands off the market.

¹⁰ See the report of the commissioner of the general land office for 1855, in 34 Congress, 1 session, *House Executive Documents*, no. 1, p. 155 (serial 840). The "first installment of lands, 1,178,003 acres in the extreme southeastern corner of the state, was offered for sale" in 1855, according to Folwell, *Minnesota*, 1: 354. The *St. Peter Courier* for August 9, 1855, gives the number of acres offered at each of six land offices as follows: Brownsville, 2,481,395 acres; Winona, 1,540,912; Red Wing, 686,000;

though nearly twenty million acres were surveyed, less than four million were actually offered at public sale. Such a situation, outwardly, did not indicate a governmental policy out of touch with the problems of the frontier nor a disposition to insist upon a strict construction of the pre-emption act. What, therefore, was the real cause of the bitter and far-reaching revolt that arose from a condition so innocent in appearance? The answer is to be found not in what the administrators of the land system eventually decided to do, but rather in the provocative manner used and in the uncertainties created before they arrived at their decisions. In truth, it is safe to conclude that a firm and perhaps harsher attitude, administered dispassionately and permitting no delays, would have produced less criticism and unrest than the exasperatingly dilatory methods adopted by the Buchanan Democrats. At least each settler then would have known precisely where he stood in relation to his government. But such was not to be the case.

Time and again after 1855, land sales were announced, only to be postponed. Invariably upon these occasions the frontier rose in revolt, hurling the charge that the administration was in league with the speculators. These "vultures," it was argued, would of course like to buy farms improved by hard-working settlers who had put all their resources into their development. Another indictment of the Buchanan administration was that its dog-in-the-manger attitude toward public land sales was motivated by a deliberate desire to make political capital out of the situation thus created. The frontier bitterly charged that the administration, having put the settler "on the spot" by threatening to sell his farm when he was unable to pay for it, was bent upon forcing the voters to support it at the polls as the price for the withdrawal of the presidential order proclaim-

Minneapolis, 169,255; Sauk Rapids, 257,759; and Stillwater, 151,374. For additional references to land sales, see the *Courier* of August 23 and October 11, 1855.

ing the sales. Such allegations were, to be sure, vigorously denied.

In the meantime the local Democratic chieftains, more than a little bewildered by the violence of the demonstration against the party in power, but fearful too of the consequences to themselves if they failed to heed their constituents, were usually content to defend halfheartedly the principles of pre-emption and the sale of public lands, and to call attention to the fact that it was by means of this system that many parts of the West had been settled in record time. History, said they, had proved its fairness. Nevertheless, most of these leaders, when the sales were proclaimed, exerted their best efforts to persuade the administration to give way. Such tactics of course were politically inept and won no new friends for Democracy in Minnesota. On the other hand, the new Republican party leaders quickly saw the advantage of denouncing the opposition's land policy. The promise to get rid of land sales altogether tended likewise to build up Republican prestige, and the adoption of the homestead principles for them became a natural step.

As the Democrats lost ground, the emotional elements in the situation resulted still further in solidifying the party's defense of the principles of pre-emption. After all, pre-emption was the cardinal tenet of the national land system, and had been for many years; it had been proved, tested, and protected by the Democratic party as its own. Evidence of this stiffening attitude of the administration in defense of the time-honored land system is to be found in the position taken by the secretary of the interior in 1860 when replying to Governor Ramsey's request for the postponement of sales announced for that year. "Is it just," asked the secretary, "that the entire burden of State taxation should fall upon that portion of her people who dwell in those parts of the state where the public lands have been brought into market, whilst another portion settled upon unoffered public

lands, are relieved from any share in such burdens?" He answered his own question in the negative. "My convictions of duty as a public officer, compel me to adhere strictly to the regular administration of the land laws." He admitted that the past decade of timid and indecisive application of the principles of the public sale of lands was one of "which neither my predecessor or myself will ever boast."¹¹ The secretary's stand was significant because it indicated an unequivocal defense of the administration's policy and it was altogether logical in view of many years of allegiance to the principal of pre-emption. It had, of course, become inexpedient for Washington longer to yield to the stentorian demands of the western radicals. To have done so would have been interpreted as complete surrender, for it could hardly have been construed otherwise. Suffice it to say that this last-ditch stand of old party leaders did not save the Democratic forces from a crushing and final defeat in the fall elections of 1860.

In Minnesota the homestead proposal had become an active issue in the late 1850's, largely, as may be surmised, as a result of the situation created in connection with the proclamations of public land sales. No longer did it matter to the western settlers that crisis after crisis resulted in victories for them. They were now thoroughly aroused by the questionable strategy of the land officers in continually reviving obnoxious issues. Moreover, they were disgusted with insinuations from men in high public office, like the secretary of the interior, to the effect that they were parasites, willing to accept the generousities of a benevolent government but unwilling to accept their responsibilities as taxpayers and citizens. Their answer to this argument was that the entire destiny of the frontier was in their hands.

¹¹ J. Thompson to Ramsey, October 4, 1860, Governor's Archives, in the custody of the Minnesota Historical Society. The secretary's letter, consisting of five manuscript pages, is a carefully prepared defense of the administration's land policy, particularly of the practice of public sales.

Were they not developing its raw resources, and thus benefiting the entire nation? Instead of exacting Caesar's tribute from them, let a grateful people give them outright the lands which they cultivated and so recognize the importance of their contribution to the national welfare.

With righteous indignation, the frontiersman asked what good could possibly come from the practice of proclaiming public land sales year after year and then, usually at the last possible moment, withdrawing or postponing them. Was not the only result that of keeping the settlers in a constant state of turmoil and discontent? Did it serve any good purpose? To these questions, the Minnesota settlers could answer only with a vigorous vote in the negative.

Confronted with this issue and aware of the aroused state of the frontier, the Democratic party and its leader, President Buchanan, showed a total lack of understanding of the position of the settlers. Failing to see that the chief interest of the West was the land, they also chose to ignore the fact that, in so far as the settler was concerned, his most vital problem was the protection of his status upon the land, by lawful means if possible, but in any event, by whatever means were for him most effective. Individualistic to the point of obsession, he would not, if he could avoid it, be placed in a position where he was the victim of the whims and fancies of men hundreds of miles away. Such was not his interpretation of the American way of life. As he saw his problem, if he controlled the land of his choice, he was a free man; if he did not, then no matter how kind a paternalistic government might from time to time be to him, he was still a serf or a slave.

The hold of the Democratic party upon the country, as might be expected, was not easily broken, for it had long been in power and had developed many devices for extending and maintaining its influence with the voters. Thus the settlement of the land issue required a terrific struggle—a

battle fought out largely in the years 1858, 1859, and 1860. The annual report of the secretary of the interior for 1858, for instance, presented an elaborate defense of the existing policy with reference to the public domain. By this method, it was pointed out, the West had been settled and developed from the very beginning of frontier expansion. It was a system of many virtues, according to its exponents, and it was peculiarly American, since it was based upon the proposition that the "public domain is the property of the people of all the states collectively." Thus, "any individual desiring to appropriate to himself any particular portion of it, is allowed to do so by paying into the common treasury a moderate consideration." The secretary was willing to concede that the holding of public land sales in the previous year, had the order not been rescinded, would have resulted in unjustified hardships on the settlers; nevertheless, "as a liberal indulgence has already been afforded . . . it is contemplated to bring into open market several millions of acres during the ensuing year."¹²

This warning of the crisis to come was followed in the spring of 1859 by a new proclamation of public land sales, despite the concerted efforts of party leaders in Minnesota to avoid the renewal of a battle which, they felt, could result in nothing except a greater schism in their ranks. Even the *Henderson Democrat*, an ardent administration sheet, on March 9 carried a story of the efforts of the state's party chieftains and Congressional delegation, led by Senator James Shields, to persuade the president not to commit a political blunder. According to the *Democrat*, Shields stated "that notwithstanding all . . . efforts to prevent it, the department [of the interior] seems determined to bring our lands into the market." The senator urged the people

¹² Quoted from the report of the secretary of the interior for 1858, in 35 Congress, 2 session, *Senate Executive Documents*, no. 1, p. 73-75 (serial 974).

of the state to support their appointed representatives in this fight, and to let the "President know the ruin his policy will bring upon our country." The *Democrat*, as well as the citizens of Minnesota, it is hardly necessary to add, "with one voice" approved these sentiments. Throughout the frontier, mass meetings were held and resolutions denouncing the proposed sales were drawn up and forwarded to Washington. Thousands of men who had always voted a straight ticket joined in the crusade, and "Moccasin Democracy" was bitterly attacked.

Among the most distinguished of the critics of the land policy was a Minnesota woman, Jane Grey Swisshelm, editor of the *St. Cloud Democrat*. Seizing the occasion as one well worth her best efforts, she went into action with a fiery editorial on August 11. Insisting that with financial conditions as they were but few settlers could raise the money to pay for their farms, she denounced the "great injustice to them and injury to the State at large" from "these sales." As for the local land officers at St. Cloud, who apparently had lost their standing with her, she sarcastically referred to them as those "chivalrous sons of the 'sunny South'" who gracefully had "volunteered to hold our offices and control our politics." These, moreover, she accused of speculating in land warrants and of seeking to gain votes for Buchanan out of an emergency which they had helped to perpetrate upon the poor settlers.

In that same tense summer of 1859, the state Republican platform, with a display of literary talent that would have done credit to Mrs. Swisshelm herself, advocated "land for the landless versus niggers for the niggerless." Then proceeding straight to the heart of the land problem, it resolved that the Democratic administration, in ordering a sale of public lands at a time of financial distress and general poverty and embarrassment, was "inflicting a fearful wrong" upon the state and its settlers by "turning over to

the remorseless speculator the fruits" of honest industry and toil.¹³

Under this onslaught, the Democrats became even more divided and weakened. Through the activity of Christopher C. Graham, one of their leaders, who was a land officer as well as a candidate for Congress, a petition was circulated calling attention to the tactical blunder in the sale of lands in the existing circumstances. Graham easily obtained a large number of signers and sent the petition to Washington, where it was personally presented to the president by Governor Henry H. Sibley of Minnesota. This pressure from leaders of the Democratic party itself at length influenced Buchanan to retract his decision in ordering the sales. In the same year, however, came the memorable action of Galusha Grow in sponsoring in Congress not only a homestead bill, but a measure to postpone for ten years all public land sales.¹⁴ Had the administration seen fit to throw its support behind these proposals, the party in power, even at that late hour, might have been able to save its position in the public land states. But its course had been charted, and there was to be no deviation from it, even to stave off ultimate defeat in the national election of 1860.

Notwithstanding the president's attitude of stubborn adherence to a policy that had outlived its usefulness, in a spirit of revolt Congress passed a homestead bill in 1860. A presidential veto was inevitable.¹⁵ But later events were

¹³The Republican state convention was held in St. Paul on July 21. The sections of the Republican platform from which these passages are quoted appear in the *St. Cloud Democrat* for August 25, 1859.

¹⁴*St. Cloud Democrat*, September 8, 1859. The editor greeted Graham's petition with the remark, "Well, the Bogus Democracy are scared at last."

¹⁵*St. Cloud Democrat*, June 28, 1860; *Henderson Democrat*, May 19, July 7, 28, 1860. The latter paper explained and attempted to justify the presidential veto, and it published a bitter attack upon Stephen A. Douglas as the man really responsible for the government's blundering land policy.

to prove that this Congressional victory was already sounding the death knell of Democracy. What was not so clear, perhaps, was the fact that the issue of the public land sale, through the decision to provide a substitute for it in the homestead measure, also was passing from the scene as an active political question.

In the face of a serious revolt within his party's ranks, it is somewhat difficult to see what advantage Buchanan hoped to gain by once more making a trial of strength in the matter of the land sales. It was clear during the winter of 1859-60, however, that the president would ignore the experiences of previous years. By midsummer of 1860, new proclamations had been issued and the battle was on. This time there was little hope that the administration would abandon its purposes, but, despite the dread of what might be in store for them, the settlers once more covered every point of argument in their resolutions of denunciation. These followed patterns that are already familiar. In the meantime, the rural papers from one end of Minnesota to the other worked themselves into a state of frenzy such as had never before been witnessed over any public question. The *Henderson Democrat*, which had been loyal to Buchanan even when it disagreed with him over the issue of land sales, now was completely at a loss to explain, much less to defend, the president's strange determination. Finally, it abandoned any attempt to do so.¹⁶ Its decision was typical of the majority of the Democrats, who at this point were being forced to choose between loyalty to their party and to Minnesota and its general welfare. It was a distasteful choice, but it had to be made.

¹⁶ *Henderson Democrat*, August 19, 1860. Even at this late date the editor of the *Democrat* was justifying Buchanan and appealing to his readers to be fair with the administration's land policy. By September 8 this Democratic organ was yielding to frontier pressure for the homestead bill, though it again attacked Douglas as an enemy of western land aspirations.

Under the circumstances, there could be but one answer. When the fall election came, there was no equivocation. Minnesota voted a decisive majority in support of Abraham Lincoln. And a land-conscious frontier, battling valiantly for what it believed to be its heritage, was vindicated.

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