GALUSHA GROW—PENNSYLVANIA'S CHAMPION OF THE HOMESTEAD ACT*

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In essence the Homestead Act of 1862 provided 160 acres to any person who was willing to improve and cultivate the land for a period of five years. The land measure was a radical departure from the course of American public land policies. Needless to say it opened untold acres of western lands for settlement. For a good number of nineteenth-century Americans this was a successful climax to the illustrious story of liberal land legislation. Many others, however, viewed the act eventually as another disappointing effort by the federal government to make proper disposition of the unsettled lands. Regardless of its merits or shortcomings the act did represent a culmination of homestead agitation which had reached unprecedented fervor in the decade preceding the Civil War. By then Thomas Hart Benton’s comprehensive land program of pre-emption, graduation, and donation seemed inadequate to most farmers and land reformers. Many westerners now started to rally to the cry of “free land.” Anxiously determined to see the West properly developed, they looked to other parts of the Union for support. In Pennsylvania their cries were answered by a distinguished political figure, Galusha Grow.

Law and politics fascinated Grow at an early age. Born on August 31, 1823, in Ashford, Connecticut, he had moved with his parents as a child to the Pennsylvania hamlet of Glenwood, in Susquehanna County. Following a good formal education, he was eventually admitted to the bar. In due time he formed a legal partnership with David Wilmot, who had gained national recognition by fastening the slavery issue to the Mexican question with his famed proviso of 1846. The veteran politician readily recognized in his protege a profound and earnest desire for a future in politics. Because of a Democratic split within his district, Wilmot used his influence to promote the nomination of Grow as a compromise candidate in the 1850 election. Grow defeated his opponent, John C. Adams, and succeeded Wilmot as a Free-Soil Demo-

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crat in the national House of Representatives.¹

During his initial stay in Congress, Grow displayed an unsurpassed agitation for homestead legislation and an unrelenting antipathy toward the further extension of slavery.² To him the issues were inseparable. He had subscribed to the wisdom of those who cautioned that a union of economic and political interests between the Northeast and the West was imperative if Slavocracy were to be halted. For the development of this alliance a land program favorable to both sections of the country appeared necessary if not absolutely essential. The increasing importance of the land issue immediately impressed men like Grow and Horace Greeley. They started to envisage the political potential of the homestead idea being possibly forged as a vital link in the future inter-sectional chain.

As a member of Congress, Grow promptly devoted his efforts to the crusade for land reform. On March 30, 1852, he attracted attention when he delivered his “maiden speech” in defense of Andrew Johnson's proposed homestead bill.³ The Tennessean’s measure had received only limited consideration during previous sessions of Congress.⁴ Grow now offered new support. He advocated the view of man’s inherent right to the soil and argued that the millions of acres distributed in the past through pre-emption and military bounties had actually failed to promote satisfactory settlement of the western lands. Favoritism and expediency were constant factors in the history of land legislation. In his opinion the current systems of land disposal contained just too many inadequacies and loopholes to be of lasting value. Speculative schemes of land sharks still haunted the would-be-settler while unwanted acres of the public domain still plagued the government.

¹ Biographers of Grow generally have failed to present a satisfactory account of the Pennsylvanian’s role in the history of homestead legislation. For biographical material, see James T. DuBois and Gertrude Mathews, Galusha A. Grow, Father of the Homestead Act (New York, 1917); L. P. Brockett, Men of Our Day (Philadelphia, 1888); Rhamanthus M. Stocker, Centennial History of Susquehanna County, Pennsylvania (Philadelphia, 1887).
² Grow's first stay in Congress was from 1850 to 1862.
³ For this address, see Francis P. Blair and John Rives (ed.), Congressional Globe (Washington, 1834-1873), 32 Cong., 1 Sess., Appendix, 424-426. The title of Johnson's Bill was "To encourage agriculture, commerce, and manufactures, and other branches of industry, by granting to any man who is the head of a family and a citizen of the United States, a homestead of 160 acres of land out of the public domain, upon condition of occupancy and cultivation of the same for a period therein specified." Cong. Globe, 32 Cong., 1 Sess., 58.
⁴ Ibid., 32 Cong., 1 Sess., 424; 31 Cong., 2 Sess., 313-314.
Grow's fervid keynote address contained several principles which were to characterize his subsequent speeches endorsing homestead legislation. The House members were reminded of their obligation to dispose of the public lands in the interest of the American people. The Pennsylvanian next denied the government's right to hold the lands as a mere source of revenue, especially since sales tended generally to encourage widespread speculation. He then rebuked those legislators who considered the homestead bill unjust since, in their opinion, it would benefit only a small segment of the population. Grow always felt that if natural circumstances were such that a man would not be able to avail himself of the bill's advantages, then "it is his own misfortune and no fault of the law." Almost everyone would have the opportunity to prosper by the benefits of the bill.

In conclusion Grow stressed the significant relationship between western settlement and eastern poverty. He maintained a free land bill would considerably decrease the plight of many unfortunate urban residents who had a difficult time managing a livelihood. Since they were financially unable to purchase a farm, the bill would permit them to move westward with their families and become producers of the necessities of life instead of mere consumers. Along with many land and labor reformers, Grow realized that the steady influx of European immigration was increasing the number of homeless and jobless groups. These in turn were helping to create unsuitable conditions in eastern urban areas.

Grow came to represent that group of homestead friends which sought a "liberal" free land bill. During the stormy debates which followed, the Pennsylvanian constantly searched for ways to extend the bill's benefits to as many groups as possible. This was clearly exemplified in the prolonged discussion of Johnson's bill. Although basically favoring the Tennessean's measure, Grow still attempted to liberalize its qualification provisions. The bill in its present form applied only to heads of families who were, at the time, either citizens or residents of a state or territory. Grow now offered an amendment. It enabled all emigrants who arrived after the enactment of the bill to become eligible for its benefits. He believed the government should require foreigners to be naturalized before they could obtain clear title to their land, but he rebuked the idea of denying the bill's benefits to those future citizens who were still in their foreign homelands. This type of discrimination
was not in accordance with the true American spirit. Grow asked:

Why should we make a distinction between foreigners already in the Country, and those who may come thereafter? ... Why should any difference be made between men, forced by oppression and wrong from the land of their birth, to seek a home in the western wilderness, whether they come in one year or another?\(^5\)

The amendment did not have a chance. By entitling the foreigner to the bill's provisions, Grow knowingly had touched upon a highly controversial and somewhat sensitive issue. Nativism, with its invecitive against Catholicism and the foreign born, had become increasingly popular after 1850. Many congressmen, including supporters of the homestead bill, did not wish to stimulate further immigration. They shunned the thought of any bill being used as a possible enticement to attract the homeless hordes of Europeans. Opposed by this "American" element in the House, Grow finally decided to go along with Johnson's bill. It passed on May 12, 1852, by a 107-56 vote.\(^6\)

Johnson's bill died in the Senate. It was there that most southerners were sympathetically allied in their dislike of the homestead principle. Feeling that the House was attempting to squander the public domain, they spearheaded a movement which successfully stymied the bill's consideration for that session of Congress. Their arguments generally revealed an ominous attitude which rested upon an endemic fear that homesteading would not benefit the institution of slavery. Uneasiness also prevailed among southern leaders that free land might diminish the receipts in the Treasury and therefore prompt the enactment of a higher tariff. It must be noted, however, that at this time there were many in the South who approved the homestead idea.\(^7\) For the most part they were of a class overshadowed by the influence of slaveholders in politics and journalism. Slavocracy's opposition in the upper house proved to be a continuous deterrent to homestead legislation during the following years.

During the fiery Thirty-third Congress, Grow replaced Andrew Johnson, now governor of Tennessee and later to become President, as the indefatigable crusader for the homestead cause. His ensuing struggle for a generous free land bill justly deserved him the reputation of

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5 Ibid., 32 Cong., 1 Sess., 1319.
6 Ibid., 1351.
7 New Orleans citizens, for example, were desirous of seeing the great Mississippi Valley developed as a feeder for their port city.
being the “greatest champion of the homestead cause.”

8 On February 21, 1854, the Pennsylvanian again spoke at length on his favorite topic. He repeated the theme which had been stressed in his earlier address—that the true object of the federal government in the disposition of the public lands should not be their sale, but their settlement and cultivation. Warning against over-crowded cities, he urged that excess population be encouraged to settle the frontier with the aid of a liberal land bill. The growth of western communities would serve to alleviate the labor problem in the industrial cities, where homeless and jobless groups were constantly reducing the price of labor. In summary Grow reminded his fellow-legislators that the wealth of any nation consisted not in the sums of money paid into its treasury, but in its “herds, flocks, and cultivated fields.”

9 The debate over the homestead bill was waged in an atmosphere glacial with sectional hostility. Southern opposition to the bill was beginning to solidify in the lower house as a result of the sectionalism being fomented by the slavery crisis. It was against this opposition that Grow directed a virulent assault. He was not reluctant to flavor his comments with bitter anti-slavery sentiments during any discussion which tended to provoke southern animosities. A vitriolic tongue soon earned him an incorrigible and offensive reputation among his southern colleagues. He particularly aimed his venom at Virginia’s J. S. Millson, who had admonished the House members that the enactment of the homestead bill would harmfully deplete the old states of their population. The southerner was obviously rationalizing because of his fear that western lands would be filled with free settlers. This point of view was commonly advocated by a good number of other southerners. “Why confine a man,” Grow asked Millson, “to misery and want beside your own doors and in your own state when he can find a happy home for himself and his children in a far-distant land.” The primary purpose of the bill, he continued, was to assist theoretically those who possessed no permanent homes and who were merely presenting a social and economic problem in the old states.10 The bill was shortly passed and sent to the upper house.11

8 Benjamin H. Hibbard, A History of the Public Land Policies (New York, 1924), 42.
10 Ibid., 33 Cong., 1 Sess., 525-526.
In the Senate the opponents of the bill presented a formidable challenge. Slavocrats, speculators, and railroad men were confident they possessed sufficient influence to defeat the measure. Yet they realized something would have to be done with the bill which had been already twice sanctioned by the popular branch of Congress. They therefore adopted and promoted a piece of legislative stratagem which later became known as “Hunter’s Substitute.” It permitted the prospective settler to enter 160 acres, but after the mandatory five-year residence he was required to purchase the tract of property at a graduated price. The formulators hoped that the substitute, bearing some resemblance to the homestead bill, would temporarily satisfy the land reformers. But they were wrong. Homestead friends in the House rejected it and refused to consider their measure any further during that session of Congress.  

In contrast to the Senate situation the future of the homestead bill appeared promising in the House. There Grow and his friends were rapidly enlisting new support. Having become an ardent Republican as a result of the Kansas-Nebraska controversy, the Pennsylvanian successfully rallied party members behind the free land bill. His obvious aim was to approve not only the interest and lot of many unfortunate citizens, but also to attract western support for the newly-organized party. By making the bill a party issue he sought to strengthen the development of the Northeast-West alliance so ardently sought by the Republicans. The impressive majority for the passage of his bill on February 1, 1859, certainly indicated his efforts were not needlessly expended.  

A tumultuous discussion had preceded the voting on Grow’s bill. Nearly unanimous in their disapproval of the bill, the southerners tried desperately to table it. Their move was frustrated and their arguments refuted by Grow, who felt that since the bill had been before Congress for so many years further discussion of it would be superflu-

11 This was the bill of John L. Dawson, Democrat representative from Fayette County. Grow had sought to substitute a more liberal bill of his own for that of his fellow-Pennsylvanian. Dawson restricted the benefits of his bill to those who were citizens at the time. Grow simply proposed that a settler declare his intentions to become a citizen when he filed entry; naturalization would be completed during the residence period. Because of his vital concern for the welfare of the immigrant, Grow saw his substitute quickly rejected. For Grow’s complete bill, see ibid., 547.

12 Ibid., 1658, 1844, 2104-2105.

13 Ibid., 35 Cong., 2 Sess., 727.
ous. He also took the opportunity to assail the southerners with maximum intensity. During the preceding session the wit and virulence of his attacks had incurred sufficient southern hostility to provoke a free-for-all which temporarily transformed the floor of the House into an arena of warring gladiators. The fracas started during the stormy debates over the admission of Kansas. Lawrence Keitt of South Carolina had called Grow a "black Republican puppy" because of the Pennsylvanian's resolute support of the Topeka Constitution. The two men rushed at one another, setting off an intersectional battle between northerners and southerners. For several minutes neither the Speaker nor the Sergeant-at-Arms could bring the House to order. Fortunately without the display of weapons the affray ended on a humorous note when the battling lawmakers stopped to laugh at the distinguished William Barksdale of Mississippi, who had lost his wig in the scuffle.14

The passage of Grow's bill in the House met with a general wave of editorial approval throughout the free states. The New York Daily Tribune of February 2, 1859, remarked that had the bill become law fifteen years ago, it would have saved a vast deal of public corruption. Homestead friends widely complimented the bill's author. Setting the tone the Daily Pittsburgh Dispatch of February 4, 1859, commented: "Mr. Grow deserves honor from every poor man and every just man in the nation." The editor of this paper, nevertheless, expressed confidence in his prediction that the bill would not pass the Senate. His foresight proved correct. Victimized by the wrangling over the controversial Cuban bill, the homestead measure was again shelved in the upper house through the undying efforts of such leaders of the South as Clement C. Clay of Alabama, John Slidell of Louisiana, and Robert Hunter of Virginia.15

Grow did not despair. He again introduced his bill and supported it on February 29, 1860, with a most provocative speech, entitled "Free Homes for Free Men." What characterized this address was the forcefulness of Grow's arguments in his almost frantic appeal for the bill's adoption. He again warned against speculation and land monopolies, and pointed out that under the current system of land disposition any worldly millionaire could become the owner of untold acres of the

14 A good account of this incident may be found in Ben Perley Poore, Perley's Reminiscences of Sixty Years in the National Metropolis (Philadelphia, 1886), I, 532-536.
public domain. He re-affirmed his contention the government had no right to look upon the western lands as a mere source of revenue. The Pennsylvanian then lashed into the bounty system and proposed that government bounties to veterans be made in money and not in land warrants. The latter were generally bought up by the speculator and sold later at a sizeable profit. Grow included:

If rewards or bounties are to be granted for true heroism in the progress of the race, none is more deserving than the pioneer who expels the savage and the wild beast and opens in the wilderness a home for science and a pathway for civilization.\(^\text{16}\)

Limited debate preceded the voting on Grow's bill. Homestead friends realized their numerical strength and discreetly avoided any prolonged discussion which would have led only to further sectional bickering and the possible shelving of the bill. With the Republicans voting \textit{en masse} in the affirmative, the bill passed the House by an overwhelming 115-66 vote.\(^\text{17}\) Regardless of this impressive margin the bill still had to face its crucial test in the upper house.

The Senate had been considering a homestead measure introduced by Andrew Johnson early in the session.\(^\text{18}\) Elected to the upper house after his term as governor, the staunch Tennessean continued his work for a liberal land bill, much to the chagrin of his fellow-southerners. Less liberal than the House bill, Johnson's measure restricted benefits to heads of families who were already inhabitants of the country. In contrast Grow extended the provisions to any person twenty-one years of age and welcomed future immigration by offering the bill's benefits to all foreigners who would declare their intentions to become citizens after they had filed their claims.

Neither bill appealed to the senators. As usual the southerners asserted their traditional arguments against the bill and contended it was a Republican measure aimed specifically at the abolition of slavery. Yet the Democrats, as a party, displayed definite signs of unrest over the significant land measure. With the presidential election only months away they started to realize the great Northwest might prove the balancing factor between victory and defeat. People in that section of the country had a special interest in the bill. Sensing their precarious and unenviable position the Democrats adopted a course of action which

\(^{16}\) For this address, see \textit{ibid.}, 36 Cong., 1 Sess., Appendix, 127-129.

\(^{17}\) \textit{Ibid.}, 36 Cong., 1 Sess., 1115.

\(^{18}\) For Johnson's bill, see \textit{ibid.}, 1508.
closely paralleled that which in 1854 had resulted in the Hunter Substitute. Grow and Johnson's bills were sent to the Committee on Public Lands with instructions that a completely new bill be produced.\textsuperscript{19} The result was a "compromise" measure which was in essence an embodiment of graduation and pre-emption principles. It passed the Senate by a decisive vote of 44-8.\textsuperscript{20} Most of the Republicans endorsed it only when they had concluded that Grow's liberal bill had no chance of passage.

In the House Grow led the assault against the Senate substitute. He asked for a reconsideration of his bill, remarking that the new bill made no prominent changes in the existing land laws. Through the efforts of Owen Lovejoy of Illinois Grow's original bill was adopted as a substitute for the Senate measure. Every Republican voted for it while the southerners in general opposed it.\textsuperscript{21} A week later, however, the Senate made short order of Grow's bill by rejecting it with a 29-20 vote.\textsuperscript{22}

With each house insisting upon its own measure and with the adjournment of Congress at hand, it appeared for the moment the homestead bill would again be shelved. The deadlock between the two houses now prompted Grow, amid cries of southern protest, to suggest that appointed committees from each house confer in an effort to produce an acceptable homestead measure. The majority of the members agreed to the motion. Barksdale of Mississippi made an effort to reconsider the vote, but he was thwarted by Grow, who succeeded in having the southerner's motion tabled.\textsuperscript{23} Southern opposition was proving to be no match to the Republican-controlled ranks in the House.

Three conferences between the houses were necessary before a satisfactory bill could be produced. The resultant conference bill did not constitute a true homestead measure. Regardless of its several merits it did require from the settler a payment of twenty-five cents per acre.\textsuperscript{24} Homestead friends endorsed the bill simply because it did offer some benefits to the potential settler. At this time neither party desired to be

\textsuperscript{19} Ibid., 1659-1662.
\textsuperscript{20} Ibid., 2043.
\textsuperscript{21} ibid., 2252-2253.
\textsuperscript{22} Ibid., 2420.
\textsuperscript{23} Ibid., 2477-2478.
\textsuperscript{24} For a discussion on the conference bill, see Horace Greely and John Cleveland (comp.), \textit{A Political Text-Book for 1860} (New York, 1860), 190-191.
accused of having rejected any land bill which could be looked upon with favor in the West. Grow and his friends merely viewed the conference measure as a further step toward the advancement of a more comprehensive and liberal bill. As Grow later remarked: "We have taken this bill, not because it is what we want, but on the principle that half a loaf is better than no bread."25

On June 22, 1860, President James Buchanan vetoed the conference bill. He first asserted that it was unconstitutional and then argued that it would encourage foreign immigration and a westward move of population.26 The veto was hardly a surprise to many observers who had commented earlier that the President would never endorse any legislation which would be objectionable to the South. His action, moreover, was a political slap at Stephen A. Douglas and other northern Democrats who had envisaged the possible advantages in passing the land bill during the election year. They felt Buchanan had deprived the party of the honor of passing the bill. His assent would have strengthened the party's chances throughout the West and Northwest. With the defeat of the bill by a Democratic administration the Republicans now possessed an effective weapon to launch against their opponents in the forthcoming campaign.27

The homestead bill dominated in effect all other issues in the western states during the 1860 campaign.28 It also proved an important determinant in the election of Abraham Lincoln. Owen Lovejoy later commented that the bill meant the difference between victory and defeat for the Republicans.29 They made most of the theme "land for the landless" by identifying southern opposition to the bill with slavery. Grow's bill and his various speeches supporting it were distributed throughout the free states. Along with such notables as Carl Schurz and Horace Greeley, the Pennsylvanian helped win western votes by his avid campaigning for the bill.

26 James D. Richardson (comp.), A Compilation of the Messages and Papers of the Presidents, 1789-1897 (Washington, 1896-1900), V, 608-614.
When the short session of the Thirty-sixth Congress convened in December 1860 House Republicans manifested definite signs that they would immediately drive through their Chicago platform. Hardly had the chaplain's voice died away on opening day when Grow presented his homestead bill for early passage.\textsuperscript{30} In view of the threat of southern secession, the chances of the bill being considered at this time appeared slight. Grow, nevertheless, continued to press for discussion of the measure. He bitterly condemned Buchanan's recent veto and denounced as mere sophistry the President's allegations of the bill's unconstitutionality. On this occasion Grow's commentary was brief. He stated his purpose was not to elaborate upon the obvious benefits of the bill. They had been discussed in Congress for more than ten years. The bill shortly passed by a 132-76 vote, but it died in the Senate chamber, where attention was being given to more immediate and pressing problems.\textsuperscript{31}

During the Thirty-seventh Congress Grow assumed leadership of the Republican-controlled House. On July 4, 1861, with most of the southern members absent, he was easily elected Speaker of the House after being nominated by his fellow-Pennsylvanian, Thaddeus Stevens.\textsuperscript{32} For the remainder of the year the duties as Speaker prevented him from participating in the limited land debates. The national emergency brought about by secession and the attack upon Fort Sumter necessitated the granting of priority to emergency legislation aimed at the preservation of the Union. But by early 1862 Grow was ready to resume his struggle for the homestead bill. On February 21 he delivered his final plea for the enactment of the measure. The address was not particularly lengthy, for as he remarked, the bill had been discussed for so long that it should be "matured enough" for the immediate action of the representatives.\textsuperscript{33}

The supporters of the homestead bill were extremely optimistic. Exactly one week after Grow's stirring address the House passed the

\textsuperscript{30} Ibid., 36 Cong., 2 Sess., 2-3.
\textsuperscript{31} Ibid., 15-16, 23.
\textsuperscript{32} Stevens' award was the coveted chairmanship of the Committee of Ways and Means. Months earlier Grow unsuccessfully had tried to get a cabinet post for Stevens. Grow to Lincoln, January 18, 1861, Abraham Lincoln Papers (Library of Congress).
\textsuperscript{33} Cong. Globe, 37 Cong., 2 Sess., 909-910.
measure with an overwhelming 107-16 vote. Most of the negative votes came from the border states. The Senate approved the bill on May 6 after making a few amendments. At first the House refused to accept these changes, but after some parleying between conferees of both houses, the bill was accepted. On May 20, 1862, Lincoln signed it. With his signature probably the most significant piece of agricultural legislation in American history became law.

For Grow the homestead drama ended on a happy note. The glory of his Speakership was undoubtedly the signing of the Homestead Act for which he had so conscientiously labored through ten long years. By this measure, which in essence was an embodiment of the provisions comprising his own bill, Grow knew the national commonage would go to the toiling millions. It transformed the potential economic independence into reality by permitting any person with little capital, but with abundant enthusiasm and energy, to acquire land. Originally and distinctively American the act helped fill the western lands with homes and communities. Without question it helped provide the necessary impetus for the development of western society.

34 Ibid., 1035.
35 Ibid., 1951, 2061, 2158.