

**CONGRESSIONAL GRANTS OF LAND IN
AID OF RAILWAYS: A THESIS, FROM THE
BULLETIN OF THE UNIVERSITY OF
WISCONSIN (ECONOMIES, POLITICAL
SCIENCE, AND HISTORY SERIES, VOL. 2,
NO. 3, PP. 263-392)**

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9780649554744

Congressional Grants of Land in Aid of Railways: A Thesis, from the Bulletin of the University of Wisconsin (Economies, Political Science, and History Series, Vol. 2, No. 3, pp. 263-392) by John Bell Sanborn

Except for use in any review, the reproduction or utilisation of this work in whole or in part in any form by any electronic, mechanical or other means, now known or hereafter invented, including xerography, photocopying and recording, or in any information storage or retrieval system, is forbidden without the permission of the publisher, Trieste Publishing Pty Ltd, PO Box 1576 Collingwood, Victoria 3066 Australia.

All rights reserved.

Edited by Trieste Publishing Pty Ltd.
Cover @ 2017

This book is sold subject to the condition that it shall not, by way of trade or otherwise, be lent, re-sold, hired out, or otherwise circulated without the publisher's prior consent in any form or binding or cover other than that in which it is published and without a similar condition including this condition being imposed on the subsequent purchaser.

www.triestepublishing.com

JOHN BELL SANBORN

**CONGRESSIONAL GRANTS OF LAND IN
AID OF RAILWAYS: A THESIS, FROM THE
BULLETIN OF THE UNIVERSITY OF
WISCONSIN (ECONOMIES, POLITICAL
SCIENCE, AND HISTORY SERIES, VOL. 2,
NO. 3, PP. 263-392)**

8 -
CONGRESSIONAL GRANTS OF LAND IN AID OF
RAILWAYS

BY
JOHN BELL SANBORN, M. L.

A THESIS SUBMITTED FOR THE DEGREE OF DOCTOR OF PHILOSOPHY,
UNIVERSITY OF WISCONSIN, 1899.

FROM THE BULLETIN OF THE UNIVERSITY OF WISCONSIN,
(Economics, Political Science, and History Series, Vol. 2, No. 3, pp. 263-392.)

STANFORD LIBRARY

MADISON
1899

1138

720696

31 MAR 1964

PREFACE.

The investigation which has resulted in this monograph was begun in the seminary in American History of 1896-97 at the University of Wisconsin, and continued independently since that time. In its present form it was submitted as a thesis for the degree of Doctor of Philosophy at that university in 1899. A portion of the results obtained have already been published in volume XII of the *Transactions* of the Wisconsin Academy of Sciences, Arts and Letters.

The subject of land grants in aid of railways, as well as of many other features of our public land policy, has been practically neglected by historians. I found, therefore, that my work had to be done from the ground up and that an investigation had to be made of many collateral aspects of land legislation. Some aid has been rendered by various railroad histories and articles on the public lands, but in general only the original sources have been used.

I have endeavored to trace the history of railroad land grants from their inception to the present time. In this my object has been to give an account of the various land grant bills, the arguments for and against them and the forces which caused their success or failure; while I have also tried to connect this bare legislative history with the other features of our public land policy. In addition to this economic side of the subject, on the political side the influence of the legislation on the other issues of the time has been considered, and an attempt has been made to point out what seems to me the deeper and more general importance of my subject.

An effort was made to determine what became of the lands after they left the possession of the government—how the states

and corporations to which they were granted disposed of them. But the materials on this question were too scanty to allow of any certainty in the conclusions reached, although I have thought it advisable to embody such tentative results in the form of an appendix. I hope that further treatment of this subject may be given in general railroad histories of the different states and that my work may be of assistance to those investigating this subject.

In the library of the State Historical Society of Wisconsin have been found most of the materials from which this monograph has been prepared, and I wish to express my appreciation of the unfailing courtesy of the officers of that society and of the members of the library staff. Some additional materials were found in the Chicago Public Library, The Newbury Library and the library of the Chicago Historical Society.

During my work on this monograph I have been under constant obligation to Professor F. J. Turner, who has given not only advice but actual assistance at every point in my investigation and in the preparation of my work for the press. Professor C. H. Haskins has read the proofs and made many valuable suggestions, while Professor W. H. Hobbs has also given assistance in the proof-reading.

Madison, Wisconsin, August, 1899.

TABLE OF CONTENTS.

	PAGE.
INTRODUCTION	7
CHAPTER I.—The Beginning of Land Grants.	19
CHAPTER II.—The Illinois Central Grant.	25
CHAPTER III.—The East against the West—Land Grants and Homesteads.	38
CHAPTER IV.—Later Grants to States	50
CHAPTER V.—The Pacific Railroads.	62
CHAPTER VI.—The Repeal of the Land Grants.	68
CHAPTER VII.—The Disposal of the Grants.	76
CHAPTER VIII.—Conclusion.	85
APPENDIX A.—The Use of Railroad Lands by States and Corporations.	93
APPENDIX B.—Bibliography.	127



CONGRESSIONAL GRANTS OF LAND IN AID OF RAILWAYS.

INTRODUCTION.¹

Questions relating to land tenure, and particularly to the management and disposal of lands held by the state, have always occupied a large place in the history of nations. In the case of the United States the public domain has been a most important factor in the national development. Aside from the diplomatic and military struggles involved in the acquisition of the soil, and the relation of the slavery struggle to the public domain, the position of the government as landed proprietor has been profoundly important. Even in colonial days the management of the vacant lands by the crown, the proprietors or the corporations who governed the colonies, had important effects in political, economic, and social development. There, as later, land grants were used for political purposes as well as to promote immigration and industrial development. Colonial history affords precedents for the use of land as bounties for soldiers, for education, and for internal improvements. The question of the devolution of the crown lands after the declaration of independence, became one of the most influential factors in the history of the Revolution and the Confederation, and was only settled by the cessions of the claimant states and by the passage of the Ordinance of 1787. The vast political influence of the land question upon the politics of the Confederation has frequently been pointed out, but it cannot be too strongly urged.² The acquisition of the public domain

¹See Sato, *History of the Land Question in the United States*, Johns Hopkins University Studies, IV, nos. 7, 8, 9.

²"And just here lies the immense significance of this acquisition of the Public Lands. It led to the exercise of National Sovereignty in the sense of eminent domain, a power totally foreign to the Articles of Confederation." Adams, *Maryland's Influence upon Land Cessions to the United States*, Johns Hopkins University Studies, III, no. 1, p. 44.