Mr. Grow, of Pennsylvania, moved to amend the bill by adding the following as an additional section:

"Be it further enacted, That from and after the passage of this act, no public land shall be exposed to sale by proclamation of the President, unless the same shall have been surveyed, and the return of such survey duly filed in the Land Office, for ten years or more before such sale."

It was impossible to assent this amendment of Mr. Grow as being out of order. It was strictly germane to the pending bill, and, unless the bill itself could be got rid of by some side blow, a direct vote upon the amendment was inevitable. The slaveholding aristocracy, who are bold enough when it is necessary to be bold, but who are crafty as well as bold, forthwith resorted to Parliamentary tactics to avoid a direct issue upon Mr. Grow’s proposition.

Their first movement was a motion to refer the bill and amendment to the Committee of the Whole, familiarly and aptly styled "the tomb of the Capulets." If that reference had been carried, the bill would never have been reached, and would never have been heard of afterwards.

The vote upon the motion to refer the bill to the Committee of the Whole was as follows—the Democrats in Roman, the Republicans in Italics, and the South Americans in small capitals:

YEARS.

1 Maine—Wood........................................ 1
2 New Hampshire........................................ 0
3 Vermont................................................ 0
4 Massachusetts.......................................... 0
5 Connecticut—Arnold, Bishop.......................... 2
6 Rhode Island........................................... 0
7 New York—Burroughs, Maclay, Russell, Taylor...... 4
8 New Jersey—Wortendyke............................... 1
9 Pennsylvania—Ahl, Chapman, Dewart, Montgomery, Morris, Ritchie, White............. 7
10 Delaware.............................................. 0
11 Maryland—Harris, Ricard............................. 2
12 Virginia—Dockey, Cassie, Edmundson, Fank- ner, Garnett, Milson, Powell......................... 7
13 North Carolina—Craigie, Ruffin, Scales, Winslow 4
14 South Carolina—Boyce, Branch, Keitt, Mc-Queen, Miles........................................ 5
15 Georgia—Crawford, Gartrell, Jackson, Seward, Stephens, Trimpe, Wright.................. 7
16 Florida—Hawkins..................................... 1
17 Alabama—Curry, Houston, Moore, Shorter......... 4
18 Mississippi—Barksdale, Davis, McRae.............. 3
19 Louisiana—Eustis, Sandidge, Taylor............... 3
20 Texas—Bryan, Reagan................................ 2
21 Tennessee—Atkins, Jones, Maynard, Ready........ 7
22 Savage, Watkins, Zollicoffer....................... 7
23 Kentucky—Burnett, Jewett, Marshall, Peyton, Stevenson, Talbott, Underwood.............. 7

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Arkansas—Anderson, Corathers, John B. Clark, James Craig, Phelps, Woodson

Ohio—Burns, Cockrell, Groebeck, Horlan, Lawrence, Nichols, Pendleton, Vallandigham

Indiana—Davis, English, Gregg, Hughes, Nicklack

Illinois—Marshall, Morris, Shaw, Smith

Michigan

Wisconsin

Iowa

Minnesota

California

Nays, 92.

Maine—Foster, Gilman, Morse, Washburn

New Hampshire—Cragin, Tappan

Vermont—Morrill, Royce, Wilson

Massachusetts—Brighton, Burlingame, Chaffee, Comins, Dana, Hall, Knapp, Thayer

Rhode Island—Brayton, Durfee

Connecticut—Clark, Dean

New York—Andrews, Clark, John Cochrane, Dodd, Fenton, Granger, Hatch, Hoard, Kelsey, Matteson, Morgan, Morse, Murray, Olm, Palmer, Parker, Sprouse, Thompson

New Jersey—Clayton, Huyler

Pennsylvania—Cowan, Edie, Florence, Grow, Jones, Keim, Leidy, Purvisance, Stewart

Maryland—Bowie, Stewart

Virginia—Goode, Hopkins

North Carolina—Gilmer, Vance

South Carolina

Georgia

Florida

Alabama—Cobb, Dowdell, Stallworth

Mississippi—Singleton

Louisiana

Texas

Arkansas

Tennessee

Kentucky

Ohio—Bingham, Bliss, Cox, Goldings, Hall, Leiter, Mott, Sherman, Stanton, Tompkins, Wade

Indiana—Colfax, Foley, Kilgore, Pettit, Wilson

Illinois—Farnsworth, Kellogg, Lovejoy, Washburne

Missouri—Blair

Michigan—Howard, Leach, Walbridge, Waldron

Wisconsin—Potter, Washburn

Iowa—Curtis, Davis

California—Scott

Minnesota—Cavanaugh, Phelps

The motion to refer the bill to the Committee of the Whole having thus failed, the House was brought to a direct vote upon Mr. Grow's amendment, which was adopted by the following vote:

Yeas, 98.

Maine—Foster, Gilman, Morse, Washburn

New Hampshire—Cragin, Tappan

Vermont—Morrill, Royce, Walton

Massachusetts—Brighton, Burlingame, Chaffee, Comins, Davis, Dawes, Gooch, Hall, Knapp, Thayer

Rhode Island—Brayton, Durfee

Connecticut—Dean

New York—Andrews, Bennett, Burroughs, Clark, John Cochrane, Dodd, Fenton, Granger, Hoard, Kelsey, Matteson, Morgan, Morse, Murray, Olm, Palmer, Parker, Sherman, Spier, Thomson

New Jersey—Robbins

Pennsylvania—Chapman, Cowan, Edie, Florence, Grow, Keim, Morris, Phillips, Purvisance, Ritchie, Stewart

Delaware

Maryland—Stewart

Virginia

North Carolina

South Carolina

Georgia

Florida

Alabama

Mississippi

Louisiana

Texas

Arkansas

Tennessee—Atkins, Avery, Jones, Savage

Kentucky—Jewett, Stevenson, Talbott

Ohio—Bingham, Bliss, Cockrell, Giddings, Horlan, Horton, Lawrence, Leiter, Miller, Mott, Sherman, Stanton, Tompkins, Wade

Indiana—Colfax, Kilgore, Pettit, Wilson

Illinois—Farnsworth, Kellogg, Lovejoy, Washburne

Michigan—Howard, Leach, Walbridge, Waldron

Wisconsin—Billinghurst, Potter, Washburn

Minnesota—Cavanaugh, Phelps

Iowa—Curtis, Davis

Missouri—Blair

California

Nays, 81.

Maine

New Hampshire

Vermont

Massachusetts

Rhode Island

Connecticut—Arnold

New York—Russell, Searing, Taylor

New Jersey—Huyler, Wortendyke

Pennsylvania—Ahl, Dewart, Leidy, Montgomery

Delaware—Whitley

Maryland—Bowie

Virginia—Bocock, Caskie, Edmundson, Garret, Goode, Hopkins, Millson, Powell

North Carolina—Branch, Cruse, Gilmer, Ruffin, Scales, Shaw, Vanoe, Winslow

South Carolina—Bonham, Boyce, McQueen, Miles

Georgia—Crawford, Gartrell, Jackson, Seward, Stephens, Tripp, Wright

Florida—Hawkins

Alabama—Cobb, Curry, Dowdell, Houston, Moore, Shorter, Stallworth

Mississippi—Davis, McRae, Singleton

Louisiana—Euless, Saudidge

Texas—Reagan

Arkansas

Tennessee—Maynard, Ready, Smith, Watkins, Zollicoffer

Kentucky—Burnett, Elliott, Underwood

Ohio—Burns, Cox, Hall, Pendleton, Vallandigham

Indiana—Davis, Foley, Green, Hughes

Illinois—Hodges, Marshall, Shaw, Smith

Michigan

Wisconsin
Upon the adoption of Mr. Grow's amendment, the Republican vote, as will be seen, was unanimously in the affirmative. Of the votes from the slave States, all but nine were in the negative, and, as we shall presently see, there was only one of that number who was really in favor of it, this one being Mr. Blair, of Missouri. Mr. Grow's amendment being incorporated into the bill, the next question was upon the passage of the bill, which was defeated by the following vote:

<table>
<thead>
<tr>
<th>State</th>
<th>Representatives</th>
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<tbody>
<tr>
<td>Maine</td>
<td>Foster, Morse, Washburn, Woodworth</td>
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<tr>
<td>New Hampshire</td>
<td>Cragin, Pike, Taggert</td>
</tr>
<tr>
<td>New York</td>
<td>Andrews, Bennett, Burroughs, Clark, C. B. Cochrane, John Cochrane, Dodd, Fenton, Granger, Hatch, Hoard, Kelsey, Matteson, Morgan, Morse, Murray, Olin, Palmer, Parker, Spiller, Thompson</td>
</tr>
<tr>
<td>New Jersey</td>
<td>Clawson, Robbins</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>Covode, Dean, Dick, Grow, Kein, Pink, Purviance, Riddle, Stewart</td>
</tr>
<tr>
<td>Delaware</td>
<td>Mary</td>
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<tr>
<td>Maryland</td>
<td>Davis</td>
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<tr>
<td>Ohio</td>
<td>Bingham, Bliss, Cox, Guildings, Hall, Harlan, Horton, Leiter, Miller, Mott, Sherman, Stanton, Tompkins, Wade</td>
</tr>
<tr>
<td>Michigan</td>
<td>Howard, Leach, Balbridge, Waldran</td>
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<tr>
<td>Indiana</td>
<td>Calhoun, Kilgore, Petrie, Wilson</td>
</tr>
<tr>
<td>Illinois</td>
<td>Farnsworth, Kellogg, Lovejoy, Morris, Washburn</td>
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<tr>
<td>Wisconsin</td>
<td>Potter, Washburn</td>
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<tr>
<td>Iowa</td>
<td>Curtis, Davis</td>
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<tr>
<td>Minnesota</td>
<td>Cavanaugh, Phelps</td>
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<td>Missouri</td>
<td>Blair</td>
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<tr>
<td>California</td>
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The defeat of the bill, in consequence of the incorporation into it of Mr. Grow's amendment, shows that a majority of the House was really opposed to that amendment, although it had been adopted by a vote of 38 to 81. Certain members, who did not dare to vote directly against the amendment, joined in killing it afterwards, by killing the bill, of which it had been made a part by their own votes.

Thus Messrs. Stewart of Maryland, Atkins, Avery, Jones, and Savage, of Tennessee, and Jewett, Stevenson, and Talbott, of Kentucky, who had voted for the amendment, voted afterwards against the bill. Only one, Mr. Blair, of the nine Southern supporters of the amendment, proved true to it in the end, and no other Southern member came to its support in the final vote, saving only Mr. Davis of Maryland, who represents the free-labor interests of the city of Baltimore, rather than the interests or passions of the slaveholding and landed aristocracy of the planting States.

Afterward, on the same day, when these votes upon Mr. Grow's amendment were given, the representatives from Minnesota, both of them members of the Democratic party, delivered speeches, in which they made no secret of their chagrin that a measure so vital to this constituency met with the nearly unanimous opposition of their political friends. Mr. Cavanaugh (page 505) said:

"In reference to the vote on this bill to-day, with an overwhelming majority of this side of..."
the House voting against my colleague and my- 
self, voting against this bill, I say it frankly, I
say it in sorrow, that it was to the Republican 
side of the House to whom we were compelled 
to look for support of this just and honorable 
measure. Gentlemen from the South, gentle-
men who have broad acres and wide planta-
tions, aided here to-day by their votes more to 
make Republican States in the North than by 
any vote which has been cast within the last 
two years. These gentlemen come here and 
ask us to support the South; yet they, to a 
man almost, vote against the free, independent 
labor of the North and West.

"I, sir, have inherited my Democracy; I have 
been attached to the Democratic party from my 
boyhood; have believed in the great truths as 
enunciated by the 'fathers of the faith,' and 
have cherished them religiously, knowing that, 
by their faithful application to every depart-
ment of this Government, this nation has grown 
up from struggling colonies to prosperous, pow-
erful, and united States. But, sir, when I 
see Southern gentlemen come up, as I did to-
day, and refuse, by their votes, to aid my con-
stituents, refuse to place the actual tiler of the 
soil, the honest, industrious laborer, beyond 
the grasp and avarice of the speculator, I tell 
you, sir, I falter and I hesitate."

The amendment of Mr. Grow, forbidding the 
public sales of lands for at least ten years after 
their survey, would secure the great bulk of the 
lands to pre-emptors, and would give to pre-
emptors a long pay day, and thus save them from 
the enormous nury they are now compell-
ed to pay to money lenders. It would not 
reduce the revenue derived by the Treasury from 
the sale of lands from the head of a section one year or more 
and this postponement would be far less prejudicial 
to the Government than it would be beneficial 
to the settler. The Government can borrow 
money at four and a half per cent, per annum, 

while the settler frequently pays five per cent, 
per month for the money to enter his lands, 
to prevent their sale at public auction.

On the 1st of February the question of the 
public lands was again before the House, the 
pending bill (House bill No. 72) being a bill to 
secure homesteads to actual settlers, and being 
in the words following:

A BILL TO SECURE HOMESTEADS TO ACTUAL SETTLERS ON THE PUBLIC DOMAINS.

To be 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, and has paid his just share of the taxes as required by the naturalization laws of the United States, shall, and after the passage of this act, be entitled to enter and take possession of five acres of land as prorogated public lands which may, at the time the application is made, be subject to private entry, at $1.25 per acre, or a quantity equal thereto, to be located in a body, in con-
formity with the legal subdivisions of the public lands, and
after the same shall have been surveyed.

Sec. 2. And be it further enacted, That the person applying for such lands shall deposit, upon application for a certificate of the land office in which he or she is about to make such entry, make affidavit before the said register that he or she is over the age of twenty-one, or if under that age, is of such age, and that such application is made for his or her exclusive use and benefit, and such specially mentioned in this act, and not either directly or indirectly for the use or benefit of any person or persons, his or her executors, administrators, devisees, or assigns, and upon making the affidavit as above required, and filing the affidavit with the register, he or she shall thereupon be permitted to enter the quantity of land already specified: Pro-
rated, 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 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 devisees, or the person in whom he or she may have held, or put in actual possession of the lands, then or thereupon, if the witnesses that he, she, or they, have continued to reside upon and cultivate such land, and still reside upon the same, and have not alienated the same, or any part thereof, shall, upon proof of such fact and of the fact that he, she, or they, are citizens of the United States, shall, on payment of ten dollars, be entitled to a patent, as in other cases provided for by law: And pro-
ced, further, for the benefit of such united States, shall have paid such united States, and before the expiration of twenty-one years, the right and the fee shall inure to the benefit of said infant child or children, and the executor, administrator, devisee, 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 home, make a sale of such lands for the benefit of such infant child or children, 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.

Sec. 3. And be it further enacted, That the register of the land office shall note all such applications on the tract-books and plats of his office, and keep a register of all such entries, and make the register the basis of all proceedings, with the approval of the Secretary of State, and together with the proof upon which they have been founded.

Sec. 4. And be it further enacted, That all lands acquired under the provisions of this act, should be exempt from all taxes, and from the satisfaction of any debt or debts contracted prior to the issuing the patent therefor.

Sec. 5. And be it further enacted, That no individual shall be permitted to make more than one entry under the pro-
visions of this act; and that the Commissioner of the General Land Office shall be authorized to require, from time to time, and in such cases, the party or parties making the application, to state the purpose of making the application, at the time of doing so, and the other half on the issue of the certificate by the person to whom it is made, and the provisions of this act shall not be construed as constraining or interfering in any man-
ner whatever with existing pre-emption rights.

The previous question having been ordered, 
the House was brought to a direct vote upon this bill, without debate. A motion to lay the bill on the table was lost—yeas 77, nays 113; and the bill was then passed—yeas 120, nays 75.

As these two votes were substantially the same, we only give the last one, which was upon the passage of the bill, and which was as follows:

YEAS, 120,

Maine—Abbot, Foster, Gilman, Morse, Wash-
burn, 5
New Hampshire—Drayton, Pinc, Tappan, 3
Vermont—Merrill, Royce, Walden, 3
Massachusetts—Duffington, Darlingale, Champ, 
Cornish, Davis, Dowse, Goosch, Hall, Knapp, 
Thompson, 10
Rhode Island—Brush, Durfee, 2
Connecticut—Bishop, Clark, Dean, 3
New York—Andrews, Barr, Burroughs, C. B. 
Cochrane, John Cochrane, Corning, Dodd, 
Fenton, Goodwin, Granger, Haskin, Hatch, 
Hoard, Kelsey, Macly, Matteson, Morgan, 
Morse, Murray, Olin, Palmer, Parker, Pottle, 
Russell, Spinnaker, Taylor, Ward, 27
New Jersey—Adrain, Clausen, Robbins, Wor-
tendyke, 4
Pennsylvania—Codice, Dick, Florence, Grow, 13
Hickman, Keim, Morris, Phillips, Purviance, Reilly, Roberts, Stewart, Kunkel...

Delaware 0
Maryland 0
Virginia 0
North Carolina 0
South Carolina 0
Georgia 0
Florida 0
Alabama 0
Mississippi 0
Louisiana 0
Texas 0
Arkansas 0
Tennessee—Jones 1
Kentucky—Jewett 1
Ohio—Bingham, Bliss, Burns, Cockerill, Cox, 8
Giddings, Groesbeck, Hall, Harlan, Norton, Lawrence, Leiter, Miller, Pendleton, Sherman, Stanton, Tompkins, Vallandigham, Wade.......

Indiana—Case, Colfax, Davis, Foley, Gregg, Kilgore, Pettit, Wilson

Illinois—Farnsworth, Hodges, Kellogg, Lovejoy, Morris, Smith, Washburne

Michigan—Howard, Leach, Walbridge, Waldran

Wisconsin—Billinghurst, Potter, Washburne

Minnesota—Cavanaugh, Phelps

Iowa—Curtis, Davis

Missouri—Craig...

California—McKibbin, Scott...

NAYS, 76.

Maine 0
New Hampshire 0
Vermont 0
Massachusetts 0
Rhode Island 0
Connecticut 0
New York 0
New Jersey 0
Pennsylvania—Leidy 1
Delaware—Whitely
Maryland—Bowie, Davis, Harris, Kenkel, Riccad, Stewart
Virginia—Bocock, Caskie, Edmundson, Faulkner, Garnett, Goode, Hopkins, Jenkins, Letcher, Millson, Smith
North Carolina—Branch, Craige, Gilmer, Ruf, fin, Scales, Shaw, Vance, Winslow
South Carolina—Bonham, Boyce, Keitt, McQueen, Miles
Georgia—Crawford, Gartrell, Hill, Jackson, Seward, Stephens, Trappe, Wright
Florida 0
Alabama—Cobb, Curry, Dowdell, Houston, Moore, Shorter, Stallworth
Mississippi—Barksdale, Lamar, McCale, Single ton
Louisiana—Eustis
Texas—Reagan
Arkansas—Greenwood
Tennessee—Atkins, Avery, Maynard, Ready, Smith, Watkins, Wright, Zollicoffer
Kentucky—Burnett, Marshall, Mason, Peyton, Underwood
Ohio—Nichols 1
Indiana—English, Hughes, Niblack
Illinois—Marshall, Shaw
Michigan 0
Wisconsin 0

Minnesota 0
Iowa 0
Missouri—Anderson, Clark, Woodson 3
California 0

Only three Southern members, Jones of Tennessee, Jewett of Kentucky, and Craig of Missouri, voted for the bill, thereby marking unmistakably the sectional character of the opposition to it.

The Republican vote, with a solitary exception, was given solid for the bill.

Of the Northern members, connected with the Democratic party, twenty-nine voted for the bill and six voted against it.

Thus, of the entire Democratic vote in the House, a large majority was against the bill, but even this is less important than the other fact, that the Southern wing of the party was almost unanimously against, it being this Southern wing which controls the party councils, and which, when out-voted in the House, has other departments of the Government, the Senate and the President, with which it is more powerful, and by means of which it has so far rarely failed to defeat measures, however popular and beneficial, which it dislikes.

The homestead bill had now passed the House by a decisive majority, but it had yet to encounter the more dangerous ordeal of the Senate, in which the Democratic majority was larger, and in which the representation of the slaveholding States is proportionately greater.

No direct vote upon the bill was, in fact, reached in the Senate. The Southern managers would not permit a direct vote, and it is proposed to show by what methods they evaded it.

At that stage of the session, the Senate is the theatre of almost daily contests for the priority of business, it being in the power of the majority at any time to lay aside pending or assigned business, and take up any bill which they desire to act upon.

There are thus two ways of killing off obnoxious measures. One is, to act upon them and vote them down. Another is, to overslaught them whenever they are proposed, by proceeding to consider some other business. This latter method is invariably resorted to where a measure, obnoxious to a majority of the Senate, is supposed to be acceptable to the people. And it was precisely by this method, and for that reason, that the homestead bill was run over, shoved aside, evaded, and left unacted upon, by the Senate during its late session.

For a proper understanding of the proceedings by which this overslaughting of the homestead bill was accomplished, it is necessary to observe that two other subjects—viz: the regular appropriation bills and the bill for the purchase of Cuba—were being pressed upon the time of the Senate during the last days of the session, and both of them commanding the support of the majority of that body.

On the 17th day of February, Mr. Wade, of Ohio, (page 1074,) moved to postpone all prior orders and take up the homestead bill, which had passed the House. The following extracts from the debate upon this motion will exhibit the points made:

"Mr. Wade. The homestead bill, to which
am a good deal attached, has, I believe, twice passed the House and come to this body, but somehow it has had the go-by, and we have never had a direct vote upon it here that I have not proposeda to discuss it for a single moment, and I hope none of its friends will debate it, because it has been pending before Congress for several years, and I presume every Senator is perfectly well acquainted with all its provisions, and has made up his mind as to the course he will pursue in regard to it. I have no hope that anything I could say would win any opponent of the bill to its support; and I hope every friend of the measure will take no time in debate, but will try to get a vote upon it, for I think it is the great measure of the session. All I want, all I ask, is to have a vote upon it.

Mr. Run, of North Carolina. I think it is too late in the session now to take up this bill to be acted upon here, at least until we act upon other great measures upon which there is more unanimity of sentiment in the country, and a higher sense of duty upon us to pass them during the few days of the session that remain.

Mr. Hunter, of Virginia. I believe that a fortnight from to-day will take us to the 3d of March. Now, it is known that we have nearly all the important appropriation bills, and one that is unfinished, to take up. I hope there will be no effort to press this homestead bill, so as to displace the appropriation bills. I must appeal to the Senate to consider how little of the session is now left to us, and whether we ought not to take up the appropriation bill and dispose of it.

Mr. Smalls, of Minnesota. The friends of this bill desire nothing but a vote upon it, not to waste time in debate. Let us take it up, and have a fair vote upon it.

Mr. Hunter. I do not conceal the fact that I am very much opposed to it, but I suppose, whenever this bill comes up, it must be the subject of debate.

Mr. Wilson, of Massachusetts. I appreciate the anxiety of the Senator from Virginia to take up the appropriation bill; but I would suggest to that Senator that he allow us to take up this bill, and have a vote upon it. I do not suppose that anybody, who is in favor of the measure, desires to consume the time of the Senate, at this stage of the session, by discussing it. It has been discussed before the nation. It is well understood. I believe it is sustained by an overwhelming majority of the people of the country.

Mr. Wade. I have no doubt, from the business before us, that this is the last opportunity we shall have to act upon this great measure. I hope, as I said before, every friend of it will stand by it until it is either triumphant, or defeated, and that, too, in preference to any other business that may be urged upon us. As to the appropriation bills, I have not the least fear but that they will go through. Their gravitation carries them through.

The question was then taken, and Mr. Wade's motion was carried by the following vote, the Republicans being indicated by italics:


Upon an examination of this vote, it will be seen that the Republicans voted unanimously in the affirmative, and that the Southern Senators were all in the negative, with the solitary exception of Mr. Johnson of Tennessee, who is a self-made man from the people, and with no personal connections with the slaveholding aristocracy of his section of the country. Of the Northern Democrats, Gwin, Bright, Pugh, Rice, Shields, Smith, and Stuart, all being from the new States, voted for Mr. Wade's motion.

The homestead bill was now up, and so far as its friends were concerned, nothing was asked but a vote, which would not have consumed ten minutes. But a vote was precisely what the Southern managers were determined to avoid.

Instantly, therefore, upon the announcement of the success of Mr. Wade's motion, which brought the bill before the Senate, Mr. Hunter took the floor, and moved that it be set aside, so as to take up another bill, viz: the diplomatic and consular appropriation bill.

Nugent's motion for a rival was raised upon this motion of Mr. Hunter, but it was well characterized as "child's play," to move to set aside a bill, instantly after a vote to take it up.

Pending some conversational debate upon Mr. Hunter's motion, the hour of twelve o'clock arrived, and the Vice President decided that the Cuba bill, having been assigned for that hour was the subject pending before the Senate.

Hereupon, Mr. Wade moved to postpone the twelve o'clock order, and continue the consideration of the homestead bill, and this motion prevailed by the following vote:

Yeas—Messrs. Bell, Bright, Broderick, Chandler, Clark, Collamer, Dixon, Dodds, Douglas, Darby, Fossenden, Post, Foster, Hale, Hamlin, Harlan, Johnson of Tennessee, King, Pugh, Rice, Smalley, Simmons, Smith, Stuart, Trumbull, Wade, and Wilson—27.


On this vote, an additional Southern Senator, Mr. Bell of Tennessee, ranged himself on the side of homesteads. But this was offset by the rating back to the negative side of Mr. Gwin, who is really a Southern man, and who only intends to reside in California so long as he can hold office there.

The homestead bill was now again before the Senate, but the question, as stated by the Vice President, was still upon Mr. Hunter's motion to set it aside, and take up the consular and diplomatic appropriation bill.

Mr. Mason, of Virginia, threatened an "extended debate" upon the homestead bill, if its consideration was insisted upon. He declared, at any rate, for himself, that he intended to "go into it pretty largely, because he had not yet known a bill so fraught with mischief, and mischief of the most demoralizing kind."

Mr. Wade and Mr. Seward, in brief and energetic terms, exhorted the friends of the bill to stand firm.

The vote was then taken upon Mr. Hunter's motion, and resulted as follows:

The vote being a tie, the Vice President, Mr. Breckinridge, voted in the affirmative, and thus, after a long struggle, the homestead bill was, for that day, overruled.

Of the twenty-eight votes for overruling it, all but five are from the South, and one of these five, Mr. Gwin, is only a temporary resident of a Southern State.

Of the twenty-eight votes in favor of sustaining the bill, only three are from the South, and of these three, only one, Mr. Johnson of Tennessee, has any affiliation with what is called the Democratic party.

Two days afterwards, on the 19th of February, Mr. Wade again moved to set aside all prior orders and take up the homestead bill, but this motion was negatived by the following vote:


The Cuba bill was now up, and the discussion upon it protracted the session late into the night, and almost into the next morning. It was distinctly seen during the progress of this discussion that it would be without practical result, and that no vote could be reached before the final adjournment of Congress.

Accordingly, at ten o'clock in the evening, Mr. Doolittle felt it to be his duty to renew the attempt to set aside the Cuba bill, the subject-matter of a manifestly idle debate, so as to bring up the homestead bill. His motion to that effect, and the commencement of the debate upon it, will be found on page 1351 of the Congressional Globe. Such extracts are made as will exhibit its general character:

"Mr. TRUMBULL. If there was any assurance that the homestead bill could be taken up, after the Cuba question was disposed of, I should be willing to see it have the go-by on the present occasion; but we have sought repeatedly to bring up the homestead bill, and every movement that has been made to bring it up has been met with a counter movement, crowding it out of the way with something else. If the Senator from Virginia will give us an assurance that we shall have a chance to bring up the homestead bill, and keep it before the Senate until we can get a vote upon it, after the Cuba bill is through, and that he will not interpose an appropriation bill, I would join with gentlemen in asking my friend from Wisconsin to withdraw the motion he has made.

"Mr. HUNTER. I certainly will press the appropriation bills. I will give no promise to vote to take up the homestead bill.

"Mr. TRUMBULL. That is as I expected. We now have notice that we are to be met with an appropriation bill this evening. The Cuba question is disposed of, and here we are wasting our time at the stage of the session in making long speeches, and debating about the distribution of a country that does not belong to us, instead of providing for the settlement of the country which we own. There can be no hope of getting up the homestead bill as an appropriation bill.

"Mr. SEWARD. After nine hours yielding to the discussion of the Cuba question, it is time to come back to the great question of the day and the age. The Senate may as well meet face to face the issue which is before them. It is an issue presented by the competition between these two questions. One, the homestead bill, is a question of homes, of lands for the landless freemen of the United States. The Cuba bill is the question of slaves for the slaveholders of the United States.

"Mr. WADE. I am very glad that this question has at length come up. I am glad, too, that it has antagonized with this nigger question. [Laughter.] I have been trying here for nearly a month to get a straight-forward vote upon this great measure of land for the landless. I glory in that measure. It is the greatest that has ever come before the American Senate, and it has now come so that there is no dodging it. The question will be, shall we give niggers to the niggerless, or lands to the landless.

"I moved some days ago to take up this subject. It was said then that there was an ap-
propriation bill that stood in the way. The Senator from Virginia had his appropriation bills. It was important, then, that they should be settled at once; there was danger that they would be lost, and the Government would stop in consequence; and the appeal was made to gentlemen to give this bill the go-by for the time being, at all events, and the appeal was successful. The appropriation bills lie very easy now behind this nigger operation. [Laughter.]

"When you come to niggers for the niggerless, all other questions sink into insignificance."

Mr. Doolittle’s motion to set aside the Cuba bill for the purpose of taking up the homestead bill fell through.

YEAS—Mr. Broderick, Cameron, Clark, Chandler, Col- lamer, Doolittle, Forrest, Foot, Foster, Halsey, Harlan, Johnson of Tennessee, King, Seward, Samuelson, Trumbull, Wade, and Wilson—19.


This was the last attempt made to get up the homestead bill in the Senate. It had been overslaught by the appropriation bills, and now by the Cuba bill, and no expectation remained of reaching it during the few remaining days of the session. The Republicans, who had endeavored to get it up in all forms and on all occasions without success, felt it to be their duty to abandon a manifestly hopeless struggle.

From this review of the votes in the Senate and House, it will be seen that the two great national parties, the one representing the rights of the people, and the other representing the pretensions and interests of negro slavery, have come to a well-defined issue upon this great matter of the disposition of the public domain.

In the House, we see the Republicans voting with unanimity for a proposition to secure to pre-empts all the public lands for the term of ten years after their survey, forbidding, during that time, their disposition either at public sale or by private entry, and giving to the pre-emptor a pay-day which would save him from usury, by giving him time to provide means out of his crops whereith to buy his freehold. Afterwards, we find these same Republicans in the House voting with the same unanimity for a homestead bill. It is probable, and indeed is known, that some Republicans preferred one measure to the other, but they voted for both, being agreed in the main object, which was to preserve the public domain for the actual settler and small cultivator, and being willing to waive differences of opinion as to detail, so long as the main object should be at all events secured.

In the Senate, we witness the same unanimity on the Republican side in favor of the homestead bill, and should have witnessed it upon the proposition to prohibit sales of lands for ten years after their survey, if a vote upon that proposition could have been reached.

On the side of the Democratic party, we witness an opposition to both these measures, not indeed absolutely unanimous, but of such a nature as to render it conclusively certain that that party will continue to oppose those measures to the end. From some of the new States, where the general sentiment is strongly against the monopoly of the public domain by capitalists and non-resident speculators, the Demo-

ocratic Senators and Representatives were obliged to vote with the Republicans upon these questions.

But the Southern Democracy voted ranks solid against all reform; and it is the Southern wing of that party, as all the world knows, which controls its policy. The opposition of the slave-holding aristocracy to homesteads and pre-emptions is an indubitable fact, and it is a fixed fact, because it is founded upon interests which are unchangeable. Homestead laws and pre-emption laws, securing quarter sections of one hundred and sixty acres to actual cultivators, would amount to a Wilmot Proviso, which no ingenuity could evade, and which no Supreme Court could nullify. The oligarchy understood it well, and hence it is that their opposition will be implacable and eternal.

One Southern Democratic Senator, Mr. Johnson of Tennessee, and a few Southern Democratic Representatives, voted on these questions with the Republicans, but this proves, not that there is any division of opinion among the oligarchs, but that there are portions of the South which the oligarchs cannot fully control. The great body of the white people of the South are non-slaveholders, and are just as much interested in homesteads and pre-emption laws as the people of the free States. In some districts, these questions have been canvassed and are understood, and the Representatives of these districts are compelled to vote on the side of free labor. In fact, there is no better weapon with which Republicanism can assail the oligarchy in their own homes, than this weapon of pre-emptions and homesteads. In fighting, that battle the oligarchs will lose the advantage of the prejudices of the poor whites against the negroes and the Abolitionists. The homestead question is a white man’s question.

The opposition of the oligarchs to pre-emptions and homesteads being fixed and immovable, because based upon personal and political interests which cannot be changed, it results that the friends of land reform, of whatever political opinions in other respects, must unite to put down this oligarchy, and the Democratic party which is controlled by it. Whoever supports a party, supports its measures, whatever his own individual opinions about those measures may be, and the measures of a party are dictated by the influence which predominates in it. That there are vast numbers of persons who habitually vote what is called the Democratic ticket, who are in favor of preserving the public domain for actual settlers, is certainly true. But it is not the less true, that such persons help to keep in power a national party, which, from the essential nature of its composition, and from the fixed purposes of the power which dominates over it, must forever oppose a policy which seeks to cut up the public domain into small freeholds.

It is in vain, therefore, for the Douglasses and Brights of the West to point to their own individual votes in favor of homesteads and pre-emptions. If the men of this stamp be admitted to be ever so sincere and ever so reliable in these respects, it is sufficient that they are inextricably mixed up and allied with a party, which in its periodical attacks on pre-emptions and homesteads.

Land reform is impossible until that power is put down; to put it down, the Democratic party, falsely so called, must be put down. The logic which points to that conclusion is invincible.