

**SPEECH OF  
Hon. Andrew G. Curtin**

OF PENNSYLVANIA,  
In the U. S. House of Representatives,  
Thursday, June 26, 1884.

The House having under consideration the bill (H. R. 5682) to repeal Section 22 of the act to incorporate the Texas Pacific Railroad Company, approved March 3, 1878, and to declare the forfeiture of the land grant therein made, and for other purposes—

Mr. CURTIN said:  
Mr. SPEAKER: No American citizen can be insensible to the great benefits conferred on the trade, commerce and advancement of all the material interests of this country by railroads. It would have been better for the railroads and those who invest money in them, infinitely better for the people who travel and transport goods over them, if they had been confined to the common carrier only. I can not but believe that the immunities and powers given our railroad system beyond the rights and powers of common carriers, by water or other means of transportation, would have been infinitely better for them and for the country. But the legislation of this country in the States and by the Congress of the United States in its wisdom has conferred upon railroad companies powers beyond the purposes for which they may be equally useful to the people and at the same time not oppressive to their exactions.

Mr. Speaker, it was generous, nay it was patriotic, in the State owning vast domains in the West to give to this people lands to which they had a perfect title and which they generously surrendered for the national good. It was an inspiration of American statesmanship that led Jefferson to purchase Louisiana and the vast territories included in the purchase; and in the war with Mexico this great people conquered and gave to the public still more lands. For seventy-five years the lands given to this country were held in sacred trust, for the people, to make homes for the homeless and to give lands to the landless. Fifty-three millions of acres, sir, were given to the States for internal communications, for the advancement of trade and commerce, the settlement of the States, and for the purpose of education. Two hundred millions of acres have been voted to railroad corporations. In 1862 the Congress of the United States passed a law known as the homestead law. That, sir, was beneficent and generous legislation. It gave to the overflow of population in the Atlantic States a welcome to a home and a title to land where the American freeman could settle, turn the virgin soil to the light of the sun, and build upon it a home for himself and his family, and in the fullness of time acquire by his residence a fee-simple title. From 1861 until 1874 these unprecedented and magnificent gifts were made to railroad corporations. Since 1874, when the change occurred in the majority in this House, not one acre has been given away, and not one land grant has been revived or extended. [Applause.]

Corporations are almost a necessity, and vast benefits have arisen from such grants and the work accomplished through them, but of immeasurably more value are the lands to the people of this Republic. I repeat, sir, that from 1874 to this time not one acre of land has been given to corporation and not one grant that has lapsed by reason of the failure on the part of the corporations to comply with its conditions has been revived or extended beyond the time of its limitations. [Applause.] I must not be understood, sir, to intimate for an instant that this great Government should not be held to its contract as they were in the beginning. "Keep thy covenant" proclaimed upon the plains of Mesopotamia so long since in the dark past" applies to individuals as well as to the governments and people, and as a safe rule of conduct for all humanity; and where our Government has made a contract let us fulfill it to the letter, but do not let the gift of this great Government and people be revived into life by management or artifice. There runs through this entire bill the clearest evidence of entrenchment by individuals to take a million of acres of land which should have been dedicated to the people as their homes when they acquire title under the homestead law.

This Government can be strong and the Republic maintained in its strength only by the occupancy of land by the holders of small property. History is philosophy teaching by example; and tell me in all the line of history where a government republican in form has existed where a few people owned the land and the masses were serfs or peons or small tenants. All the roads of the Empire lead to Rome in the boast of history. Armies march from Rome to

conquer and pillage foreign countries. They brought to Rome wealth and power, producing centralization, and too much of the immorality they found in Asiatic countries. Such was the centralization in that great republic that at last a few people, rich and powerful owned all the lands of the country. A distinguished citizen of Rome returning from foreign service found upon the slopes of the Alps, in Tuscany and Lombardy, where the Roman law should have given the soldiers one fourth of the lands, reserved to the state to be sold and the money returned to its treasury, one half to be given to the Roman freemen for homes. Tiberius Gracchus found in all the provinces on the slopes of the Alps scarcely one Roman freeman who owned an acre of land. Returning to Rome, as the tribune of the people, he introduced a law and in it was generous to the rich patricians. There were political rings at that time in Rome as there are unfortunately in this country at the present day. The rich and the powerful had their following of benchmen and servitors, and when the law was proposed by Gracchus he made it generous to the patricians as it provided that they should be paid for the homes by the freemen who had been deprived of them. It was a just, a generous, and a liberal offer. It was just to the patricians; it was equally just to the people; but the rich and the powerful would not accept his generous offer. From the tribune they followed him through the streets of Rome, clubbed and stoned him to death, and threw his body into the Tiber. Then, sir, equality and liberty commenced to decay and darkness fell upon the civilized world; learning fled to the cloisters; in their ignorance rulers could not even sign their names to their decrees. There was anarchy and pillage and wrong and oppression throughout the civilized world.

I say, Mr. Speaker, that history teaches by example. We can look back and gather wisdom from the events of the past, but who will claim power to look forward and anticipate what is in the future? That condition of the Roman republic has not failed to interest friends of humanity from that time to this. At the beginning of the French revolution when France was entering upon revolution and the people struggling for the right to be relieved from oppression, when the exactions of tyrannical landlords had robbed them of all their just rights, reduced to poverty and frenzied by oppression the French people rose in their majesty and in their struggle for their just rights convulsed the commerce and trade and civilization of the world for fifteen years. But in the end the domain was taken from the church and state and France was divided into small estates by purchase.

There are 10,000,000 of property owners in France to-day, with a population of 37,000,000. There are less than four and a half millions in this land of liberty, with its population of 55,000,000. At that fearful era in the history of the world, Mirabeau, who was a real friend of humanity, uttered from the tribune in the States General words of wisdom and eloquence. "Thus," said he, "perished the last of the Gracchi by the hands of the patricians, who, having received the mortal blow, flung a handful of dust toward Heaven attesting the avenging gods, and from this dust rose Marius—Marius less great in having exterminated the Cimbrians than in having quailed in Rome the aristocracy of the nobility." There were never words, more sublime in sentiment or more beautiful in rhetoric uttered in the classic age. Burke was never grander in the British Commons or our own Webster in the Senate. And sir, mark the conclusion—the beauty of the prophecy and the purity of the philosophy: "Privileges," said Mirabeau "must have an end the people is eternal. The wisdom of that prophecy and philosophy is not unprofitable in the discussion."

And now, Mr. Speaker, without proposing to speak of the details of this bill I must refer to it in general terms, as gentlemen on both sides have given all the date necessary for a proper conclusion. I have, sir, the most profound respect for the chairman of the Committee on the Judiciary for his learning, his integrity, and his patriotism, and yet I find in this bill, as expounded upon the one side and the other, that this land is to be taken from the people by artifice and not by fair dealing. Old charters are revived, life is given worn out and forfeited grants and with apparent attempt by indirection to revive a munificent grant of this Government. There is running through the entire bill evidence of the want of title and covenant, surely things of interest to this people.

It was the intention of the American people to enjoy this rich heritage given to them by the State and held in trust by the Federal Government for so many years. If there be doubt on this subject the covenant of the Government binds it. Let this question go to the

courts where my learned friend, the chairman of the Judiciary Committee, can be heard and the legal and just rights of the parties can be fairly adjudged. This is scarcely a question for a popular assembly. This is not the place to decide a question serious at the one under consideration. We perform our duty by maintaining that the grant has lapsed by the failure of the corporations to perform the covenant they made. This question can be settled by the calm deliberations of the courts provided by the Constitution. When court sits upon the question involving the rights of American freemen I trust, sir, the judges will put on ermine that will be spotless. And if the courts decide that the contract with the companies is of such character and requires this means for its fulfillment, I say the American people will bow in submission to the decision. I repeat, "Keep thy covenant;" but if the court should find that there is management and artifice and indirection in the attempt to acquire title to this land, then decree back to the people of this country the lands that belong to them.

Mr. Speaker, the amount of money invested in railroad corporations in the United States is upward of \$7,000,000,000, and that does not include the land granted by Congress. In contrast to that the taxable property in the United States is something more than \$17,000,000,000, not including the property free from taxation by this Government and many of the States. Of the 200,000 miles of railroad in the world we have 120,000 in the United States; we are gridironed with railroads. Who is insensible to the fact that they have advanced the national power and consequence and contributed to the ease and comfort and happiness of our people, united jarring interests, afforded facilities for the interchange of commodities promoted trade and commerce and the social intercourse of our people? If the railroad system of the United States prior to 1860 had extended their lines to the South, instead of to the West, on the isothermal lines, I doubt if we would ever have had that terrible and unhappy war in which so many of our people perished and which left so large a part of our rich country in poverty.

It is fortunate for this country that the vast amount of capital invested in railroads and the enormous wealth of the few men who own most of the capital stock can not combine together and make common cause in the government of this country. The citizens who control the railroads of this country are generally enlightened men. They know too well the value of this Government in the protection of their interests to attempt such a thing. If they should combine they could control this government and mold its destinies for the future. They could say who would sit in this Chamber and in the august body at the other end of the Capitol, and what citizen should occupy the palatial residence at the other end of the Avenue; and who should be upon the benches of the courts; and, if united with their vast power, they could say who should compose the court of last resort of the American citizen, a court that has power to interpret laws, a tribunal that in power and influence is to the individual American citizen next to his God.

Who would be the keeper of an insane asylum if the inmates could combine; who would undertake the task? But, sir, they can not combine because reason is dethroned and the inmates madmen; nor can the railroad companies combine to dominate this country by their wealth, the number of people connected with them, or their power. Ambition, rivalry stands in the way of their combination, and as yet there is a degree of patriotism which to an extent controls those in the management of the railroads and the vast capital invested in them. But sir, it might come in the future; and while it is scarcely proper to expect such a calamity there is a time when it is fair to object to a combination such as is presented in this bill enriching railroads with lands which should be taken back and given to actual settlers under the beneficent legislation of our country to our soldiers who so gallantly served it in its great peril. Why, Mr. Speaker, the 200,000,000 acres given to corporations would make seven States like Pennsylvania, and the gift of this vast domain to railroads can scarcely be said to make your country strong. I read in a newspaper that a syndicate of a railroad corporation had in the West 10,000 acres of wheat. I presume that two hundred men could put the seed in the ground and a reap and garner it with the modern machinery used in husbandry. Ten or fifteen men could watch and care for this great farm during the winter, but what becomes of those not so employed? Where do they go? Their homes are not there nor can they settle upon lands. Thrown out of employment they must become what are known in this country as "tramps," and the man who would work for a living if he could get employ-

ment is remitted to the highway and to want. Under the ragged clothes of the man called a tramp there may beat a heart as faithful to the Government as yours and no man with proper feeling will refuse a crust of bread to hungry humanity thrust out of work and cast upon cold charity, even though he be called by the opprobrious name of tramp.

A ministers of the United States accredited to one of the great powers abroad, after the war, was summoned into the presence of the oldest if not the ablest statesman and diplomat in Europe, who addressed him as follows: "Your country presents an anomaly to the world. The Crimean war closed in 1856. We are still at a depreciation of 33 per cent on our securities. You have had an exhaustive war. Nearly 700,000 people engaged in productive industry perished, and a large part of your country was left in desolation and poverty. The debt of your Government and States exceeds \$10,000,000,000, not counting the debts of your smaller municipalities. Your national debt exceeds three billion and a half. You have commenced to pay your debt; tell me is that a real payment from the income of your Government, or is it to give you credit in the money markets of Europe?"

The minister said, "Sir, how much land do you own?" The statesman stated the extent of his vast domain. The minister named over other members of the nobility of the empire and the extent of their lands were given to him, making an aggregate like that given in this country to associated classes. States could have been carved out of such possessions as large as many of the States of the American Union. The minister said: "You manage your lands though agents and your people work reluctantly and merely to live. From these lands you get what enables you to live here in luxury. Now, sir, in my country you start from Baltimore, from Philadelphia, from New York, or from Boston, and you may travel by five lines of railroad for 1,500 miles or more. You pass through States and towns and villages where an industrious people produce what is wanted in the country. On your right and on your left you find comfortable farms with all the appointments and appliances of civilization and thrift progress. You find the church and the school-house, comfort and happiness, the nineteenth century and more of the men living upon the farms own them. That makes my country strong and powerful, makes it able to pay the public indebtedness, to maintain individual happiness and prosperity, and perpetuate the liberty of the Republic, and so long as we have credit at home it is immaterial to us whether or not we have credit abroad."

I have said when the land was given to this Government by the States or acquired by purchase or conquest it was intended to make homes for the overflow of population of the Atlantic States but the beneficent legislation that gave to the settler after five years occupation during which time he had farmed the land and built his home on it, the fee-simple title was defeated to a large extent by these vast grants to corporation. I know full well how much the railroads have done for this country: everybody knows that; and yet railroads would have come in the progress of the American people. There is no enterprise which leads to profit and comfort, there is nothing which will invite capital and money that can not be performed by the American people when inducements are offered to them. So far as I am concerned, whether I maintain my place upon this floor for a single day or for a term I will never vote to incorporate a company for any purpose by national legislation, nor will I ever vote to make a grant to a combination or any class of people; for of all things in this country that we should have a fear of, is centralization of power—centralization here at Washington of power taken from the States, a departure from the purposes of the apostles of liberty and freedom who framed our Constitution; a departure from the equality which can only come from a republican form of government until all power seems to be centering here as all power did at Rome until it broke that republic.

Why, Mr. Speaker, what makes Ireland so poor to-day? The poor Irishman living in his cabin does not own it or the ground it stands on. You make a government strong when members own a part of the soil, however little, and the roofs that cover their families. The large landed estates of Ireland have taken from the people of that unhappy country their spirit. They are oppressed by absenteeism and fruits of their labor gathered by others who live in luxury; and the gallant people, with their poets and orators and statesmen, whose soldiers have fought in every battle in which the British arms have triumphed and whose blood has stained the soil of every battlefield of American freedom—Lexington and New Orleans and Buena Vista and Fredericksburg

attest this—have been dispersed throughout the earth. Is it a wonder this brave people are restless under oppression? The 9,000,000 population has come down to less than 5,000,000, and it is a historical fact that in the great famine of 1846 47, 2,000,000 people perished by starvation, and yet landlords exported grain from that country at that time.

I can not but think it will be better for this country to be in the hands of small land owners, especially when as at present power is so centralized in this Federal city, and when the jurisdiction of the courts of the National Government has been so extended that the people scarcely find a settlement of their rights of property and persons in the State courts. Why, sir, I can remember when the American citizen no more felt the power of the Federal courts than the air he breathed. When money is centralized in the hands of a few, when a few men dominate and control the business of the country, I tremble, sir, for its liberties and wonder if monopolists shall be allowed to shape its future. The authorized permit of the Government, by statute, and arbitrary assumption if enlarged will, in time, absorb the State and their sovereignty, and the pernicious anti-republican and despotic espionage, under which internal revenue is collected, may be extended to all departments of the government. Twenty five million acres of land were recently purchased by foreign people in one body, it is said by some reports by fraud. I learned last September in California that an English and Scotch company had purchased a vast tract of the red timber land of that State likely to become of great value and not too much of it to monopolize. I know full well, Mr. Speaker, that if you divide the property of this country it could not remain divided. Every one who has a sense of justice in his soul but would look with horror upon the division of property as an act of communism and socialism. To divide would place the idle and the vicious on a level with the intelligent and the industrious. From the former it would soon pass away and the balance would be restored. In addition, the absence of all laws of primogeniture is the surest protection against the accumulation of vast landed estates. To expect that every man should have a home of his own and a part of the land would be Utopian. It would be a dream, and such dreams would be dissipated by the waking senses which come to us in teaching the actual and not the ideal.

But there is a measure of conservatism which should protect the industrious pursuits of the masses of the world. Lands having been given to corporations, if they have not fulfilled their contracts and take the lands back and fulfill their pledges with the people made long before the legislation which gave them these vast properties. The citizens of the United States should have these lands for homes, and the Government should regard these as sacred trusts.

Mr. Speaker, I view the future of this country with hope, and I have never believed the corporations could control it; but no one can be insensible to the vast power in the hands of a privileged class and of the influence they have in the legislation of Congress and of the States. It is an unfortunate fact that men are willing to do as a corporation what they would scorn to do as individuals, and they too often forget in the parlor of a corporation the code of morality that governs them as individuals.

At the beginning of the French revolution in 1790 there were issued nine thousand million of assignats founded upon the public domain, from which it may be estimated how much of that country was held by the governing classes.

The issue of the assignats was a financial experiment and failed. Then came the revolution, and from it the restoration of the land of the country from the State and church to the people by purchase, and from that time France has been divided into small properties. But two nations in the world could have paid the exactions which were made on France at the end of the war with Germany. France is one; the United States is the other. England could not have paid it. England is owned by a small portion of her people. I have a sincere belief that France will remain a republic, and chiefly from the number of small proprietors.

Our Government made these vast concessions, and has also covenants with the people, as it held these lands in trust for their use and benefit. A code of morality that applies to individuals which cannot be applied equally to the Government is a fraud and a delusion. But, sir, the Government should be held strictly to the letter of the law and the people will sustain any such legislation, but beyond that not one step. No part of the lands granted that have been forfeited by the failure to perform the covenants on the part of the companies should remain in their hands one day.

And it must be considered as the settled policy of this Government that no more of the public domain will be given to corporations.

My time is nearly exhausted, Mr. Speaker, and perhaps there is little more to say on this question. It can not fail to be noticed with great satisfaction that at a recent national convention there was a declaration made against the importation of foreign laborers by corporations. How wonderfully elastic political opinion is in this country! Its views are as variable and changing as the colors of the kaleidoscope. Why, here in this book upon my desk is a statute passed in 1864, under which foreign labor could be imported and which expressly provided that the imported man could be mortgaged and held in bondage for a year, and if he built a house his house and land could be sold by summary process on the contract made with him. At that time the war was raging. To give more accommodation and encouragement to these people, it was declared that they should not be objected to military duty. That statute bears date the 4th of July. It is rather remarkable that the birthday of freedom and liberty and equality should be selected on which to sign such a law. That law was afterward repealed, and did not long disgrace our statute book.

And now, sir, waking after a long period of inexcusable indifference, the convention at Chicago has declared against any such legislation—in fact for the enactment of such legislation as is necessary to prevent it. During the last Congress the passage of the Chinese bill was steadily resisted upon this floor. The bill first passed was sent back with a veto by the President, and it is a notorious fact that every voice raised on this floor and every vote cast against the bill of this session to make that law effectual was by Republican members, whose convention declares for the policy they have opposed; and who, sir, knows what will be the fate of that bill in the august Chamber at the other end of the Capitol, controlled as it is by the political friends of the gentlemen on the other side?

It was my good fortune to be here when the first Chinese bill was passed; and it was my privilege to raise my voice and cast my vote for it; and doubtless the convention soon to meet at Chicago will speak with no uncertain sound on this important question. Too many have already been imported, too many are here now; they interfere with the labor of the American citizen.

Mr. Speaker, what becomes of your tariff and revenue laws? They are questions that can be settled in the future; if they are not correct they can be corrected, and the wisdom is here to do it. They are questions that can be settled in accordance with the constant change of industrial conditions and require legislation adapted to these conditions. There is no man of sufficient wisdom to anticipate what the economical and financial necessities of this great people will require. Congress is here to attend to that; to legislate for their interests and their wants. But the question of giving away the lands, the inheritance of the people, can not be decided by the platform of a national convention. We have the right in this country now, or if not now in the near future, to say who shall come to this country and who shall not come, and we will not permit corporate wealth and power, either foreign or domestic, to control this country and dominate its destinies by the importation of such labor as has been imported within the last two or three years. In the district I have the honor to represent large numbers of Italians, Hungarians and Bulgarians have been imported. They do not assimilate with our people, and never can any more than the Chinese. They interfere with our own citizens who labor, native and naturalized, and take from them their legitimate employment.

There is no question that should appeal more strongly to the statesman, philanthropist and patriot, than the condition of the laborers of this country. The wonderful skill and ingenuity of the American people has wrought such marvellous improvement in labor-saving machinery, that it, in a large measure, does the work of man, until the hand of the skilled mechanic is rarely found, and there is an overproduction, and there can scarcely be said to be employment for the labor of this country; if not now that time can be anticipated in the near future. Now, if there is any power for us to legislate so as to protect American labor, it is a duty we owe to the people to do so. And we can do it on this question, for I cannot but believe that if the public lands had been reserved for the purpose for which they were intended, and that the crowded population of the East could go West and find homes there, great good would be done. We are growing in population, and the lands now illegally held by corporations under grants that have been forfeited or being acquired in vast tracts by foreign capitalists, would afford in the future homes for millions of American freemen. Let us return, then, to the original condition of things, before that terrible war separated us, making the South poor, and blistering the morality of the North; let us return to the principles of the founders of this Government; let us accept the Constitution and laws, and live up to them; let us keep our covenant and require the fulfillment of the covenant with us; let us be faithful to our trust; and above all things let liberty and justice, equality, concord and fraternity prevail. [Applause.]