

needed for cultivation, they will all be monopolized, and the settler, go where he will, must pay largely for the privilege of cultivating soil which since the dawn of creation has been waiting his coming. We need not trouble ourselves about railroads; settlement will go on without them—as it went on in Ohio and Indiana, as it has gone on since our Aryan forefathers left the Asiatic cradle of the race on their long westward journey. Without any giving away of the land, railroads with every other appliance of civilization will come in their own good time. Of all people, the American people need no paternal Government to direct their enterprise. All they ask is fair play, as between man and man; all the best Government can do for them is to preserve order and administer justice.

There may be cases in which political or other non-economic reasons may make the giving of a subsidy for the building of a road advisable. In such cases, a money subsidy is the best, a land subsidy the worst. But if the policy of selling our lands is continued, and it is desirable to make the payment of the subsidy contingent upon the sale of the land, then the proceeds of the land, not the land itself, should be granted.

There is one argument for railroad land grants which I have neglected to notice. Senator Stewart pleads that these grants have kept the land from passing into the hands of speculators, who would have taken more than the railroad companies, and have treated the settlers less liberally than the companies. Perhaps he is right; there is certainly some truth in his plea. But if he is right, what does that prove? Not the goodness of railroad grants; but the badness of the laws which allow speculation in the public lands.

## II.

### THE LANDS OF CALIFORNIA.

#### How Far Land Monopolization has already Gone.

In all the new States of the Union land monopolization has gone on at an alarming rate, but in none of them so fast as in California, and in none of them, perhaps, are its evil effects so manifest.

California is the greatest land State in the Union, both in extent (for Texas owns her own land) and in the amount of land still credited to the Government in Department reports. With an area of 188,981 square miles, or, in round numbers, 121,000,000 acres, she has a population of less than 600,000—that is to say, with an area twenty-four times as large as Massachusetts, she has a population not half as great. Of this population not one-third is engaged in agriculture, and the amount of land under cultivation does not exceed 2,500,000 acres. Surely land should here be cheap, and the immigrant should come with the certainty of getting a homestead at Government price! But this is not so. Of the 100,000,000 acres of public land which, according to the last report of the Department, yet remain in California (which of course includes all the mountains and sterile plains), some 20,000,000 acres are withheld from settlement by railroad reservations, and millions of acres more are held under unsettled Mexican grants, or by individuals under the possessory laws of the State, without color of title. Though here or there, if he knew where to find it, there may be a little piece of Government land left, the notorious fact is that the immigrant coming to the State to-day must, as a general thing, pay their price to the middlemen before he can begin to cultivate the soil. Although the population of California, all told—miners, city residents, Chinamen and Diggers—does not amount to three to the square mile; although the arable land of the State has hardly been scratched (and with all her mountains and dry plains California has an arable surface greater than the entire area of Ohio), it is already so far monopolized that a large part of the farming is done by renters, or by men who cultivate their thousands of acres in a single field. For the land of California is already to a great extent monopolized by a few individuals, who hold thousands and hundreds of thousands of acres apiece. Across many of these vast estates a strong horse cannot gallop in a day, and one may travel for miles and miles over fertile ground where no plow has ever struck, but which is all owned, and on which no settler can come to make himself a home, unless he pay such tribute as the lord of the domain chooses to exact.

*Nor is there any State in the Union in which settlers in good faith have been so persecuted, so robbed, as in California. Men have grown rich, and men still make a*

regular business of blackmailing settlers upon public land, or of appropriating their homes, and this by the power of the law and in the name of justice. Land grabbers have had it pretty much their own way in California—they have moulded the policy of the General Government; have dictated the legislation of the State; have run the land offices and used the Courts.

Let us look briefly at the modes by which this land monopolization has been carried on.

#### The Mexican Grants.

California has had one curse which the other States have not had\*—the Mexican grants. The Mexican land policy was a good one for a sparsely settled pastoral country, such as California before the American occupation. To every citizen who would settle on it, a town lot was given; to every citizen who wanted it, a cattle range was granted. By the terms of the cession of California to the United States it was provided that these rights should be recognized.

It would have been better, far better, if the American Government had agreed to permit these grant-holders to retain a certain definite amount of land around their improvements, and compounded for the rest the grants called for, by the payment of a certain sum per acre, turning it into the public domain. This would have been best, not only for the future population of California, but for the grant-holders themselves as the event has proved.

Or, if means had been taken for a summary and definite settlement of these claims, the evils entailed by them would have been infinitesimal compared with what have resulted. For it is not the extent of the grants (and all told the *bona fide* ones call for probably nine or ten million acres of the best land of California) which has wrought the mischief, so much as their unsettled condition—not the treaty with Mexico, but our own subsequent policy.

It is difficult in a brief space to give anything like an adequate idea of the villainies for which these grants have been made the cover. If the history of the Mexican grants of California is ever written, it will be a history of greed, of perjury, of corruption, of spoliation and high-handed robbery, for which it will be difficult to find a parallel.

The Mexican grants were vague, running merely for so many leagues within certain natural boundaries, or between other grants, though they were generally marked out in rough fashion. It is this indefiniteness which has given such an opportunity for rascality, and has made them such a curse to California, and which, at the same time, has prevented in nearly all cases their original owners from reaping from them any commensurate benefit. Between the Commission which first passed upon the validity of the grants and final patent, a thousand places were found where the grant could be tied up, and where, indeed, after twenty-three years of litigation the majority of them still rest. Ignorant of the language, of the customs, of the laws of the new rulers of their country, without the slightest idea of technical subtleties and legal delays, mere children as to business—the native grant-holders were completely at the mercy of shrewd lawyers and sharp speculators, and at a very early day nearly all the grants passed into other hands.

#### How the Grants Float.

As soon as settlers began to cultivate farms and make improvements, the grants began to float. The grant-holders watched the farmers coming into their neighborhood, much as a robber chief of the Middle Ages might have watched a rich Jew taking up his abode within striking distance of his castle. The settler may have been absolutely certain that he was on Government land, and may even have been so assured by the grant-holder himself; but so soon as he had built his house and fenced his land and planted his orchard, he would wake up some morning to find that the grant had been floated upon him, and that his land and improvements were claimed by some land shark who had gouged a native Californian out of his claim to a cattle run, or wanting an opportunity to do this, had set up a fraudulent grant, supported by forged papers and suborned witnesses. Then he must either pay the blackmailer's price, abandon the results of his hard labor, or fight the claim before Surveyor-

\*The Territory of New Mexico is afflicted in the same way.

General, Courts, Commissioner, Secretary, and Congress itself, while his own property parceled out into contingent fees, furnished the means for carrying the case from one tribunal to another, for buying witnesses and bribing corrupt officials. And then, frequently, after one set of settlers had been thus robbed, new testimony would be discovered, a new survey would be ordered, and the grant would stretch out in another direction over another body of settlers, who would then suffer in the same way, while in many cases, as soon as one grant had been bought off or beaten away, another grant would come, and there are pieces of land in California for which four or five different titles have been purchased.

The ruling of the Courts has been, that so long as the grants had not been finally located, their owners might hold possession within their exterior boundaries and eject settlers. Thus, if a grant is for one league, within certain natural boundaries which include fifty, the claimant can put settlers off any part of the fifty leagues.

Whenever any valuable mine or spring is discovered in the neighborhood of any of these grants, then the grant jumps. If they prove worthless, then it floats back again. Thus the celebrated Mariposa claim, after two or three locations in the valley, was finally carried up into the mountains, where it had as much business as it would have had in Massachusetts or Ohio, and stretched out into the shape of a boot, to cover a rich mining district. Among the property given to John Charles Fremont and his partners, by this location, was the Ophir mine and mill, upon which an English Company had spent over \$100,000, after assurances from the Mariposa people that the mine was outside their claim. In the southern half of California, where these grants run, there has been hardly a valuable spring or mine discovered that was not pounced upon by a grant. One of the latest instances, was the attempt to float the Cuyamaca grant over the new San Diego mining district, and to include some sixty-five mines—one of them, the Pioneer, on which \$200,000 has been expended. Another was the attempt to float a grant over the noted Geysers Springs, in Sonoma county. In both these cases the attempt was defeated, General Hardenburgh refusing to approve the surveys. In the latter case, however, it was dog eat dog, the great scrip locator, W. S. Chapman, having plastered a Sioux warrant over the wonderful springs. He has since obtained a patent, though I understand that somebody else laid a school land warrant on the springs before Chapman.

#### How the Grants are Stretched Out.

Hardly any attention seems to have been paid to the amount of land granted by the Mexican authorities. Though, under the colonization laws, eleven leagues (a Mexican league contains 4,438 acres) constituted the largest amount that could be granted, many of these grants have been confirmed and patented for much more (in the teeth of a decision of the United States Supreme Court) and under others yet unsettled, much larger amounts are still held. Grants for one league have been confirmed for eleven. Claims rejected by the Commission have been confirmed by the District Courts, and claims rejected by other decisions of the Supreme Court have been got through by the connivance of law officers of the Government who would suffer the time for appeal to lapse or take it so that it would be thrown out on a technicality.

As for the surveys they might almost as well have been made by the grant holders themselves, and seem, as a general thing, to have run about as the grant holders wished. The grants have been extended here, contracted there, made to assume all sorts of fantastic shapes, for the purpose of covering the improvements of settlers and taking in the best land. There is one of them that on the map looks for all the world like a tarantula—a fit emblem of the whole class. In numbers of cases the names of which might be recited, grants of four leagues have been stretched in the survey to eight; grants of two leagues to six; grants of five to ten; and in one case it has been attempted to stretch one league to forty. In one case, the Saucal Redondo, where a two-league grant had been confirmed to five, and a survey of 22,190 acres made, a new survey was ordered by a clerk of the Surveyor-General, and a survey taking in 25,000 acres more of United States land covered by settlers was made and filed up in the office; and it was not until after some years litigation before the Department that this fact was discovered. In some cases speculators who were "on the inside" would buy from a Spanish grantee the use of the name of his claim, and get a new survey which would take in for them thousands of acres more. The original claimant of Rancho la Laguna asked for three leagues, or 13,314 acres; the survey was made and confirmed for 18,000. Afterwards it was set aside, on the pretense that the Santa Barbara paper, in which the advertisement

of survey had been published, was printed for part of the time in San Francisco, and a survey taking in 48,703 acres made, which, after being rejected by Commissioner Edwards, was patented by Commissioner Wilson. The Rancho Guadalupe, a grant of 21,520 acres, was surveyed for 32,408 acres in 1860, the survey approved, a patent issued, and the ranch sold. Now the new owner, supported by an affidavit from the surveyor that objection was made to the 32,000-acre survey in 1860 by the two Mexican owners (one of whom died in 1858) is trying to get a new survey confirmed which takes in 11,000 acres more. The survey of Los Nogales was made in 1861, under a decree for one league and no more, and now an application for a new survey which will include 11,000 acres more is being pushed. The land is covered by settlers.

#### The Big Grape Vine Rancho.

Perhaps the most daring attempt to grab lands and rob settlers under pretense of a Mexican grant—so daring that it has almost a touch of the comic, is the case of Los Prietos y Najalayegua, which was shown up first in a little pamphlet by James F. Stuart, of San Francisco, and afterwards in Congress by Mr. Julian, to whom the settlers of California are indebted for many signal services. In Santa Barbara county there is living an old Mexican, named José Dominguez, on whose little ranch grows an immense grape-vine. In the old times Dominguez had petitioned for another tract of land of about a league and a half, but he neglected to comply with the conditions, and sold it for the sum of one dollar. In fact he seems to have sold it twice. Finally the claim passed into the hands of Thomas A. Scott, the Pennsylvania railroad king, and Edward J. Pringle, of San Francisco. It had never been presented to the United States Commission, and was consequently barred. But in 1866 a bill confirming the grant, and accompanied by a memorial purporting to be from Dominguez, but which Dominguez swears he never saw, was introduced by Mr. Conness, and slipped quietly through, under pretense of giving the old man with his sixty children and grand-children, the big grape-vine which his mother had planted. The bill was assisted in the House by the reading of a letter from Mr. Levi Parsons, in which a visit to the Mexican Patriarch and his great grape-vine, the only support of a greater family, was most touchingly described, and the intervention of Congress asked as a matter of justice and humanity. Then came the survey; and the speculators, emboldened by their success with Congress, went in for a big grab, taking in the modest amount of 208,742 acres\*—a pretty good dollar's worth of land, considering that it included many valuable farms and vineyards. They asked too much, for an outcry was made and a resurvey was ordered, which is now pending.

#### Bogus Grants.

The real grants have been bad enough, the bogus grants have been worse. Their manufacture commenced early—the signatures of living ex-Mexican officials being sometimes procured. Of this class was the famous Limantour claim to a great portion of San Francisco. It was finally defeated, but not until a large amount had been paid to its holders, and enormous expenses incurred in fighting it. Many of these claims have been pressed to final patent, and settlers driven from their homes by Sheriff's posses or the bayonets of the United States troops. Others have only been used for purposes of blackmail, the owners of threatened property being compelled to remove the shadow from their title when obliged to borrow or to sell, and finding it cheaper to pay the sums asked than to incur the expense of long and tedious litigation, many steps in which had to be taken in Washington.

Thanks to the possessory law of the State, as interpreted by State Courts, where the holders of a bogus claim secure possession they have been all right as long as they could delay final action. After the action of the District Court five years are allowed for appeal to the Supreme Court, and then a smart attorney can easily keep the case hanging from year to year. In one case where a modest demand for some forty leagues was rejected, because in forging the Mexican seal on the grant, the head of the cactus-mounted eagle had been carelessly put where his tail ought to be, the appeal has been kept at the foot of the docket for years, while the claimants are enjoying the land just as fully as if they had paid the Government for it, and are *actually* selling it to settlers who know the claim to be fraudulent, at from \$2 to

\*The survey was not strictly official, though made by a United States Deputy, he having reported that the calls were uncertain, and the grantees asking a survey according to their views.

\$10 per acre. If the Supreme Court ever does reach the case, the appeal will be dismissed. A new motion will then be made, and finally, when all the law's delay are exhausted, the settlers will have to pay the Government \$1.25 per acre for the land. In the meantime they cannot get it without paying his price to the holder of this notoriously fraudulent claim.

It has at all times been within the power of Congress to end this uncertainty as to land titles, and settle these Mexican claims. There has been a great deal of legislation on the subject, but somehow or other it has always turned out for the benefit of the land grabbers. Modes of procedure have been changed; cases have been thrown from the Courts into the Land Offices; from the Land Offices back to the Courts, and then from the Courts back to the Land Offices again. Always some excuse for delay; always some loophole in the law, through which the land grabber could easily pass, but in which the settler would be crushed. The majority of these Mexican grants are yet unsettled. Their owners do not want them settled so long as they can hold thousands of acres more than they have a shadow of claim to, and delay as much as possible. These are cases where the last step to secure patent can be taken at any time, by the making of a motion or the payment of a fee; but which are suffered to remain in that condition, while in the meantime the claim holders are selling quitclaim deeds to settlers, for land which their patents would show they do not own.

#### The Pueblo of San Francisco.

For the injuries which these Mexican grants have done to California, the Mexican land policy is not responsible. That merely furnished the pretext under cover of which our policy has fostered land monopolization. What of the Mexican policy was bad under our different conditions, we have made infinitely worse; what would still have been good, we have discarded. The same colonization laws under which these great grants were made gave four square leagues to each town in which to provide homes for its inhabitants, the only conditions being good character and occupancy. The American city of San Francisco, as the successor of the Mexican pueblo, came into a heritage such as no great city of modern times has enjoyed—land enough for a city as large as London, dedicated to the purpose of providing every family with a free homestead. Here was an opportunity to build up a great city, in which tenement houses and blind alleys would be unknown; in which there would be less poverty, suffering, crime and social and political corruption than in any city of our time, of equal numbers. This magnificent opportunity has been thrown away, and with the exception of a great sand bank, the worst that could be found, reserved for a park, and a few squares reserved for public buildings, the heritage of all the people of San Francisco been divided among a few hundred. Of the successive steps, culminating in the United States law of 1866, by which this was accomplished, of the battles of land grabbers to take and to keep, and of the municipal corruption engendered, it is not worth while here to speak. The deed is done. We have made a few millionaires, and now the citizen of San Francisco who needs a home must pay a large sum for permission to build it on land dedicated to his use ere the American flag had been raised in California.

#### The Railroad Grants of California.

The grants made to railroads of public lands in the State of California are: The grant to the Western Pacific and Central Pacific, of ten alternate sections on each side per mile, (12,800 acres,) made to half that amount in 1862, and doubled in 1864; the grants to the Southern Pacific and to the California and Oregon, of ten alternate sections on each side, with ten miles on each side in which to make up deficiencies, made in 1866; the grant to the Stockton and Copperopolis, of five alternate sections on each side, with twenty miles on each side in which to make up deficiencies, made in 1867; the grants to the Texas Pacific\* and to the connecting branch of the Southern Pacific, of ten alternate sections on each side, with ten miles for deficiencies, made in 1871. A grant was also made in 1866 to the Sacramento and Placerville road, but the idea of building the road was abandoned, and the grant has lapsed.

Upon the map of California, opposite page 1, the reservations for these grants are marked in red. This marking does not show the exact limits of the reservations, as they follow the rectilinear section lines, which it is, of course, impossible to show

\*Between the line of the road and the Mexican boundary this Company gets all the public land.

on so small a scale—nor are the routes of the roads *precisely* drawn. But it gives a perfectly correct idea of the extent and general course of these reservations. The exhibit is absolutely startling—a commentary on the railroad land grant policy of Congress to the force of which no words can add. Observe the proportion which these reservations bear to the total area of the State, and observe at the same time the topography of California—how the railroad reservations cover nearly all the great central valleys, and leave but the mountains, and you may get an idea of how these reservations are cursing the State.

It is true that the companies do not get all of the land included in these reservations, nor even half of it; but for the present, at least, so far as the greater part of it is concerned, they might as well get it all. Pre-emption, or homestead settlers may still go upon the even sections, but the trouble is to find them. The greater part of this land is unsurveyed, or having been once surveyed, the *vaqueros*, who share in the prejudices of their employers against settlers, have pulled up the stakes, and the settler cannot tell whether he gets on Government or on railroad land. If on Government land, he is all right, and can get 80 acres for \$22, as a homestead; or 160 acres for \$400 by pre-emption. But it is an even chance that he is on railroad land, and if so, he is at the mercy of a corporation which will make with him no terms, in advance. Settlers will not take such chances.

These railroad grants have worked nothing but evil to California. Though given under pretext of aiding settlement, they have really retarded it. Of all the roads ever subsidized in the United States, the Central Pacific is the one to which the giving of a subsidy is the most defensible. But so large was the subsidy, in money and bonds, that the road could have been built, and would have been built, just as soon without the land grant. The Western Pacific land grant became the property of a single individual, who did nothing towards building the road—the Company that did build the road (the Central), buying the franchise minus the land grant. The Southern Pacific land grant has actually postponed the building of a road southward through California, and had the grant never been made, it is certain that an unsubsidized road would already have been running further into Southern California than the land grant road yet does. Of the California and Oregon land grant, the same thing may be said. The Stockton and Copperopolis grant was made in 1867, but the building of the road has only been commenced this year. And it is exceedingly probable that had this land been open to settlers, the business, actual and prospective, would by this time have offered sufficient inducements for the building of the road.

All these land grants with the exception perhaps, of that from the Eastern boundary to San Diego, and with the exception of the Western Pacific grant, are owned by a single firm, who also own all the railroads in California, having bought what they did not build.

It is generally argued when land grants are made, that it is to the interest of the companies to sell their lands cheaply, because settlement will bring them business. But the land grant companies of California seem in no hurry to sell their lands, preferring to wait for the greater promise of the future. Neither the Southern Pacific nor the California and Oregon will make any terms with settlers until their lands are surveyed and listed over to them. It is, of course, to their interest to have the Government sections settled first, and to reserve their own land for higher prices after the Government land is gone. The Central Pacific advertises to sell good farming land for \$2.50 per acre; but when one goes to buy good farming land for that price, he finds that it has been sold to the Sacramento Land Company, a convenient corporation, which stands to the Company in its land business just as the Contract and Finance Company did in the building of the road.

#### Private Entry and Scrip Locations.

Large bodies of the public lands of California were offered at public sale long before there was any demand for them. When the failure of placer mining directed industry towards agriculture, and the beginnings of the railroad system led to hopes of a large immigration, these lands were gobbled up by a few large speculators, by the hundred thousand acres. The larger part of the available portion of the great San Joaquin Valley went in this way, and the process has gone on from Siskiyou on the north to San Diego on the south.

According to common report, the speculators have received every facility in the Land Offices. While the poor settler who wanted a farm would have to trudge off to *look at the land himself*, the speculator or his agent had all the information which *could be furnished*. Land which had never been sold or applied for, would be marked *on the maps as taken*, in order to keep it from settlers and reserve it for speculators.

and in some cases, it is even said that settlers selecting land and going to the Land Office to apply for it, would be put off for a few minutes while the land they wanted would be taken up in behalf of the speculator, and then they would be referred to him, if they desired to purchase.

A great deal of this land has been located with the Agricultural College scrip of Eastern States, bought by the speculators at an average of about fifty cents per acre, in greenbacks, when greenbacks were low, and sold or held at prices varying from \$4 to \$20 per acre, in gold. Whole townships have been taken up at once in this way; but the law was amended in 1867, so that only three sections in the same township can now be located with this scrip. The Agricultural scrip of California has been sold at about \$5 per acre, having special privileges.

The Act of last year, making this California scrip locatable on unsurveyed land, within railroad reservations, etc., is a good sample of the recklessness of Congressional legislation on land matters. It is so loosely drawn that by the purchase of forty acres a speculator can tie up a whole township. The Land Agent of the University has only to give notice to the United States Register that he has an application for land (without specifying amount or locality) in a certain township, and the Register must hold the plats of survey for sixty days after their return. Should a pre-emptor go on before this time, there is nothing to prevent the speculator from swooping down upon him and asserting that his farm is the particular piece of ground he wanted. Happily, nearly all this scrip will be used for locating timber land, for which the scrip of other States is not available, as it can only be located on surveyed land, and the surveyed timber land has long since been taken up.

Besides the Agricultural scrip, a large amount of Half Breed scrip has been located by speculators. This scrip was issued to Indians in lieu of their lands, and was made by law locatable only by the Indians themselves, and though the speculators pretended to locate as the attorneys of the Indians, the location was illegal. However, it was made, and patents have been issued.

In this way millions of acres in California have been monopolized by a handful of men. The chief of these speculators now holds some 350,000 acres, while thousands and thousands of acres which he located with scrip or paid \$1.25 per acre for, have been sold to settlers at rates varying from \$5 to \$20 per acre, the settlers paying cash enough to clear him and leave a balance, and then giving a mortgage for and paying interest on the remainder; and a large quantity of his land is rented—cultivators furnishing everything and paying the landlord one-fourth of their crop.

And as has been the case in all the methods of land monopolization in California, these scrip locations have been used not only to grab unoccupied lands, but to rob actual settlers of their improved farms. In one instance a large scrip speculator got a tool of his appointed to make the survey of a tract of land in one of the southern counties which had been long occupied by actual settlers. This Deputy Surveyor persuaded the settlers that it would be cheaper for them to get a State title to their lands than to file pre-emption claims, and they accordingly proceeded to do this. But as the clock struck nine, and the doors of the Land Office in San Francisco were thrown open on the morning the plats were filed, another agent of the speculator entered with an armful of scrip which he proceeded to plaster over the settlers' farms.

#### Management of the California State Lands.

We have seen what Federal legislation have done to inflict the curse of land monopoly upon California. Let us now see what has been done by the State herself. We shall find that reckless as have been the dealings of the General Government with our lands, the dealings of the State have been even worse.

And here let it be remarked that for most of these wrong acts of the Federal Government, the people of California are themselves largely responsible. For the manifestation public of a strong sentiment here could not have failed to exert great influence upon Congress. But, for instance, instead of objecting to railroad grants, we have, for the most part, hailed them as an evidence of Congressional liberality; and when the Southern Pacific had once forfeited its grant, the California Legislature asked Congress to give it back without suggesting a single restriction on the sale or management of the lands. In 1870, a bill actually passed the House reserving the public lands of California for homestead entry, as the lands of the Southern States had been reserved, but it went over in the Senate on the objection of Senator Nye, of Nevada. There is little doubt that the manifestation of a strong desire on our part, would, at any time, secure the passage of such a bill.

*The specific grants made to California, in common with other land States, whi*



have been before enumerated, amount to an aggregate of 7,421,804 acres—an area almost as large as that of Massachusetts and Connecticut combined. Besides these grants, all the swamp lands are given to the State for purposes of reclamation, of which 3,381,691 acres have already been sold—about all there is.

These large donations have proved an evil rather than a benefit to the people of California; for in disposing of them, the State has given even greater facilities for monopoly than has the Federal Government, and the practical effect of the creation of two sources of title to public land has been to harass settlers and to give opportunity for a great deal of robbery and rascality.

The land policy of the State of California must be traced through some thirty-five or forty Acts, in whose changes and technicalities the non-expert will soon become bewildered. It is only necessary here to give its salient features.

It must be understood in the first place that the only grant of specific pieces of land is that of the 16th and 36th sections of each township. When these are occupied or otherwise disposed of, other sections are given in lieu of them. These lieu lands, as well as the lands granted in specific amounts, the State has had the privilege of taking from any unappropriated Government land, the ownership of the swamp lands being decided by the nature of the land itself. With this large floating grant, as it may be termed, the general policy of the State has been, not to select the lands and then to sell them, but in effect to sell to individuals its right of selection.

Now, under the general laws of the United States, until land is offered at public sale, there is no way of getting title to it save by actual settlement, and then in tracts of not over 160 acres to each individual. And though since 1862 the pre-emption right has applied to unsurveyed lands, yet until land is surveyed and the plats filed, the settler can make no record of his pre-emption.

To this land thus reserved by the general laws for the small farms of actual settlers, the State grants gave an opportunity of obtaining title without regard to settlement or amount—an opportunity which speculators have well improved. In defiance of the laws of the United States, and even of the Act admitting California into the Union, the State at first sold even unsurveyed land, a policy which continued until the Courts declared it illegal in 1863. In 1852, to dispose of the 500,000-acre grant (which the Constitution of the State gave to the School Fund) warrants were issued purchasable at \$2 per acre in depreciated scrip, and locatable on any unoccupied Government land, surveyed or unsurveyed. These warrants, however, were not saleable to any one person in amounts of more than 640 acres, and the buyer had to make affidavit that he intended to make permanent settlement on the land. But as the warrants were assignable, and affidavits cheap, these restrictions were of but little avail. Passing for the most part into the hands of speculators, the warrants enabled them to forestall the settler and even in many cases to take his farm from him; for though by the terms of the law the warrants could only be laid on unoccupied land, yet when once laid, they were *prima facie* evidence of title, and the difficulty could be got over by collusion with county officers and false affidavits. These school land warrants have been a terror to the California settler, and many a man who has made himself a home, relying upon the general laws of the Federal Government, has seen the results of his years of toil and privation pass into the hands of some soulless cormorant, who, without his knowledge, had plastered over his farm with school land warrants. The law under which the warrants were issued was repealed in 1858, and the policy adopted of selling the State title to applicants for land, in amounts not to exceed 320 acres to each individual, at the rate of \$1.25 per acre, payable either in cash, or twenty per cent. in cash, and the balance on credit with interest at 10 per cent. The 16th and 36th sections, or the lands in lieu of them, were at first given to the respective townships, to be sold for the benefit of the Township School Fund; but were afterwards made saleable as other lands for the benefit of the General Fund.

The swamp lands were from the first made saleable in tracts not exceeding 320 acres to each person, for \$1 per acre, cash or credit, the proceeds to be applied to the reclamation of the land, under regulations varied by different laws, from time to time. This was virtually giving them away—the true policy; but the trouble is that for the most part they have been given to a few men.

Up to 1868, the State had always, in words at least, recognized the principle that one man should not be permitted to take more than a certain amount of land; but by the Act of March 28th, of that year, which repealed all previous laws, and is still, with some trifling amendments, the land law of the State, all restrictions of amount, except as to the 16th and 36th sections proper, were swept away; and with reference to those lands, the form of affidavit was so changed that the applicant was not required to swear that he wanted the land for settlement, or wanted it for himself. This Act, has some good features; but from enacting clause to repealing section, its



central idea seems to be the making easy of land monopolization, and the favoring of speculators at the expense of settlers. In addition to sweeping away the restrictions as to amount and to use, it provided that the settlers upon the 16th and 36th sections should only be protected in their occupancy for six months after the passage of the Act, after which the protection should only be for sixty days, and changed the affidavit previously required, from a denial of other settlement to a denial of valid adverse claim. Under this provision a regular business has been driven in robbing settlers of their homes. Unless a new law is very generally discussed in the newspapers (and land laws seldom are), it takes a long time for the people to become acquainted with it; and there were many settlers on State land who knew nothing of the limitation until they received notification that somebody else had possession of a clear title to their farms. Did space permit, numbers of cases of this kind of robbery might be cited—some of them of widows and orphans, whose all was ruthlessly taken from them; but I will confine myself to one case of recent occurrence, where the looked for plunder is unusually large.

The town of Amador, and the very valuable Keystone Mine, are situated on the east half of a 36th section. The survey which developed this fact was only made in the early part of the present year. The Deputy Surveyor, who was evidently in the plot, returned to the United States Land Office the plat of the township, with the mine and the town marked in the west half. Application was at the same time made to the State Surveyor-General, in the name of Henry Casey, for the east half. In regular course, the Surveyor-General sent the application to the United States Land Office, whence it was returned, with a certificate that the land was free; whereupon, the Surveyor-General approved the application, and twenty-five cents per acre was paid the State. And thus for \$80 cash, and \$32 per annum interest, a little knot of speculators have secured title to the Keystone Mine, worth at least a million dollars, and the whole town of Amador, besides.

And as further evidence of the recklessness of California land legislation, and of the lengths to which the land grabbers are prepared to go, two facts may be cited: The last Legislature, instead of repealing or removing the objectionable features from this Green law, actually passed a special bill legalizing all applications for State lands, even where the affidavits by which they were supported did not conform to the requirements of the law, *either in form or in substance*. After this had been passed, on the last day of the session a bill was got through and was signed by the Governor, designed to restrict applicants for lieu lands to 320 acres. But after the Legislature had adjourned, when the Act came to be copied in the Secretary of State's office, lo, and behold! it was discovered that the engrossed and signed copy did not contain this provision.

Yet, to understand fully what a premium the State has offered for the monopolization of her school lands, there is another thing to be explained. To purchase land of the State, an application must be filed in the State Land Office, describing the land by range, township and section, and stating under what grant the title is asked. This application must be accompanied by a fee of five dollars. The Surveyor-General then issues a certificate to the applicant, and sends the application to the United States Land Office, for certification that the land is free, before he approves the application and demands payment for the land. If there be no record in his office, of pre-emption, homestead or other occupation, the United States Register thereupon marks the land off on his map, but he does not certify to the State Surveyor-General until he gets his fee. The State Surveyor-General has no appropriation to pay the fee, although the present incumbent asked for one in his first report; and so the payment of the fee and the return of the United States certificate depend upon the applicant, whose interest it is, of course, not to get it until he wishes to pay for his land. And thus, by the payment of five dollars, a whole section of United States land can be shut up from the settler. There are 1,244,696 acres monopolized in California to-day in this way. For thousands and thousands of the acres which are offered for sale on California and Montgomery streets there is no other title than the payment of this five dollars. When the immigrant buys of the speculator for two, five, ten or twenty dollars an acre, as the case may be, then the speculator goes to the United States Land Office, pays the Register's fee, gets his certificate and the State Surveyor-General's approval, and pays the State \$1.25 per acre; or, if with the immigrant he has made a bargain of that kind, he pays twenty-five cents per acre, and leaves his purchaser to pay the dollar at some future time, with interest at ten per cent.

#### Swamp Land Grabbing.

*And as the speculator has had a far better opportunity in dealing with the State than with the United States, there has been every inducement to get as much land*

possible under the jurisdiction of the State, by declaring it swamp land. The certificate of United States officers as to the character of the land has not been waited for; but the State has sold to every purchaser who would get the County Surveyor to segregate the land he wanted, and procure a couple of affidavits as to its swampy character. Probably one-half of the land sold (or rather given, as the money is returned) by the State as swamp, is not swamp at all, but good dry land, that has been sworn to as swamp, in order to take it out of the control of the pre-emption laws of the United States. The State has been made the catspaw of speculators, and her name used as the cover under which the richest lands in California might be monopolized and settlers robbed. The seizure of these lands of the State (or rather by speculators in the name of the State) is for the most part entirely illegal; but by the Act of 1866, previous seizures were confirmed, and the land grabbers of California, though Mr. Julian occasionally makes them some trouble, have powerful friends in Washington, and unless energetic remonstrance is made, generally get what they ask. This swamp land grant has not yielded a cent to the State, but it has enabled speculators to monopolize hundreds of thousands of acres of the most valuable lands in California, and, of course, to rob settlers. For the settler, though he has a right under United States laws, can get no record nor evidence of title until his land is surveyed and the plats filed. In the mean time, if the speculator comes along and can get a couple of affidavits as to the swampy character of the settler's farm, he has been able to buy the title of the State. Lands thousands of feet above the level of the sea have been purchased as swamp; lands over which a heavily loaded wagon can be driven in the month of May; and even lands which cannot be cultivated without irrigation.

Sierra Valley is in Plumas County, in the very heart of the mountains. Standing on its edge, you may at your option toss a biscuit into a stream which finally sinks in the great Nevada Basin, or into waters which join the Pacific. When the snow melts in the early spring, the mountain streams which run through the valley overflow and spread over a portion of the land; but after a freshet has passed, water has to be turned in through irrigating ditches to enable the lands to produce their most valuable crop, hay. The valley is filled with pre-emption and homestead settlers, who, besides their own homes and improvements, have built two churches and seven school-houses. Many of their farms are worth \$20 per acre. The swamp land robbers cast their eyes on this pretty little valley and its thrifty settlement, and the first thing the settlers knew their farms had been bought of the State as swamp lands, and the United States was asked to list them over. Energetic remonstrance was made, and the matter was referred by the Department to the United States Surveyor-General to take testimony. His investigation has just been concluded, and the attempted grab has probably failed. But in hundreds of cases, similar ones on a smaller scale have succeeded.

Another recent attempt has been made to get hold of 46,000 acres adjoining Sacramento. This land was formerly overshadowed by the rejected Sutter grant, and for some time has been all pre-empted. Something like a year ago it was surveyed and the plats returned to the United States Land Office, with this land marked as swamp; applications being at the same time made to the State for the land. The ex-Surveyor-General, Sherman Day, signed the plats, and the land had actually been listed over by the Department, when a protest was made and forwarded to Washington, accompanied by his own personal testimony, by the new Surveyor-General, Hardenburgh, who, having been long a resident of Sacramento, knew the character of the land. This forced the suspension of the lists, very much, it seems, to the indignation of the Acting Commissioner of the General Land Office, W. W. Curtis, who wrote a letter to the Surveyor-General, which has been published in the newspapers, (which is a curiosity of official impudence,) and which betrays a very suspicious anger with what the Acting Commissioner seems to consider the interference of the Surveyor-General.

Mr. Julian, in his speech entitled "Swamp Land Swindles," has detailed how a party of speculators, one of whom was ex-State Surveyor-General Houghton, and another the son of the then United States Surveyor-General Upson, got hold of sixteen thousand acres in Colusa (as to the dry character of which he gives affidavits), under the swamp land laws, by having the survey of two townships made and approved in a few days, just before the map of the California and Oregon Railroad Company was filed. These swamp land speculators are in many cases attempting to shelter themselves behind the growing feeling against railroad grants; but bad as the railroad grants are, the operations of these speculators are worse. The railroad companies can only take half the lands; the speculators take it all. The railroad companies cannot easily disturb previous settlers; but the speculators take the settler's home from under his feet.

### Who Have Got Our Lands.

The State Surveyor-General ought to give in his next report (and if he does not the Legislature ought to call for it) a list of the amounts of State lands taken in large quantities by single individuals (with their names) under the Act of 1868. Such a list would go far to open the eyes of the people of California to the extent their State Government has been used to foster the land monopoly of which they are beginning to complain. Yet such a list would not fully show what has been done, as a great number of others, are W. S. Chapman, George W. Roberts, ex-Surveyor-General Houghton, deal of land has been taken by means of dummies. Of the 16th and 36th sections proper, to which even now one individual cannot apply for more than 320 acres, one speculator has secured 8,000 acres in Colusa County alone. Among those who have secured the largest amount from the State, either in their own names or as attorneys John Mullan, Will S. Green, H. C. Logan, George H. Thompson, B. F. Maulden, I. N. Chapman, Leander Ransom, N. N. Clay, E. H. Miller and James W. Shanklin. The larger amounts secured by single individuals range from 20,000 acres to over 100,000.

### What Should Have Been Done.

The true course in regard to State lands is that urged upon the Legislature by the present Surveyor General in his first annual report—to issue title only to the actual settler who has resided on the land three years, and who has shown his intention to make it his home by placing upon it at least \$500 worth of improvements.\* Had this course been adopted from the start, California would to-day have had thousands more of people and millions more of property. Had it even been adopted when urged by General Bost, over half a million acres of land would have been saved to settlers—that is to say, four thousand families might have found homesteads in California at nominal rates—at rates so much lower than that which they must now pay that the difference would more than have sufficed for all the expenses of their transportation from the East.

To amend our policy in regard to sales of State land now, is a good deal like locking the stable door after the horse is stolen. Still it should be done. Our swamp lands are all gone, and the most available of the school lands have gone also. Yet there may be a million of acres of good land left. These we cannot guard with too jealous care.

### The Possessory Law.

But the catalogue of what the State of California has done towards the monopolization of her land does not end with a recital of her acts as trustee of the land donated her by the General Government. Besides giving these lands for the most part to monopolists, she has, by her legislation, made possible the monopolization of other vast bodies of the the public lands. Under her possessory laws before alluded to, millions of acres are shut out from settlement, without their holders having the least shadow of title. It is Government land, but unsurveyed. The only way of getting title to it is to go upon it and live; but the laws of California say that no one can go upon it until he has a better title than the holder—that of possession. Tracts of from two to ten thousand acres thus held are common, and in one case at least (in Lake county) a single firm have 28,000 acres of Government land, open by the laws of the United States to pre-emption settlers, enclosed by a board fence, and held under the State laws. It is these laws that enable the Mexican grant owners to hold all the land they can possibly shadow with their claims, and that offer them a premium to delay the adjustment of their titles, in order that they may continue to hold, and in many cases, to sell, far more than their grants call for.

### How a Large Quantity of Public Land may be Freed.

A large appropriation for the survey of the public lands in California, managed

\* In his biennial message to the same Legislature (the last) Governor Haight speaks in the same strain. He says: "Our land system seems to be mainly framed to facilitate the acquisition of large bodies of land by capitalists and corporations, either as donations or at nominal prices. It is to be regretted that the land granted by Congress to railroad corporations had not been subject to continued pre-emption by settlers, giving to the corporation the proceeds at some fixed price, and it would have been much better for the State and country if the public lands had never been disposed of except actual settlers under the pre-emption law."

by a Surveyor-General who really wished to do his duty,\* would open to settlers millions of acres from which they are now excluded by railroad reservations or the monopolization of individuals. If our Representatives in Congress desire to really benefit their State, they will neglect the works at Mare Island, the erection of public buildings in San Francisco, and the appropriations for useless fortifications, until they can get this. And one of the first acts of the next Legislature should be to limit the possessory law to 160 acres, which would be a quick method of breaking up possessory monopolizations. In the mean time there is a remedy, though a slower and more cumbersome one. At the last session of Congress an Act was passed (introduced by Mr. Sargent) authorizing the credit to settlers, on payments for their lands, of money advanced for surveying them. Here is a means by which, with combined effort, a large amount of public land may be freed. Let a number of settlers, sufficient to bear the expense, go upon one of these large possessory claims. If ejected, let them deposit the money for a survey with the United States Surveyor-General, and the moment the lines are run and the plats are filed they have a sure title to the land.

#### More Monopolization Threatened—Wood and Water.

There is little doubt that one of the greatest attempts at monopolization yet made in California would have followed the passage of Sargent's bill for the sale of the Pacific Coast timber lands, which was rushed through the House at the last session, but was passed over by the Senate, and which has been re-introduced. These timber lands are of incalculable value, for from them must come the timber supply, not of the Pacific States alone, but of the whole Interior Basin, and nearly all the Southern Coast. The present value of these lands when they can be got at, may be judged by the fact that there are single trees upon the railroad lands which yield at present prices over \$500 worth of lumber. Under this bill, these lands would have been salable at \$2.50 per acre. The limitation of each purchaser to 640 acres would of course amount to nothing, and within a short time after the passage of the bill, the available timber lands would have passed into the hands of a small ring of large capitalists, who would then have put the price of lumber at what figure they pleased. The amount of capital required to do this would be by no means large when compared with the returns, which would be enormous, for though some estimates of the timber lands of California go as high as 30,000,000 acres, the means of transportation as yet make but a small portion of this available. And it would be only necessary to buy the land as it is opened, to virtually control the whole of it. There is, however, a good deal to be said in favor of the sale of these lands, and some legislation is needed, as there is a great deal of land of no use but for its timber, but upon which individuals cannot cut, except as trespassers, while the railroad company in the Sierra, having been given the privilege of taking timber off Government land for construction, has a monopoly there, and is clearing Government land in preference to its own. If waste could be prevented, it would perhaps be best to leave the timber free to all who chose to cut, on the principle that all the gifts of nature, whenever possible, should be free. This is problematical, perhaps impossible. If so, the plan proposed by Hon. Will S. Green, of Colusa, seems to be the best of those yet brought forward; that is, to sell the lands only to the builders of saw mills, in amounts proportioned to the capacity of the mill. At all events, almost anything would be better than the creation of such a monstrous monopoly as would at once have sprung up under the Sargent bill—a monopoly which would have taxed the people of California millions annually, and would have raised the price of timber on the whole coast.

It is not only the land and the timber, but even the water of California that is threatened with monopoly, as by virtue of laws designed to encourage the construction of mining and irrigation ditches, the mountain streams and natural reservoirs are being made private property, and already we are told that all the water of a large section of the State is the property of a corporation of San Francisco capitalists.

#### The Effect of Land Monopolization in California.

It is not we, of this generation, but our children of the next, who will fully realize the evils of the land monopolization which we have permitted and encouraged; for those evils do not begin to fully show themselves until population becomes dense.

\* And we seem to have secured one in the present Surveyor-General.

But already, while our great State, with an area larger than that of France or Spain or Turkey—with an area equal to that of all of Great Britain, Holland, Belgium, Denmark and Greece, combined—does not contain the population of a third class modern city; already, ere we have commenced to manure our lands or to more than prospect the treasures of our hills, the evils of land monopolization are showing themselves in such unmistakable signs that he who runs may read. This is the blight that has fallen upon California, stunting her growth and mocking her golden promise, offsetting to the immigrant the richness of her soil and the beneficence of her climate.

It has already impressed its mark upon the character of our agriculture—more shiftless, perhaps, than that of any State in the Union where slavery has not reigned. For California is not a country of farms, but a country of plantations and estates. Agriculture is a speculation. The farm houses, as a class, are unpainted frame shanties, without garden or flower or tree. The farmer raises wheat; he buys his meat, his flour, his butter, his vegetables, and frequently, even his eggs. He has too much land to spare time for such little things, or for beautifying his home, or he is merely a renter, or an occupant of land menaced by some adverse title, and his interest is but to get for this season the greatest crop that can be made to grow with the least labor. He hires labor for his planting and his reaping, and his hands shift for themselves at other seasons of the year. His plow he leaves standing in the furrow, when the year's plowing is done; his mustangs he turns upon the hills, to be lassoed when again needed. He buys on credit at the nearest store, and when his crop is gathered must sell it to the Grain King's agent, at the Grain King's prices.

And there is another type of California farmer. He boards at the San Francisco hotels, and drives a spanking team over the Cliff House road; or, perhaps, he spends his time in the gayer capitals of the East or Europe. His land is rented for one-third or one-fourth of the crop, or is covered by scraggy cattle, which need to look after them only a few half-civilized *vaqueros*; or his great wheat fields, of from ten to twenty thousand acres, are plowed and sown and reaped by contract. And over our ill-kept, shadeless, dusty roads, where a house is an unwonted land-mark, and which run frequently for miles through the same man's land, plod the tramps, with blankets on back—the laborers of the California farmer—looking for work, in its seasons, or toiling back to the city when the plowing is ended or the wheat crop is gathered. I do not say that this picture is a universal one, but it is a characteristic one.\*

It is not only in agriculture, but in all other avocations, and in all the manifestations of social life, that the effect of land monopoly may be seen—in the knotting up of business into the control of little rings, in the concentration of capital into a few hands, in the reduction of wages in the mechanical trades, in the gradual decadence of that independent personal habit both of thought and action which gave to California life its greatest charm, in the palpable differentiation of our people into the classes of rich and poor. Of the "general stagnation" of which we of California have been so long complaining, this is the most efficient cause. Had the unused land of California been free, at Government terms, to those who would cultivate it, instead of this "general stagnation" of the past two years, we should have seen a growth unexampled in the history of even the American States. For with all our hyperbole, it is almost impossible to overestimate the advantages with which nature has so lavishly endowed this Empire State of ours. "God's Country," the returning prospectors used to call it, and the strong expression loses half of its irreverence as, coming over sage brush plains, from the still frost-bound East, the traveler winds, in the early Spring, down the slope of the Sierra, through interminable ranks of evergreen giants, past laughing rills and banks of wild flowers, and sees under their cloudless sky the vast fertile valleys stretching out to the dark blue Coast Range in the distance. But while nature has done her best to invite new comers, our land policy has done its best to repel them. We have said to the immigrant: "It is a fair country which God has made between the Sierra and the sea, but before you settle in it and begin to reap His bounty, you must pay a forestaller roundly for his permission." And the immigrant having far to come and but scanty capital, has as a general thing stayed away.

\*An old Californian, a gentleman of high intelligence, who has recently traveled extensively through the State upon official business, which compelled him to pay particular attention to the material condition of the people, writes: "The whole country is poverty-stricken; the farmers shiftless, and crazy on wheat. I have seen farms cropped for eighteen years with wheat, and not a vine, tree, shrub or flower on the place. The roads are too wide, and are unworked, and a nest for noxious weeds. The effect of going through California is to make you wish to leave it, if you are poor and want to farm."

### The Landed Aristocracy of California.

Though California is a young State; though she is a poor State, and though a few years ago she was a State in which there was less class distinction than in any State in the Union, she can already boast of an aristocracy based on the surest foundation—that of land ownership.

I have been at some trouble to secure a list of the large land owners of California, but find exact and reliable information on that point difficult to obtain. The property of most of the largest land owners is scattered through various counties of the State, and a comparison of the books of the various Assessors would be the only means of forming even an approximate list. These returns, however, are far from reliable. It has not been the custom to list land held by mere possessory title, and the practice of most of the Assessors has been to favor large land holders. The Board of Equalization have ferreted out many interesting facts in this regard, which will probably be set forth in their coming report. Some remarkable discrepancies, of which the proportion is frequently as one to ten, are shown between the Assessors' lists and the inventories of deceased land owners. In San Luis Obispo, one of the largest land owners and land speculators in the State returns to the Assessor a total of 4,366 acres. Reference to the United States Land Offices, shows that he holds in that county, of United States land, 43,266 acres.

The largest land owners in California are probably the members of the great Central-Southern Pacific Railroad Corporation. Were the company land divided, it would give them something like two million acres apiece; and in addition to their company land, most of the individual members own considerable tracts in their own name.

McLaughlin, who got the Western Pacific land grant, has some three or four hundred thousand acres. Outside of these railroad grants, the largest single holder is, probably, Wm. S. Chapman, of San Francisco, the "pioneer" scrip-speculator, who has some 350,000 acres; though ex-State Surveyor-General Houghton is said by some to own still more. Ex-United States Surveyor-General Beals has some three hundred thousand acres. Across his estate one may ride for seventy-five miles. Miller & Lux, San Francisco wholesale butchers, have 450,000 acres. Around one of their patches of ground there are 160 miles of fence. Another San Francisco firm, Bixby, Flint & Co., have between 150,000 and 200,000 acres. George W. Roberts & Co. own some 120,000 acres of swamp land. Isaac Friedlander, San Francisco grain merchant, has about 100,000 acres. Throckmorton, of Mendocino, some 146,000; the Murphy family of Santa Clara, about 150,000; John Foster of Los Angeles, 120,000; Thomas Fowler, of Fresno, Tulare and Kern, about 200,000. Abel Stearns, of Los Angeles, had some 200,000 acres, but has sold a good deal. A firm in Santa Barbara advertises for sale 200,000 acres, owned by Philadelphia capitalists.

As for the poorer members of our California peerage—the Marquises, Counts, Viscounts, Lords and Barons—who hold but from 80,000 to 20,000 acres, they are so numerous, that, though I have a long list, I am afraid to name them for fear of making invidious distinctions, while the simple country squires, who hold but from five to twenty thousand acres, are more numerous still.

These men are the lords of California—lords as truly as ever were ribboned Dukes or belted Barons in any country under the sun. We have discarded the titles of an earlier age; but we have preserved the substance, and, though instead of "your grace," or "my lord," we may style them simple "Mr.," the difference is only in a name. They are our Land Lords just as truly. If they do not exert the same influence and wield the same power, and enjoy the same wealth, it is merely because our population is but six hundred thousand, and their tenantry have not yet arrived. Of the millions of acres of our virgin soil which their vast domains enclose, they are absolute masters, and upon it no human creature can come, save by their permission and upon their terms.\* From the zenith above, to the center of the earth below (so our laws run), the universe is theirs.

It must not be imagined that these large land holders are merely speculators—that they have got hold of land for the purpose of quickly selling it again. On the contrary, as a class, they have a far better appreciation of the future value of land and the power which its ownership gives, than have the people at large who have thoughtlessly permitted this monopolization to go on. Many of the largest land holders do not desire to sell, and will not sell for anything like current prices; but on

\* They are coming. According to Government statisticians, California will, in 1890, contain a population of 3,500,000.

the contrary are continually adding to their domains. Among these, is one Irish family, who have seen at home what the ownership of the soil of a country means. They rent their land; they will not sell it; and this is true of many others. Sometimes this indisposition to sell is merely the result of considerations of present interest. As for instance: An agent of a society of settlers recently went to a large land holder in a southern county, and offered him a good price for enough land to provide about two hundred people with small farms. The land holder refused the offer, and the agent proceeded to call his attention to the increase in the value of his remaining land which this settlement would cause. "It may be," said the land holder, "but I should lose money. If you bring two hundred settlers here, they will begin agitating for a repeal of the fence law, and will soon compel it by their votes. Then I will be obliged to spend two or three hundred thousand dollars to fence in the rest of my ranch, and as fences do not fatten cattle, it will be worth no more to me than now."

Let me not be understood as reproaching the men who have *honestly* acquired large tracts of land. As the world goes, they are not to be blamed. If the people put saddles on their backs, they must expect somebody to jump astride to ride. If we must have an aristocracy, I would prefer that my children should be members of it, rather than of the common herd. While as for the men who have resorted to dishonest means, the probabilities are that most of them enjoy more of the respect of their fellows, and its fruits, than if they had been honest and got less land.

The division of our land into these vast estates, derives additional significance from the threatening wave of Asiatic immigration whose first ripples are already breaking upon our shores. What the barbarians enslaved by foreign wars were to the great land lords of Ancient Italy, what the blacks of the African coast were to the great land lords of the Southern States, the Chinese coolies may be, in fact are already beginning to be, to the great land lords of our Pacific slope.

### III.

#### LAND AND LABOR.

##### What Land Is.

Land, for our purpose, may be defined as that part of the globe's surface habitable by man—not merely his habitation, but the storehouse upon which he must draw for all his needs, and the material to which his labor must be applied for the supply of all his desires, for even the products of the sea cannot be taken, or any of the forces of nature utilized without the aid of land or its products. On the land we are born, from it we live, to it we return again—children of the soil as truly as is the blade of grass or the flower of the field.

##### Of the Value of Land.

Though land is the basis of all that we have, yet neither land nor its natural products constitute wealth. Wealth is the product—or to speak more precisely, the equivalent of labor. That which may be had without labor has no value, for the value of any object is measured by the labor for which it will exchange.\* And when in speaking of "natural wealth," we mean anything else than the general possibilities which nature offers to labor, we mean such peculiar natural advantages as will yield to labor a larger return than the ordinary, and which are thus equivalent to the amount of labor dispensed with—that is, such natural objects or advantages as are scarce as well as desirable. If I find a diamond, I may not have expended much labor, but I am rich because I have something which it usually takes an immense amount of labor to obtain. If I own a coal mine which is valuable, it is because other people have not coal mines, and cannot obtain fuel with as little expenditure of labor as I can, and will therefore give me the equivalent of more labor for my coal than I have to bestow to get it. If diamonds were as plenty as pebbles, they would be worth by the cart-load just the cost of loading and hauling. If coal could everywhere be had by digging a hole in the ground, the possession of a coal mine would make nobody rich.

\* I use the word value throughout in the sense in which it is used by the writers on political economy—that of exchangeable power, not of utility.