



The Journal of Sociology & Social Welfare

Volume 19
Issue 3 *September*

Article 8

September 1992

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Recommended Citation

Loewenberg, Frank M. (1992) "Federal Relief Programs in the 19th Century: A Reassessment," *The Journal of Sociology & Social Welfare*: Vol. 19 : Iss. 3 , Article 8.
Available at: <https://scholarworks.wmich.edu/jssw/vol19/iss3/8>

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Federal Relief Programs in the 19th Century: A Reassessment

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The American model of the welfare state, incomplete as it may be, was not plucked out of thin air by the architects of the New Deal in the 1930s. Instead it is the product and logical evolution of a long historical process. 19th century federal relief programs for various population groups, including veterans, native Americans, merchant sailors, emancipated slaves, and residents of the District of Columbia, are examined in order to help better understand contemporary welfare developments.

Many have argued that the federal government was not involved in social welfare matters prior to the 1930s — aside from two or three exceptions, such as the establishment of the Freedman's Bureau in the years after the Civil War and the passage of various federal immigration laws that attempted to stem the flood of immigrants in the 1880s and 1890s. Thus, "the Roosevelt era is generally considered the time when the federal government . . . assumed responsibility for social welfare activities" (Brilliant, 1973, p. 385). And "'welfare' was unknown in America before the 1930s, when the Roosevelt Administration introduced numerous public assistance programs in response to the Great Depression" (President's Private Sector Survey, 1982, p. i).

The lack of response by the federal government to the problems of the needy and destitute is often ascribed to the wide acceptance of the laissez-faire doctrine as the official, as well as the operative ideology of Americans for most of the 19th century (Lubove, 1968; Mohl, 1973; Rothman & Rothman, 1972; Pumphrey & Pumphrey, 1961). Manning's explanation of what happened is widely accepted:

Writers who have surveyed the history of social welfare in this country are in unanimous agreement that President Pierce's veto of the Dix proposals established the principle and pattern of federal nonparticipation in social welfare matters until the federal emergency relief measures of the 1930's and the passage of the Social Security Act of 1935. The effect of the 1854 presidential veto, it is believed, was to turn back the growing tide of expectation of congressional aid for specific categories of needy persons {1962, p. 44}.

Low Federal Profile

Trattner (1976) already described the federal government's involvement in social welfare matters in the early 19th century; since his focus was on a one-time grant to the deaf-and-dumb asylums in Connecticut and Kentucky, many thought that this aid package was only marginal to social welfare matters. Gronbjerg (1982) also took cognizance of the federal government's support for social welfare in the 19th century, though he suggested that this support was given only reluctantly and was limited to education and disaster relief. on the basis of these and similar presentations, many assume that, aside from the exceptions already noted, the federal government did not assume any responsibility for nor engage in poor relief activities in the 19th century. This proposition has been so widely accepted that only few have made an effort to question it.

The failure of Congress to respond to pressing social problems, especially those that threatened the quality of life in the burgeoning urban areas, may have been due in part to the primitive level of organization of the federal government during most of the 19th century. The rudimentary transportation and communication networks, prior to the Civil War, seemed to preclude effective welfare activities on a national level, even if Congress had been inclined to pass such legislation. All of the federal government's activities in the 19th century were miniscule, when compared with those of more recent years. Throughout the 19th century the overall expenditure budget of the federal government remained at a relatively stable five per cent of the estimated GNP, even while the needs of the rapidly growing population escalated dramatically from decade to decade. These 19th century expenditure rates contrast with

more recent federal expenditure rates of 20–25 percent of GNP. In the decades after World War II federal expenditures for social welfare alone averaged 10 percent of GNP, while in 1979 they crested at 18.5 percent. (Gilbert, 1984; Kimmel, 1959; Mitchell & Mitchell, 1968).

The federal government throughout the 19th century maintained a low profile in every area of life, but its inactivity in the welfare area was especially noteworthy. This may have been due to the fact that the Americans rejected the very idea of national problem solving. Local government was held responsible providing basic relief, just as it had been in Colonial times. The Constitution, it was suggested, assigned responsibility for poor relief to state and local government since it did not mention this as one of the areas of federal competence and power.

The evidence supporting this federal noninvolvement and inactivity seems strong, especially when it is realized that it is much more difficult to prove inactivity than to document activity. Supreme Court decisions, Congressional laws, Presidential orders and written directives are more likely to be preserved in government archives than informal decisions to abstain from doing something or consensual agreements that a given area is exclusively in the sphere of state or local government. It is therefore quite possible that historians "will discover *relatively* more evidence of interventionism than was in fact characteristic of the place and period under study" (Spengler, 1949, p. 440).

In 1854 President Pierce vetoed the Ten-Million-Acres Bill, a bill which was meant to provide the States with funds to support institutions for the mentally ill. In his veto message he suggested that the Constitution did not permit federal activities (and especially federal funds) for welfare and charitable activities. More than forty years earlier in 1811 President Madison used the same argument to veto the Episcopal Incorporation Bill (Jackson 1967, p.7). While President John Quincy Adams did not hesitate to use the power of the federal government for various public purposes, he was not willing to exercise it in order to cope with the consequences of the 1820–22 depression since he believed that the federal government was unable to help victims of economic crises. Any federal intervention would only "transfer discontents and appropriate one class of people by disgusting another" (Adams, 1874–1877, vol. 5, p. 129). During the 1837–38

depression President Van Buren also warned against the consequences that would occur if the federal government were to become involved in relieving the unemployed (Richardson, 1907, vol. 3, pp. 344–345). Similarly the House Committee on Public Lands rejected almost all petitions for relief that it received, stating that “in this country provision for the maintenance of the poor has never been regarded as the proper subject of national legislation” (U.S. Congress, 1832, v. 32, p. 612, document no. 717).

Poor relief in the 19th century was primarily a function of local and state governments; nevertheless Washington’s role was not entirely dormant as has been suggested. While no one can claim that the federal government assumed a major responsibility for poor relief in the 19th century, a review of the welfare programs that the federal government did operate or sponsor in the 19th century will suggest at the very least that these programs, though limited, laid the groundwork for many contemporary federal relief activities and policies. Universal relief programs were not known in the 19th century, either on the local, state or federal level. But the federal government did sponsor a number of categorical relief programs for selected groups who had become “the wards of the federal government.” Many of these programs were shortterm, designed to meet an acute need, but Others became ongoing, permanent programs. In many cases the federal government was only the funding agency, while other levels of government or voluntary organizations provided the service, but in a number of instances the federal government itself provided services directly to the dependent population.

Federal Relief for Veterans

The largest ongoing relief program operated by the federal government was designed to provide assistance to indigent war veterans. By 1813 veteran pensions accounted for 18 percent of all federal expenditures. Though the republic was still young, there were at that time already several hundred thousand more pensioners in America than in Great Britain. some viewed veterans’ pensions as a social insurance scheme, designed to solve the problem of economic dependency of many aged veterans and

of widows of ex-soldiers (Katz, 1986). The 1818 Revolutionary War Pension Act has been called *the first federal poor relief program* since it specifically provided cash benefits for veterans in reduced circumstances and in need of assistance (Resch, 1982).

When Congress debated the 1818 Pension Act, it was assumed that only 2000 veterans would apply, but approximately ten times that number did apply for assistance during the first year. As a result Congress added in 1820 a means test; previously an applicant's declaration of need was sufficient to establish eligibility. Even though the attorney-general ruled that only applicants "in the lowest grade of poverty" need be accepted, ninety percent of those re-applying for benefits were found to be eligible. In addition to this pension scheme for indigent veterans, the federal government also provided pensions to soldiers who were disabled during or after the war, as well as half-pay retirement pensions for commissioned officers. Originally all these benefits were only for men who had served in the Revolutionary War, but in time veterans of all subsequent wars were covered. By 1833 federal activities in this field were so extensive that Congress established a separate Bureau of Pensions, headed by a Commissioner of Pensions.

In an 1869 report on pensions, the Secretary of the Interior notified Congress that the last Revolutionary War veteran had died during the preceding year, but that 887 widows of Revolutionary War veterans were still receiving federal pensions. Altogether almost 188 thousand Americans received just under \$21 million in pensions in that year. This meant that slightly more than 0.5 percent of the total population benefitted from this one federal relief program (House Exec. Doc.1, part 3, 41st Congress, 2d Session, US Serial Set 1414). In the following year many Civil War veterans were added to the pension rolls and the total annual cost for pensions rose to \$30 million. Senator John Sherman of Ohio noted that this was probably "the largest pension roll that was ever sustained by any people in the world" (*Congressional Globe*, February 16, 1870, p. 132). By 1892 the annual federal pension appropriation was \$68 million (Breamer, 1980, p. 145).

Federal Relief for Native Americans

In an historic Supreme Court decision, Chief Justice John Marshall ruled that the several American Indian nations did not constitute foreign nations, but were "in a state of pupilage; their relation to the United States resembles that of a ward to his guardian" (*Cherokee Nation v. Georgia*, 5 Peters 1, 1831). Indian tribes were considered to be "wards of the nation" (*Worcester v. Georgia*, 6 Peters 515, 1832). This may explain why many poor Indians quite early became the recipients of federal relief, almost on a permanent basis. The framework for this relief program was created already in 1789 when Congress established the Bureau of Indian Affairs in the War Department. The name of the unit and its location in the Washington bureaucracy was changed from time to time, but Congressional appropriations for the relief of indigent Indians became an annual event. A few examples will illustrate the "permanency" of this program. On May 13, 1800, Congress appropriated funds for rations, annuities, and medical care, as well as for agricultural tools and instructors for the Indian tribes. The Secretary of the Treasury's statement to Congress on May 20, 1826, concerning relief for indigent Indians refers to Congressional appropriations for rations, etc., for the two previous years (U.S. Congress, 1832, v. 15, p. 669, House Doc. 240). President Jackson in his 1835 Annual Message to Congress notes that the funds authorized for the maintenance of the Indian poor, as well as for the support of their schools and annuities, amounted to more than \$30.00 annually for each individual Indian (Richardson, 1907, vol. 3, p. 171). Even though this was less than a third of the pension paid to Revolutionary War veterans, for the Indian recipients this money may have meant the difference between starvation and bare subsistence.

Again, in 1854 Congress considered and approved appropriations for what we today would consider welfare services for various Indian tribes. Not only were the funds approved, but the services themselves were provided by the federal government (House Exec. Doc. 38, 33d Congress, 1st Session, US Serial Set 741). In 1860 the Secretary of the Interior reported to Congress on the relief activities undertaken by the federal Indian Bureau

for destitute Indians who had been forced by the local population to abandon their reservation in Texas (Senate Exec. Doc. 2, 36th Congress, 1st Session, US Serial Set 1023). Two years later Congress received detailed reports from the federal agents who provided relief to the Indian refugees who had fled from Texas to Southern Kansas. On February 6, 1862, the Commissioner of Indian Affairs telegraphed from Kansas to the Secretary of the Interior: "Six thousand Indians driven out of Indian territory, naked and starving. {US Army} General Hunter will only feed them until 15th. Shall I take care of them on the faith of an appropriation?" Within days he received the following telegram in response: "Go on and supply the destitute Indians. Congress will supply the means," (House Exec. Doc. 132, 37th Congress, 2d Session, US Serial Set 1138). Congress did appropriate the money, not only in 1862, but in every subsequent year for the rest of the century.

The deficiency appropriation bill of 1866 includes many instances of appropriations for the support of indigent Indians. The number of Indians who required subsistence in that year was estimated at over thirty thousand. The monies appropriated allowed an average payment of about 9 cents per person per day, but the "loyal Creek Seminoles and Wichitas" were budgeted for 15 cents per person per day. (Senate Misc. Doc. 116, 39th Congress, 1st Session, US Serial Set 1239). Throughout the 1860s and 1870s Indian agents (who were Federal employees) reported to Congress about their activities, especially about their distributing relief supplies and funds to indigent Indians (for example, see House Doc. 263, 40th Congress, 2d Session, US Serial Set 1343, for a detailed letter by the Special Indian Agent in Kansas).

Federal Relief for Merchant Seamen

Another continuous federal poor relief program was begun in 1798 when Congress established the Maritime Hospital Fund (MHF) for the relief of sick and disabled merchant seamen (1 Stat. L. 605, ch. 77). This program, at a later date, provided the basis for the U.S. Public Health Service, but originally it was meant to serve two purposes: (1) to relieve port cities of the expense of caring for indigent sick seamen who are not local

residents and (2) to make service in the merchant marine more attractive by providing federal relief for seamen who could no longer work because of illness. The MHF was not planned as a progressive health insurance program, but was intended to remove from merchant seamen a handicap under which not even paupers suffered; paupers could obtain medical care in the Poor House of their home community, but sick or disabled seamen were not eligible for medical services while away from their homeport (Mustard, 1945, p. 32).

Unlike most other public relief programs, Congress decided that this program was to be financed by the covered participants; a twenty cents monthly "contribution" was withheld from the pay of each seamen. This contributory aspect has tended to obscure the poor relief features of the MHF. Thus one observer made the point that this program "was established for self-supporting, not dependent persons" (Falk, 1941, p. 759). But before the program had been in operation for many years, expenses exceeded income from contributions and the deficit had to be met by Congress. In 1804 Congress, for the first time, authorized a deficit appropriation of \$1000. Between 1813 and 1836 Congress approved ten deficit appropriation bills for a total of nearly \$290,000. Starting in 1840 deficiency appropriations were approved every year (except in 1846 and 1854). For the period 1798-1872, 41.34 percent of the Fund's expenses were met by Congressional deficiency appropriations (*1872 Annual Report of MHF, House Exec. Document 131, U.S. Serial Set 1566, pp. 42-43*).

The program had almost no staff. Until 1871 a single clerk constituted the total MHF administrative bureaucracy in Washington. In each port the Presidentially-appointed Collector of Customs became responsible for collecting the monthly contributions and for making local arrangements for the care of sick seamen. For many years, until Marine Hospitals were established, a mix of public and private institutions, such as local almshouses and hospitals, as well as private homes were utilized for the subsistence and care of sick and disabled merchant seamen (Ruschenberger, 1848, p. 7).

The Collectors of Customs generally were appointed by the president as a reward for their political services. Their ties to the local community were often stronger than their ties to the

Washington bureaucracy. Many took advantage of the poor relief features of the MHF to reduce local financial burdens. Thus we find the Secretary of Treasury writing in 1821 to the Collector of Customs at Philadelphia, urging him to follow the example of his colleague in Boston who refused to send incurable seamen to the marine hospital, but instead returned them to their home ports where they were treated by local authorities as indigent paupers. "The tax of 20¢ was never intended as a substitute for the poor laws . . ." (U.S. Congress, 1832, v. 15, p. 508, doc. 240).

Congress was very much aware of the relief features of the MHF. Thus, in 1847 Rep. Daniel P. King of Massachusetts, in a speech delivered in the House of Representatives in support of the annual deficiency appropriation for MHF, said, "Many of [the seafaring men] have no abiding home; they are citizens of the United States and have no particular claim on any municipality for relief. When overtaken by disease or poverty, they are the proper subjects of national charity" (Ruschenberger, 1848, p. 24).

Poor Relief

Historians have noted that in earlier times destitute and needy people did not hesitate to turn to the government for help but "between 1815 and 1875 {they} grew habituated to the ideal of individual selfreliance {and} it came to seem inexpedient and then improper to rely upon the organized power of the {government} for positive social ends" (Berthoff, 1971, p.228). This idea has become so firmly accepted that few have considered the possibility that the federal government might have been involved in general relief activities during the nineteenth century. Yet from time to time local and state governments, as well as impoverished individuals did turn to the central government for help. For example, in 1809, the editor of the *American Citizen*, a New York City newspaper, demanded a federal welfare program "to provide for the distress" inflicted by the Embargo Act of 1807. In 1829 "certain citizens of the Territory of Michigan" petitioned Congress for the grant of a parcel of land in order to erect a poor house in their community. A few years later George Raymond, a resident of Ohio, asked Congress for help because he was indigent, had eleven small children, including triplets,

and found it very difficult to provide adequately for his family. In mid-century the Missouri legislature suggested to Congress that every poor family receive forty acres of public land. During the recurrent economic depressions which occurred about every twenty years in the 19th century the misery of unemployment was widespread. Whenever there was a general distress, wrote Sen. Thomas Hart Benton, "relief (was) the universal demand thundered at the doors of all legislatures, State and federal" (Daitsman, 1963, p. 256; U.S. Congress, 1832, v. 32, p. 607; v. 33, p. 147; House Misc. Document No. 29, 31st Congress, 1st Sess., US Serial Set 581; Benton, 1860, p. 6). But Congress almost always rejected these requests for help and refused to become "the almoner of the public charity" (Senate Report No. 370, 32d Congress, 2d Session, US Serial Set 671).

Yet there were exceptions when Congress did appropriate funds for poor relief. Thus, when Congress established the Freedmen's Bureau in 1865 it authorized the Secretary of War to provide "provisions, clothing, and fuel, as he may deem needful for the immediate and temporary shelter and supply of destitute and suffering refugees and freedmen. . . ." (13 Stat. L. 507). Major-General Oliver Otis Howard, the Civil War hero who was appointed to head the Freedmen's Bureau, noted in his autobiography "that the involvement of the federal government in relief programs was abnormal to our system of government." Yet he saw the establishment of the bureau as an important step in making the federal government responsible for giving "aid to the destitute" (1908, vol. 2, pp. 226, 203). He wrote in his Circular Order No. 5 of May 30, 1865, that he did not intend to supplant existing local relief programs, but if it became necessary to engage in federal relief operations, these "will be discontinued as speedily as . . . the return of industrial pursuits permits." Relief was to be provided only to those "absolutely necessitous and destitute." Congress similarly provided that "no person shall be deemed 'destitute' . . . who is able to find employment, and could by proper industry or exertion, avoid such destitution. . . ." (Fleming, 1906, vol. 1, pp. 309, 329; 14 Stat. L. 173-174).

During June 1865 the Union army provided 15,000 starving residents of Atlanta with all the necessities of life. No

distinctions were made between civilians and former Confederate soldiers who were then returning home (Fleming, 1906). But when the situation in the South became worse rather than better, Resolution No. 16 "for the relief of the destitutes in the southern and southeastern states" was introduced in the Senate in the spring of 1867 after the Senate Judiciary Committee had received a report that 32,662 white persons and 24,235 black persons were then in dire need. A sharp debate on the propriety of federal disaster relief was precipitated by the tabling of this bill. Some senators argued for self-reliance and against the resolution; they noted that in the past disaster-hit areas and fire-ravaged cities in their states had refrained from requesting federal aid. But proponents of the resolution pointed to numerous precedents where Congress had authorized disaster relief. The bill was passed since a majority of both senators and representatives felt that in the face of real disaster there was no generally accepted ideology that counterindicated federal aid. Congress had since 1827 repeatedly appropriated monies for disaster relief, but this was the first time that it passed a bill which specifically authorized federal agents to provide direct relief to a large number of destitute persons, "whites and blacks, loyal and disloyal" (*Congressional Globe*, 40th Congress, 1st Session, pp. 39-48, 83-91, 233-237, 256-263, 268, 274, 331; see also Abbott, 1940, pp. 691-693, for a detailed list of Congressional disaster relief appropriations for the years 1827- 1897).

The bitter and acrimonious fights about reconstruction policies and especially about the readmission of the secessionist states into the Union also resulted in the termination of the national relief program of the Freedmen's Bureau much earlier than had been planned. Subsequently Congress had to consider the need for relief of residents of the Capitol city. What Congress did and how this program operated can be learned from a report submitted in January 1871 by Lt. E. T. Bridges, the army officer in charge of relief operations in the District of Columbia:

. . . Compelled, by the terms of the law, to relieve only those recommended by {specified voluntary associations, such as the Washington Association for the Improvement of the Condition of the Poor and the National Freedmen's Relief Association}, still the right to decline relieving every person recommended was clearly

within the spirit and letter of the law; and consequently "temporary relief" has been furnished only . . . in cases of "absolute necessity." . . . not more than 2/3 of those recommended were relieved. . . . It is probable that relief has been denied to some who should have been aided; but no deserving applicant has been intentionally refused.

The harshness of the army's relief activities becomes apparent when one examines the statistical data provided by Lt. Bridges (Table 1 for sample of the original data).

Table 1

Adults and Children Recommended for Relief and Actually Relieved in Washington DC for Selected Months, 1866

	Recommended		Relieved	
	Adults	Children	Adults	Children
February	5681	6864	5401	6861
March	25962	25282	7876	8747
April	7458	6720	2427	2841

Source: House Exec. Doc. No. 57,
41st Congress, 3d Session, US Serial Set 1453.

In a report prepared by Major George Bell, Commissary of Subsistence of the US Army, dated May 31, 1872, Congress learned the manner of disbursement of the \$12,000 it had appropriated a year earlier for the relief of the destitute aged in the District of Columbia. According to this report, the entire appropriation was expended during one year. Army personnel delivered 160,288 rations and fuel to the homes of the needy oldsters, 80 percent of whom were colored (House Exec. Doc. No. 16, 42d Congress, 3d Session, US Serial Set 1563).

Earlier, in 1869, Congress had appropriated \$6000 for the care, support and medical treatment of sixty transient paupers who were then in Washington. The Surgeon-General of the US Army contracted with Providence Hospital to provide sixty beds for these paupers. Subsequently he requested an additional \$6000 appropriation to pay for this hospital care (at the rate of

55 1/2 cents per person per day) (House Exec. Doc. 10, 41st Congress, 2d Session, US Serial Set 1416).

Discussion

Poor relief, to the extent that it existed at all in the 19th century, was primarily the responsibility of local and state governments. Nevertheless, in various ways and at different times the federal government did become involved in poor relief activities. To repeat, these activities were not extensive if they are measured by contemporary standards. But these activities were of some importance because they did prepare the way for more active federal intervention in the 20th century, especially in the last sixty years.

Many of the principles that guide (or limit) contemporary federal relief activities can be better understood when one becomes aware of their 19th century origins. Among these principles are the following:

(1) *Categorical relief.* The practice of selecting specific groups of "worthy" charity recipients was known already in Colonial America, but it was greatly expanded in the 19th century. Veterans who had served their country, merchant seamen who had risked their lives on the stormy ocean, even "loyal" Indians, all these became the recipients of federal relief monies. Later in the century, freed slaves were added to this list, perhaps in compensation for the wrongs that society had inflicted on them.

The emphasis on categorical relief, rather than on general, universal relief, has characterized federal relief programs until the most recent times. Though the categories that qualify nowadays are not always identical with those of earlier periods, the principle of categorical relief is deeply imbedded in American welfare policy.

(2) *Indirect relief.* Congress preferred to appropriate funds for relief and then let others use these monies rather than set up new bureaucracies to directly operate federal relief programs. In line with this principle, Congress preferred to channel relief monies to the states and even to voluntary non-governmental organizations. Only in extraordinary circumstances was relief provided directly by federal agents, but even then Congress preferred to use personnel already on the federal payroll (such

as soldiers or Collectors-of-Customs) rather than add new personnel to the federal payroll.

Initially federal appropriations for various relief programs were made on an as-needed basis, but when Congress passed the Morrill Act in 1862, it authorized for the first time a conditional grant-in-aid program on an ongoing basis for all states (12 Stat. L. 503). This became henceforth the characteristic pattern of federal support, not only for higher education, but for all areas. Since 1935 this was the pattern that the federal government has used to support a wide variety of relief programs that are operated by the states.

(3) *Pragmatism instead of ideology.* Congressional legislators throughout the 19th century clearly showed a preference for pragmatic, ad-hoc responses to pressing problems rather than for long-range solutions based on ideological or programmatic considerations. The acceptance of the laissez-faire philosophy did not prevent Americans from requesting government help whenever this was in their interest, nor did it stop politicians from appropriating public funds whenever they thought that this might be advantageous to their party's political future or to their own personal fortunes. Only when these reasons were not applicable was the laissez-faire ideology used to reject requests for aid. We find that throughout the century some requests for help were accepted and funded, while others, equally meritorious, were rejected. Party politics, logrolling, and other pragmatic considerations played a more important role in making decisions than any programmatic commitment. As a consequence, Congressional policies in all fields, but especially in the welfare field, appear inconsistent and even contradictory.

(4) *Political realities.* One of the consequences of this pragmatic approach to problem-solving was that political realities replaced legal arguments. Though three presidents vetoed welfare measures by referring to the Constitution's silence on the federal government's role in welfare matters, this argument seemed to become irrelevant whenever the political realities so indicated. The constitutionality of the Morrill Act, for example, was never questioned in the courts, even though President Buchanan had vetoed a similar act in 1859 because he believed that the federal government did not have the power to make such grants

(Burdick, 1922). Other welfare measures were challenged in the courts, especially during the early days of the New Deal, but in general the constitutionality of these acts was supported.

Summary

Like all modern nations the United States experienced significant changes in scale and complexity during the 19th century. The complexity, scale and incidence of social problems increased greatly as the country changed from an underpopulated agricultural settlement to an urbanized nation populated by immigrants from many different cultural backgrounds. The social programs that Congress did enact in response to some of these changes were, of course, subject to the political, budgetary and staffing restraints that limited the scope of all federal activities in the 19th century. Nevertheless, though limited, these programs set the direction and approaches that characterize nearly all American social programs to this day.

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