

to any of the before mentioned purposes, or disposed of in bounties to the officers and soldiers of the American army, shall be considered a common fund for the use and benefit of such of the United States as have become, or shall become, members of the confederation or federal alliance of the said States, Virginia inclusive, according to their usual respective proportions in the general charge and expenditure, and shall be faithfully and bona fide disposed of for that purpose, and for no other use or purpose whatsoever." Passing by the cessions with other States, prompted by a magnanimous spirit of union and patriotism successively made, we come to the last in the series, that of Georgia in 1802. The articles of agreement and cession entered into between that State and the United States, among various other conditions, contain the unequivocal declaration "that all the lands ceded by this agreement to the United States shall, after satisfying the abovementioned payment of one million two hundred and fifty thousand dollars to the State of Georgia, and the grants recognized by the preceding conditions, be considered as a common fund for the use and benefit of the United States, Georgia included, and shall be faithfully disposed of for that purpose, and for no other use or purpose whatever."

Thus, by the clear and positive terms of these acts of cession, was a great, public, national trust, created and assumed by the General Government. It became solemnly bound to hold and administer the lands ceded, as a common fund for the use and benefit of all the States, and for no other use or purpose whatever. To waste or misapply this fund, or to divert it from the common benefit for which it was conveyed, would be a violation of the trust. The General Government has no more power, rightfully, to cede the lands, thus acquired, to one of the new States, without a fair equivalent, than it could retrocede them to the State or States from which they were originally obtained. There would indeed be much more equity in the latter than in the former case. Nor is the moral responsibility of the General Government at all weakened by the consideration that, if it were so unmindful of its duty as to disregard the sacred character of the trust, there might be no competent power, peacefully applied, which could coerce its faithful execution.

The other source whence the public lands of the United States have been acquired, are, 1st, the treaty of Louisiana, concluded in 1802; and 2dly, the treaty of Florida, signed in 1819. By the first, all the country west of the Mississippi, and extending to the Pacific ocean, known as Louisiana, which had successively belonged to France, Spain and France again, including the island of New Orleans, and stretching east of the Mississippi to the Perdido, was transferred to the United States, in consideration of the sum of fifteen millions of dollars, which they stipulated to pay, and have since punctually paid, to France, besides other conditions deemed favorable and important to her interests. By the treaty of Florida, both the provinces of East and West Florida, whether any portion of them was or was not ceded to the United States in consideration, besides other things, of the payment of five millions of dollars which they agreed to pay, and have since accordingly paid.

The large pecuniary considerations thus paid to those two foreign powers, were drawn from the Treasury of the people of the United States, and consequently, the countries for which they formed the equivalents, ought to be held and deemed for the common benefit of all the people of the United States. To divert the lands from that general object; to misapply or sacrifice them; to squander, or imprudently cast them away, would be alike subversive of the interests of the people of the U. States, and contrary to the plain dictates of the duty by which the General Government stands bound to the States and to the whole people.

Prior to the treaties of Louisiana and Florida, Congress had adopted a system for surveying and selling the public lands, devised with much care and great deliberation, the advantages of which having been fully tested by experience, it was subsequently applied to the countries acquired by those treaties. According to that system, all public lands offered for sale are previously accurately surveyed, by skillful surveyors, in ranges of townships of six miles square each, which townships are subdivided into thirty-six equal divisions or square miles, called sections, by lines crossing each other at right angles, and generally containing 360 acres. These sections are again divided into quarters, and, prior to the year 1820 no person could purchase a less quantity than a quarter. In that year, provision was made for the further division of the sections into eighths, thereby allowing a purchaser to buy only eighty acres, if he

wished to purchase no more. During the present session of Congress, further to extend accommodation to the purchasers of the public lands, and especially to the poorer classes, the sections have been again divided into sixteenths, admitting a purchase of only 40 acres.

This uniform system of surveying and dividing the public lands applies to all the States and Territories within which they are situated. Its great advantages are manifest. It ensures perfect security of title, and certainty of boundary, and consequently avoids those perplexing land disputes, the worst of all species of litigation, the distressing effects of which have been fatally experienced in some of the western States. But these are not the only advantages, great as they unquestionably are. The system lays the foundation of useful civil institutions, the benefit of which is not confined to the present generation, but will be transmitted to posterity.

Under the operation of the system thus briefly sketched, the progress of the settlement and population of the public domain of the United States has been altogether unexampled. Views which the committee will hereafter present, conclusively demonstrate that, whilst the spirit of free emigration should not be checked or counteracted, it stands in no need of any fresh stimulus.

Before proceeding to perform the specific duty assigned to the committee by the Senate, they had thought it desirable to exhibit some general views of this great national resource. For that purpose, a call, through the Senate, for information, has been made upon the Executive branch of the government. A report has not yet been made; but, as the committee are desirous of avoiding any delay not altogether indispensable, they have availed themselves of a report from the Secretary of the Treasury to the House of Representatives, under date of 6th April, 1832, hereto annexed, marked A, and of such other information as was accessible to them.

From that report it appears that the aggregate of all sums of money which have been expended by the United States, in the acquisition of the public lands, including interest on account of the purchases of Louisiana and Florida, up to the 30th September, 1831, and including, also, expenses in their sale and management, is \$48,077,551 40; and that the amount of money received at the Treasury, for proceeds of the sales of the public lands to the 30th September, 1831, is \$37,272,713 31. The Government, therefore, had not been reimbursed by \$10,804,838 9 10ths. According to the same report, it appears that the estimated amount of unsold lands, on which the foreign and Indian titles have been extinguished, is 227,293,884, within the limits of the new States and Territories; and that the Indian title remains on 113,577,869 acres within the same limits; that there have been granted to Ohio, Indiana, Illinois and Alabama, for internal improvements, 2,187,665 acres; for colleges, academies and universities, in the new States and Territories, the quantity of 508,009; for education, being the thirty-sixth part of the public lands appropriated for common schools, the amount of 7,952,538 acres; and for seats of government in some of the new States and Territories, 21,589 acres. By a report of the Commissioner of the General Land Office, communicated to congress with the annual message of the President of the United States, in December, 1827, the total quantity of the public lands beyond the boundaries of the new States and Territories, was estimated to be 750,000,000. The aggregate, therefore, of all the unsold and unappropriated public lands of the United States, surveyed and unsurveyed, on which the Indian title remains or has been extinguished, lying within and without the boundaries of the new States and Territories, agreeably to the two reports now referred to, is 1,090,871,753 acres. There had been 138,988,224 acres surveyed, and the quantity only of 18,239,412 acres sold up to the 1st January, 1826. When the information called for shall be received, the subsequent surveys and sales, up to the present period, will be ascertained.

The committee are instructed by the Senate to inquire into the expediency of reducing the price of the public lands, and, also, of ceding them to the several States in which they are situated, on reasonable terms. The committee will proceed to examine these two subjects of inquiry distinctly, beginning first with that which relates to a reduction of price.

I. According to the existing mode of selling the public lands, they are first offered at public auction for what they will bring in a free and fair competition among the purchasers; when the public sales cease, the lands remaining unsold, may be bought from time to time, at the established rate of one dollar and a quarter per acre. The price was reduced to that sum, in 1820, from two dollars per acre, at

which it had previously stood from the first establishment of the present system of selling the public lands. A leading consideration with Congress in the reduction of the price, was that of substituting cash sales for the credits which had been before allowed, and which, on many accounts, it was deemed expedient to abolish. A further reduction of the price, if called for by the public interests, must be required, either, 1st. Because the government now demands more than a fair price for the public lands; or, 2dly. Because the existing price retards, injuriously, the settlement and population of the new States and Territories. These suggestions deserve separate and serious consideration.

1. The Committee possess no means of determining the exact value of all the public lands now in market, nor is it material, at the present time, that the precise worth of each township or section should be accurately known. It is presumable that a considerable portion of the immense quantity offered to sale, or held by the United States, would not now command, and may not be intrinsically worth the minimum price fixed by law; on the other hand it is certain that a large part is worth more. If there could be a discrimination made, and the government had any motive to hasten the sales beyond the regular demands of the population, it might be proper to establish different rates, according to the classes of land; but the government having no inducement to such acceleration, has hitherto proceeded on the liberal policy of establishing a moderate price, and by subdivisions of the sections so as to accommodate the poorer citizens, has placed the acquisition of a home within the reach of every industrious man.— For one hundred dollars any one may now purchase eighty, or for fifty dollars, forty acres of first rate land, yielding, with proper cultivation, from fifty to eighty bushels of Indian corn, per acre, or other equivalent crops.

There is no more satisfactory criterion of the fairness of the price of an article, than that arising from briskness of sales when it is offered in the market. On applying this rule, the conclusion would seem to be irresistible, that the established price is not too high. The amount of the sales in the year 1828, was \$1,018,308 75; in 1829, \$1,517,175 13; in 1830, \$2,329,356 14, and, during the year 1831, \$3,000,000. And the Secretary of the Treasury observes in his annual report, at the commencement of this session, that "the receipts from the public lands, during the present year, it will be perceived, have likewise exceeded the estimate, and, indeed, have gone beyond all former example. It is believed that, notwithstanding the large amount of scrip and forfeited land stock that may still be absorbed in payment for lands, yet if the surveys now projected, be completed, the receipts from this source of revenue will not fall greatly below those of the present year." And he estimates the receipts during the current year, from this source, at three millions of dollars. It is incredible to suppose that the amount of sales would have risen to so large a sum, if the price had been unreasonably high. The committee are aware that the annual receipts may be expected to fluctuate, as fresh lands, in favorite districts, are brought into market, and according to the activity or sluggishness of emigration in different years.

Against any considerable reduction of the price of the public lands, unless it be necessary to a more rapid population of the new States, which will be hereafter examined, there are weighty, if not decisive considerations:

1. The Government is the proprietor of much the largest quantity of unseated lands of the United States. What it has in market, bears a large proportion to the whole of the occupied lands within their limits. If a considerable quantity of any article, land, or any commodity whatever, in market, the price at which it is sold will affect, in some degree, the value of the whole of that article, whether exposed to sale or not. The influence of a reduction of the price of the public lands would probably be felt throughout the Union; certainly in all the western States, and most in those which contain, or are nearest to, the public lands. There ought to be the most cogent and conclusive reasons for adopting a measure which might seriously impair the value of the property of the yeomanry of the country. Whilst it is decidedly the most important class in the community, most patient, patriotic, and acquiescent in whatever public policy is pursued, it is unable or unwilling to resort to those means of union and concert which other interests employ to make themselves heard and respected. Government should, therefore, feel itself constantly bound to guard, with sedulous care, the rights and welfare of the great body of our yeomanry. Would it be just towards those who have heretofore purchased public lands at high