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Memorial of the Legislature of Mississippi, relative to the location of other sections in addition to valueless sixteenth sections, and the relinquishment of others, with the privilege of a re-location.

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SCHOOL LANDS.

MEMORIAL

OF THE

LEGISLATURE OF MISSISSIPPI,

RELATIVE TO

*The location of other sections in addition to valueless sixteenth sections,
and the relinquishment of others, with the privilege of a re-location.*

MARCH 24, 1848.

Referred to the Committee on Public Lands, and ordered to be printed.

A MEMORIAL of the legislature of the State of Mississippi to the Senate and House of Representatives of the United States in Congress assembled.

The memorial of the legislature of the State of Mississippi respectfully sheweth to your honorable body, that when Congress in its munificence reserved the sixteenth section in each township of lands for the use of schools, it was actuated by the high and praiseworthy motive of bringing to the doors of the people the means by which the children of the State might be taught the rudiments of learning; it was truly a noble munificence, and a pure and holy offering upon the altar of popular education.

That it was the object of Congress to dispense the blessings of education to the rising generations as equally as possible, is most evident and manifest, from the fact that the central section of every township was reserved for this purpose; the sixteenth section, being fixed upon for primary schools, and the result, in practice, proving beyond a doubt that, by the operation of this arbitrary rule, the most positive inequality has been produced between the citizens of different townships, the great object of Congress has been frustrated. It has frequently happened that some townships in the State possess the richest and most valuable school sections, whilst others in their immediate neighborhood possess the poorest and most sterile soil; for such is the diversity of soil in the State, that it is very rare to find all the sections in a township of equal value and fertility, and it is not by any means of unfrequent occurrence that the sixteenth section is the poorest in the township. In all such cases it is but too apparent that the inhabitants of townships which have rich and valuable sixteenths, have an immense advantage over those who reside in townships which have a very poor sixteenth. In the one case the bounty of Congress sheds a thousand blessings upon the fortunate inhabitants and their children, dispensing the fruits of education to all the youth with-

in its bounds, whilst in the other the inhabitants are left destitute, though equally meritorious and possessing equal claims. The bounty of Congress, by means of the arbitrary rule referred to, is of little or no benefit to the children within its borders. In many instances the interest on the sixteenth school fund supports a male and female school throughout the year, without any aid by the contributions of its citizens; in others, in the same county, the interest on the same fund will not support such schools one month in the year. The contrast is so striking, the inequality so glaring and manifest, that none can for a moment doubt its truth. But this inequality is not less manifest than the original object of Congress: it was, that all should reap the same blessings, the same benefits; and in all cases where the wise and benevolent purpose of Congress has been defeated, there is an equitable claim upon Congress to remedy the evil, and give to all as nearly as possible the same blessing.

This, your memorialists believe, can be effected by giving to the trustees of each sixteenth section in every township in which the sixteenth section is not of medium value and quality with the remainder of the township in which it lies, the privilege of locating another section in aid of said sixteenth section, for the use and benefit of the citizens of said township for school purposes, upon any unappropriated lands in this State.

Your memorialists further represent that in many cases, at and previous to the land sales, there were Indian reservations located upon, and embracing the sixteenth sections which Congress has set apart for the use of schools, which reservations afterwards proved to be spurious, and were not ratified by the government, and the land reserved to the government. Your memorialists represent that, by an act of Congress, authority was given to the officers of government, in all such cases as are above alluded to, to locate some adjoining section for the use of schools; and they further represent that in many cases the sections so selected by the officers of government are of less value than the sixteenth sections referred to; and they pray that in all such cases the trustees of such townships shall have the option to surrender the selected sections, and to claim and possess the sixteenth sections that may have been fraudulently reserved by Indian reservations, also to grant to the trustees of townships in every case where the sixteenth sections were sold by Congress, and no provision made in lieu of it for schools, the privilege of locating another section upon any unappropriated lands in the State.

Be it therefore resolved, That our Senators in Congress be instructed, and our Representatives requested, to use their best exertions to obtain from Congress the several objects specified in this memorial, and that his excellency the governor of the State be requested to transmit a copy of this memorial to each of our Senators and Representatives in Congress.

JOHN J. McRAE,

Speaker of the House of Representatives.

DABNEY LIPSCOMB,

President of the Senate.

Approved February 24, 1848.

J. W. MATTHEWS.

OFFICE OF THE SECRETARY OF STATE.

I, Samuel Stamps, secretary of state of the State of Mississippi, do hereby certify that the foregoing writing, on pages numbered one and two, contains a true, correct, and an exact copy of a memorial of the legislature of the State of Mississippi, entitled "A memorial of the legislature of Mississippi to the Senate and House of Representatives of the United States in Congress assembled," approved 24th February, 1848, of which it purports to be a transcript.

In testimony whereof, I do hereunto subscribe my name, and affix
[L. s.] the great seal of the State of Mississippi, the tenth day of
March, in the year of our Lord one thousand eight hundred
and forty-eight.

SAMUEL STAMPS,
Secretary of State.