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Report : Mr. Breese

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S. Rep. No. 244, 30th Cong., 2nd Sess. (1848)

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IN SENATE OF THE UNITED STATES.

DECEMBER 19, 1848.

Submitted, and ordered to be printed.

Mr. BREESE made the following

REPORT

[To accompany bill S. No. 355.]

The Committee on Public Lands, to whom was referred the bill granting to the State of Illinois the right of way and a donation of public lands, for making a railroad connecting the upper and lower Mississippi with the chain of northern lakes, at Chicago, have given it the most careful examination, and respectfully ask leave to report:

That the bill proposes to grant to the State of Illinois, for the purpose of aiding that State in completing the Central railroad from Cairo, *via* Chicago, on Lake Michigan, to the upper Mississippi, on the most eligible route; and also for the northern cross railroad extending from the Mississippi river, *via* Springfield, to the Indiana line, with a branch to Alton, from a point between Springfield and the Illinois river, on the most eligible route, a quantity of land equal to one-half of six alternate sections in width on each side of said railroads, to be selected by an agent or agents, to be appointed by the governor of the State, subject to the approval of the Secretary of the Treasury.

As alternate sections alone are granted, the bill provides that those which remain to the United States shall not be sold for less than two dollars and fifty cents per acre, at which price a pre-emption right is granted to the State on those sections for five years from the passage of the act.

The bill further provides that these lands shall be applied to those uses by the State, and none other; and that the railroad shall be a public highway, for the use of the government of the United States, free from toll or other charge upon the transportation of troops and munitions of war of the United States.

It is further provided by the bill, that the lands proposed to be granted shall be disposed of by the State in the following manner namely: that a quantity, not exceeding sixty sections on each of said roads, and included within a continuous length of ten miles of each road, may be sold when the governor of the State shall certify to the Secretary of the Treasury that ten miles of any

of said roads are completed; then another like quantity may be sold on the road, and so on from time to time until the roads are completed; and if the roads are not completed within ten years, no further sales shall be made, and the unsold lands shall revert to the United States.

The bill further provides, that before it shall be competent for the State to dispose of any of the lands to be selected, a plat or plats of the courses, and distances, and points of termination of the roads shall be furnished by the State to the Commissioner of the General Land Office.

The bill further proposes to authorize the State to survey and mark through the public lands the routes of these roads, and to vest in the State, forever, one hundred feet for a road-way for each road, on both sides of each road respectively; and it is provided that no lands reserved for schools, or for military or other purposes, or mineral lands, or lands to which the right of pre-emption has attached, shall be selected.

The last section provides that the mails of the United States shall be carried on these roads under the regulations of the Post Office Department, at the minimum price for similar services paid on other railroads, and in case of disagreement between the State and the department as to the price, then the matter in dispute is to be referred to the United States district judge of that State for his decision.

Having given this synopsis of the bill, the committee would remark, that at the last session of Congress, several bills were referred to this committee, accompanied by memorials numerously signed by all the functionaries of the State of Illinois; by the members of the convention assembled to amend their State constitution, and by individuals in different parts of the State, praying for a grant or a pre-emption on a portion of the public lands, to aid in completing the central railroad in that State; a road, which the committee are informed, occupied the most prominent place in that vast system of internal improvements commenced by her on her own unaided resources in 1837, and on which work alone she has expended more than one million of dollars, and which runs for almost its entire length through lands owned by the United States.

It did not seem to be a part of the plan of those memorialists to include in their prayer a grant of land for any other road but the central railroad, extending from the mouth of the Ohio river north to Galena, on the upper Mississippi river. Other memorialists suggested the plan of forming the connexion between the lower Mississippi at the mouth of the Ohio, and the upper, at Chicago, an important city on Lake Michigan, and thus bring those vast navigable waters into immediate and close connexion. Neither set of memorialists proposed a grant for any other roads; and the committee, having determined in favor of the last proposition, returned the bill to the Senate, accompanied by an elaborate report, to which this committee respectfully refer, and invoked the favorable action of Congress upon it. In the Senate the bill was amended, by adding to it a grant of alternate sections for the com-

pletion of the northern cross railroad, extending from the Indiana line west through Springfield, the seat of government of the State, to Quincy, a growing and important city on the upper Mississippi, and nearly on the proper line of connexion of the distant frontiers of Missouri and the Pacific ocean with the Atlantic. This road was also, the committee are informed, another important part of the State's great system, and on which more than a million of dollars has been expended by the State, and a portion of which is now in active and profitable operation. Another amendment was made in the Senate, proposing a grant of land for a branch of this road to Alton, also on the Mississippi river; and in this form, thus amended, it passed the Senate by a vote of more than two to one.

It is now before the committee in the form in which it has before received the sanction of the Senate, with the important additional provision, that on the alternate sections reserved to the United States, the price of which is doubled by the bill, a pre-emption is proposed to be granted to the State for five years at that price.

This, the committee believe, is a brief but correct history of the progress of this measure, and Congress is again called upon to give its aid to effect the important purposes contemplated by it.

The committee will not present, at this time, in detail, the considerations which influenced them at the last session to report favorably upon this proposition, presuming they have not escaped the attention of the Senate. Some general views, confined to the importance of these roads to the State of Illinois, and to the United States, and to the constitutional power of Congress to render the aid desired, in the form of grants of land, with a reference to acts of Congress passed for similar purposes, from the foundation of the government to the present time, will alone be presented.

If Congress has power to make the grants for the purposes indicated, there will then remain to the committee no other labor but to show the importance of the roads to the State, for whose benefit the grant is proposed to be made, and to the United States, the great proprietor of the public domain.

And, first, as to the power of Congress under the constitution, to make the grants.

Whilst the committee repudiate the idea of favoritism to a system of internal improvements by the money of the general government, they are unanimously of opinion, that the policy of granting lands by the great proprietor of the public domain, through which roads are proposed to be made by the States in which the lands are situate, has no analogy whatever to such a system, producing none of the evils of it, and unmeasured benefit to the proprietor—the United States. The constitution of the United States, by the second clause of the third section of the fourth article, has given to Congress in express terms, "power to dispose of, and make all needful rules and regulations respecting the territory or other property belonging to the United States." These lands are the "territory" and "property" of the United States, or at least claimed to be, and the power of Congress to dispose of them as such territory, or property, is full, ample, and unqualified. What

shall be a proper disposal of them, under this expressly granted power, is a question solely in the discretion of Congress, in subjection only to the declaration of the trust with which their cession to the United States was accompanied.

What was that declaration?

That the lands so ceded "shall be formed into distinct republican States," and "shall be considered as a common fund for the use and benefit of all the States, and shall be faithfully and bona fide disposed of for that purpose, and no other."

The very first act of any importance performed by the United States under this trust, so called, was to pledge these lands for the payment of the revolutionary debt, and that was considered a proper disposal of them for the common benefit of all the States. What is the disposal of them for the common benefit of all the States, is a question for Congress, in which all the States are represented, to decide. The receipt of money for them is not necessarily a common benefit to all the States, for there are other varied and multiplied considerations which may, consistently with a proper appreciation of, and a sacred regard to, the common benefit, control the action of Congress in their disposal, in which money need not be an element. Congress may convey the title to all of them to the States in which they are situate, if in its judgment the common interest would be promoted thereby. It is a proper question for Congress to determine, in the honest execution of the trust, if the common benefit, under a certain state of circumstances, would not be best promoted by an unconditional cession of all the lands to the States in which they lie. A direct pecuniary gain is not a necessary element. Whilst they were pledged for the payment of the debts of the revolution, the Congress of the confederation gave frequent evidence of their views of their power under the trust, the correctness of which has never been questioned, by granting for religious purposes one section of land in each township within the boundaries of the several tracts of land sold to the Ohio company and to John Cleves Symmes. In 1788, a grant was made of ten thousand acres to the society of the "United Brethren" for the same purpose; in the same year, Congress ceded to Pennsylvania the tract on Lake Erie, known as the "Triangle," which the United States owned by cession from Massachusetts and New York, and made donations to the heads of families of four hundred acres each, distributed by lot to the early settlers of Illinois and Indiana.

After the adoption of the constitution, in 1796, Congress granted to the French settlers at Gallipolis 24,000 acres, on condition of actual settlement in five years; and to Ebenezer Zane a tract of three miles square for opening a road and constructing bridges and ferries upon it, from Wheeling to Limestone, passing in its entire length through the public lands of the United States. By accepting this trust and pledging the lands for the payment of the revolutionary debt, an obligation of the most imperious nature rested upon Congress to adopt such measures as should tend to make the lands valuable and productive; for, as waste and unappropriated

lands, they could contribute but in a very limited degree, in proportion to their extent, to pay the public debt, or promote the common benefit of all the States. These grants tended to open to the view of the enterprising the richness and capabilities of the lands the United States had acquired, and prepared them for sale, settlement, and cultivation by purchasers, who, from various motives, might be attracted to them. No one, it is believed, has ever questioned the power of Congress thus to dispose of the lands.

In more recent times, Congress has granted to the new States formed out of the ceded territory a section in each township of six miles square to the inhabitants thereof, for the use of schools. Pecuniary gain to the United States was the ruling motive, for, before the granted section could be useful or available, it became indispensable that the remaining thirty-five sections should be purchased.

Trace the action of Congress still further. In 1802, Congress, in admitting Ohio into the Union as a State, the first formed out of ceded territory, gave the most unequivocal indications of their idea of their powers under the trust, by granting to her one-twentieth part of the net proceeds of the sales of all such lands as should be sold within her limits, after a certain period, to be applied to the laying out and making public roads leading from the navigable waters of the Atlantic to the Ohio river; and to the State of Ohio and through the same. It is true this grant was for certain exemptions from the exercise of State power, supposed to be beneficial to the United States; yet who can doubt that the most powerful motive operating with Congress was to sell the lands. The approach to Ohio, at that day, was difficult and dangerous, not inviting any but the most hardy, bold, and enterprising men. They only would risk the dangers attendant upon an advance to the fertile grounds beyond the mountains. Their numbers were few, and the quantity of land sold by the government out of the twenty-five millions of acres it owned in that State, had not exceeded, at that time, 800,000 acres, exclusive of the sale to the Ohio company and to John Cleves Symmes.

Mr. Jefferson, in March, 1806, approved the "act to regulate the laying out and making a road from Cumberland, in the State of Maryland, to the State of Ohio," under this grant.

In 1816, during the administration of Mr. Madison, Congress appropriated \$8,000 to open a common road through the public lands in the territory of Illinois, from the Ohio river to Kaskaskia, near the Mississippi.

On the 15th of May, 1820, Congress passed an act to continue the Cumberland road through the States of Ohio, Indiana and Illinois, having, on their admission into the Union, previously made the same grants of five per cent. of the net proceeds of the public lands to them for the construction of roads. The title of the act is, "An act to authorize the appointment of commissioners to lay out the road therein mentioned;" and the preamble to it is as follows: "Whereas, by the completion of the Cumberland road from Wheeling, in the State of Virginia, through the States of

Ohio, Indiana, and Illinois, the lands of the United States may become more valuable." Ten thousand dollars out of any unappropriated money in the treasury was appropriated for the purpose, and the bill passed the Senate, where it originated, without a division, and the House, by a vote of seventy-four ayes to thirty-five noes. Enhancing the value of the public lands was the object—the means to be used the ordinary revenues of the nation; thus establishing the principle, that being the great land owner, though in trust for the States, the money of the *cestui que trust* could be lawfully used to make the lands valuable by making roads through them. Congress considered if the United States could rightfully own all the lands in those States, they had the same right an individual owner would have, to make them saleable for the common benefit by such improvements upon them. A denial of this right would seem to involve a denial of the right to own them.

The grants to the States of lands for seminaries of learning, for seats of government, for canals and turnpike roads, which have been so often made, and under different administrations, are to be referred to the same motive—pecuniary gain—giving away a portion to make the residuum more saleable; and the desired result has been produced, as may be seen in the rapid sales of the public lands since the grants were made, stimulated unquestionably by them. The official reports of the General Land Office show, that up to the present time, there has been received for sales of public lands in Ohio, Indiana, and Illinois more than sixty-three millions of dollars. That the common benefit of all the States has been promoted by thus appropriating from this trust fund to improve it, not only in regard to these moneys paid into the treasury, excluding the direct taxes and duties they who work the lands have also paid, but in respect to the increased strength afforded to the confederacy by the developement of the "great west," outstripping, as it has, the brightest visions of our most sanguine and sagacious statesmen, none will deny.

The committee have prepared a list of all the acts passed since 1802, for purposes of internal improvement, under the power granted to Congress to dispose of the territory of the United States. It is marked (A,) and an inspection of it will show, that under every administration, nearly, such acts have received the Executive sanction, and become laws.

The committee insist that there is no difference in the principle of grants of this nature and those compacts made with all the new States, without exception, by which they receive from the treasury of the United States five per cent. of the net proceeds of the sales of the public lands, to be applied to purposes of internal improvement and education. Such bills have received the sanction, as well of the present as preceding Presidents, and no constitutional objection was ever, at any time, started to them.

Having disposed of this part of the case, the committee will advance a few suggestions upon the remaining question, of the importance of the proposed road to the State of Illinois, to the States generally as united States.

The State of Illinois, the committee are informed, by documentary and other evidence before them, commenced her system of internal improvements in 1836-'37, with a view not only of benefitting her own citizens, but to encourage emigration into the State, which, by the construction of railroads and canals, would cause their lands to be purchased of the United States and cultivated, for with the railroad improvements the products of the soil could then be sent to market at a remunerating price. The State, having incurred a debt of more than twelve millions of dollars on account of these improvements, was compelled, in 1841, to suspend all further advancements for them, not having the credit to raise the necessary means for works so extensive as those she had projected. Upon the canal, connecting Lake Michigan with the Illinois river, the State had expended over five millions of dollars, and to complete which a million and a half of dollars were necessary. Being unable to borrow this sum, the holders of the bonds of the canal debt agreed to advance the sum required upon a pledge, among other things, of the lands granted to the State by Congress, which, when sold, were to be applied to the payment of this last advance. Under this arrangement the canal has been completed, a part of the land has been sold, and one-half of the cost of completing it realized; and the residue of the land, it is believed, will more than pay the balance of the debt, and save the interest on the remaining bonds originally issued.

For the railroads, of which the committee understand the two first indicated in the bill under consideration were the principal ones, the State has incurred a debt of more than eight millions of dollars. She asks now a donation of land on each side of these roads of one half of six sections, and a pre-emption right for the other half, in preference to other purchasers, for five years, at two dollars and fifty cents per acre.

With this grant of land the State will have inducements to offer to her creditors to assume these roads as they did the canal, and complete them, and thus relieve the State and themselves from this heavy debt, annually increasing as it is by the accumulation of unpaid interest.

The lands asked for have been in market, as appears by a statement made to the committee by the Commissioner of the General Land Office, on an average of twenty years, some of them more than thirty, and though rich and highly productive, being so far removed from market and from timber, cannot be cultivated to advantage for the cost of sending the produce to a market is more than it will command with the labor of producing added. Thus these lands are valueless for cultivation, without a cheap and expeditious mode of forwarding their productions to a market. In addition to this, the United States, by the conditions of the bill, if the roads are made, will receive the *full value* of all the granted lands in five years, by the pre-emption in favor of the State at the enhanced price of \$2 50 per acre.

It is believed, by those most conversant with the facts, that the lands on these railroads, will bear a proportionate value to those sold on the canal, so that the State will be in a position to invite

capital, or the holders of the bonds to assume these unfinished roads, and the benefit of the grant of land, and complete them, thereby rendering valuable the lands, and thus create a fund by which the whole cost of completing them may be liquidated, and the income derivable from the roads be appropriated to pay the interest on the first expenditures, and probably a sinking fund, to absorb, in time, the whole debt.

The committee are of opinion that the position in which the State of Illinois is placed in respect to her public debt, created for improving the property of the general government, as much as that of her own, demands the most favorable consideration of Congress. It cannot be denied that the government will be greatly benefited, as well as that State, by the completion of these roads, or of any one of the leading ones. Fertile lands within a distance of thirty miles will be purchased for cultivation, which, without the roads, may not be saleable for many more years to come. They are believed to be among the most fertile lands in the State, and with easy means of access to market, will readily command the government price.

It may be objected to the proposed grants that they are very large, and will absorb a large quantity of the public lands. The committee think that the length of the roads, requiring large grants of land, is one of the strongest arguments in favor of them, for if, as is unquestionably the case, the public lands through which it is proposed to run them, are now unsaleable for the reasons already stated, and are likely to remain so for years to come; the more extended the road, the more important it is to the government, deriving, as it will, all the money benefit to accrue from their construction, and the longer the road through unsaleable lands, the greater the benefit. The whole amount of what was public lands in the State of Illinois, according to the report of the Commissioner of the General Land Office, exceeds thirty-five millions of acres, and of them there remain unsold at this time more than fifteen millions of acres, those nearest to the water courses and timber and market having been sold, and near twenty millions of dollars paid into the national treasury for them. Those that remain unsold, being too far removed from navigable rivers and timber for farming and buildings, are unfit for cultivation, but such improvements through them, as proposed by the bill, will make them saleable at once.

The same argument will apply to all the States where there are large bodies of unsold public lands, and it is, the committee conceive, a mistaken idea to suppose that such a grant is a *boon* given to those States. If they make the roads through those lands, an expenditure will be required of \$15,000 per mile, on an average, before the roads can be open for use. The government grants to the State proposing to make a road, for every mile of road, one-half of six sections on each side of it, and hold the reserved alternate sections at \$2 50 per acre, upon which, as in the present bill, a pre-emption is granted to the State at that price for five years, which privilege will enable the State to fix a minimum price upon the whole of the six sections that will justify such an enormous

expenditure; and whilst the State disposes of the lands granted to her, she also sells those for which she has the pre-emption at the same price, so that the general government participates in the proceeds of the sale of the land as the roads progress, and in the end receive the *full minimum price of \$1 25 per acre for the whole six sections*. No danger need be apprehended, the committee believe, that the State will keep those lands from sale for the purposes of speculation, for it would be manifestly her policy to sell them; so that they may be cultivated as soon as practicable, and in small portions to actual settlers upon them, for the population of a State is its wealth, and the income of the roads would be increased by their settlement and cultivation, by furnishing increased freight and travel.

It may also be objected to these proposed grants that the lands are pledged for the payment of the public debt, and that it would be a breach of good faith thus to misapply any portion of the fund.

When it is considered that the public domain of the United States in the twelve States and organized and unorganized territories exceeds 1,400 millions of acres, and that the Indian title has been extinguished to 371 millions, an ample fund will remain to our creditors, after these grants shall be made, more than sufficient to secure them were the debt increased four fold, if such security is at all required. But the committee believe these grants of so small a part of the public domain to improve the residue, will increase our ability to discharge our debt, and more speedily than it can be if the proposed improvements are not made. That debt, the President tells us in his late message, is small in comparison with the debts of other nations, and is now in a course of reduction by the ordinary revenues of the country. These revenues are derived principally from customs and public lands, the latter estimated at about three millions of dollars for the fiscal year ending 30th of June next, and mostly to be derived from the sale of fresh lands in the newest States. It is from these the greatest part of our revenue from lands has been derived for several years past, and that policy which brings them rapidly into market has always been pursued by the government as the best for it and for the people. The construction of any one of the leading roads through them, the committee believe, will have the same effect upon the great body of the lands within thirty miles of it, which have remained unsold for thirty years, that surveying and bringing into market fresh lands would have. The routes of the roads are, for the most part, over vast prairies, with unparalleled powers of production, yet destitute of timber, and remote from ready and cheap means of conveyance to market. In this wide waste, the United States have an interest amounting to millions, and which will be realized so soon as a great avenue to market is opened through them, and purchasers will eagerly take an interest in what is now a worthless possession. It will operate as a most powerful stimulus to their sale, as it will bring to the lands a thoroughfare far surpassing all others used by man. Thus an increased income will be derived from them, to be applied to the payment of our loans as they become

due. In this point of view, then, such grants would not be a breach of faith to our creditors, as it will not decrease the fund set apart for their security.

The committee believe that the old States of the confederacy are quite as much interested in the construction of these roads as the State through which they are projected, for the immense productions of that State, now daily on the increase, will seek a market, at some seasons of the year, over their works of a similar kind, and articles of consumption, to supply them, be transported to the west by the same means; the prices of which, to the consumer, being reduced by the reduced rates of transportation, and the price of their productions enhanced by the same cause. Although the old States do not directly participate in the grant itself; yet they have a large proportion of the advantages to flow from it by the increased trade with the west, an object of so much importance to them as to have induced the expenditure already of millions of dollars to secure.

To illustrate more clearly the importance of these western roads, through the public lands, to every section of our Union, the committee have prepared a skeleton map, appended to this report, showing the railroads completed, and in progress, in the United States, and those proposed through the public lands, and their connexion with the harbors on the lakes and seaboard; and, as distance is no longer measured by miles, but by minutes, it will be seen, on reference to the map, that, by the shortest railroad routes, at the average speed of twenty-five miles per hour, assuming the mouth of the Ohio as "the geographical centre of the United States," that distance is almost annihilated.

From Cairo to—	Hours.
Mobile	19
Pensacola	22
New Orleans	26
Nashville	6
Charleston	28
Louisville	12
Cincinnati	16
St. Louis	8
Alton	9
Springfield	10
Peru	12
Chicago	16
Galena	22
Detroit	24
Buffalo	33
Indianapolis	12
Columbus	19
Wheeling	24
Pittsburg	26
Baltimore	36
Philadelphia	38
New York	42
Boston	51
Portland	55

And in the same proportion for intermediate points.

Now, by the most speedy steamboat routes, the trip to New Orleans, from the mouth of the Ohio, requires four and a half days; to Pittsburg six days, and to Galena three and a half days. As "time is money," here is an immense gain, which should not escape attention, and should have its proper weight, not only in regard to the vast business operations of our people, but in regard to the inducements presented by such works through the public lands, to their sale and settlement. Besides, the great facilities afforded by such works, for frequent and rapid intercourse between the most distant and divided parts of the Union, will have a certain effect to destroy much of the prejudice which now exists among them, and tend very greatly, in the opinion of the committee, to preserve the harmony and union of the States.

To show the extent of the inland navigation in the valley of the Mississippi, the committee submit the following extract from "Peck's Gazette of Illinois and Missouri," a work of decided merit, and prepared by one of the most intelligent citizens of the west: "The Mississippi and Ohio, with their tributary rivers, form an inland navigation exceeding 20,000 miles, for various class of boats during two-thirds of the year to the point of junction at Cairo; from thence to New Orleans, a distance of 1,000 miles, the river is navigable the whole year for the largest class of boats."

With the rich back country bordering on these rivers, railroads and canals, how vast must be the exports and imports of these western States at some future day, and what immense revenue they must pour into the national treasury? And, in this view of the question, the committee will submit a few remarks in vindication of the policy of these grants.

As to the extent of the grants asked for by the several States, the committee believe great misapprehension exists even among the best informed, and for the purpose of arriving at something like a correct estimate of the quantity to be granted by the several propositions before Congress, the committee have made much inquiry, and cannot make the quantity to exceed 7,814,400 acres, being for 2,035 miles of railroads, and on every mile of which there must be an average expenditure of \$15,000, to make the grants available for any purpose, causing an expenditure of thirty and a half millions of dollars by the States accepting the grants.

The committee leave out of view the grant asked for by a single individual to construct a railroad from Lake Michigan to the Pacific, which alone would require ten times the quantity of land on all the proposed railroads of the several States, and which, if granted, must deprive all these States of any reasonable hope of obtaining an acre of public land. The committee throw that proposition out of view in this estimate, and then insist that if the roads are constructed by these grants, the United States, by the sale of the residuum to be caused by the improvements, and by the increase of our exports and imports, by opening to cultivation so many more millions of acres, as they will do, must be a great gainer by the grants.

The leading road proposed by the bill, as the committee have already stated, passes through lands as fertile as any in the State, which have now been, quite one-half of them, in market for more than a quarter of a century, and yet unsold, because they are about equidistant from the Wabash and Mississippi rivers, and so remote from each that the expense of transporting grain renders the crop of no value; whereas, if these roads were made on any one of them, the expense of transportation would be so much reduced that these lands, now unoccupied and unproductive, would be put under cultivation, and, by increasing the exports, greatly increase the imports, and thus increase the revenue. If we assume that the central railroad will be *via* Chicago to the upper Mississippi, five hundred miles in length, and, if made, will cause one-twentieth part of the lands lying within twenty miles of it to be cultivated in wheat, and that one-fourth part of the wheat thus produced will be sent abroad to market, the result upon the revenue will surprise those who have not examined the proposition in this aspect. Thus, if the road be five hundred miles long, twenty miles on each side will embrace an area of twenty thousand square miles, or twelve millions eight hundred thousand acres, one-twentieth part of which is six hundred and forty thousand acres. If we assume that the average product of the six hundred and forty thousand acres would be twenty bushels per acre, it would give twelve millions eight hundred thousand bushels, one-fourth of which is three millions two hundred thousand bushels. If we assume that the average price in the port of New York to be but one dollar per bushel, and it be true that the amount of our imports is equal to our exports, and that the average rate of duty is but twenty-five per cent., then the effect of the grant proposed would be to bring under cultivation six hundred and forty thousand acres of land, producing twelve millions eight hundred thousand bushels of wheat, one-fourth or three millions two hundred thousand bushels might be sent abroad; and, if so, would pay for three millions two hundred thousand dollars' worth of foreign merchandise, which would pay eight hundred thousand dollars per annum revenue into the treasury. And in this aspect of the case the committee urge, that astounding as this result would seem, it is indeed less than the actual result to flow from the measure proposed; and that by adding so much to the agricultural resources of the country, Congress will do much more to advance the interests, welfare, and prosperity of the United States, than if they permit these lands to remain as they now are, unoccupied and unproductive.

But there is another argument which the State can urge with peculiar force. It is this: the direct interest she has in the sale and settlement of these lands, so that they may be subjected to her taxing power. The government is pledged, impliedly at least, in the judgment of the committee, to cease the ownership over these lands in a reasonable time, in order that the States may exercise their sovereignty over them. They have undertaken to form them into distinct republican States—not mere physical divisions of territorial surface marked by lines and called States, but political

communities, having the same rights of freedom, sovereignty and independence the old States possess. Now, it is manifest this cannot be done perfectly, so long as the United States control the disposal of the soil, and to the extent of that control are the States deprived of their rights to tax property within its limits. Justice, then, to the State would seem to require that all reasonable acts should be done by Congress which, without being injurious to the government, shall so greatly benefit the State, and enable her to raise taxes from them to support her government and pay her debts.

In view of the rapidity by which distance can be passed over by a system of railroads, such as is exhibited by the map, and to the benefits resulting to community at large, by the certain and rapid transmission of the mails, thereby increasing mail matter, and, consequently, the revenues of that important department, under a system of cheap postages, the committee are further strengthened in their confidence of the importance of the proposed measure, to say nothing of the advantages to result to the country as a great and important aid in our national defences, rendering the collection of troops from the interior, upon any threatened point on the seaboard, at once speedy and certain.

In view of all the considerations presented, the committee do not hesitate to recommend the passage of the bill, without amendment.

A.

Statement of laws of the United States, making grants of lands to the new States, for purposes of internal improvement, viz:

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1802, Ap'l 30. The 20th part of the net proceeds of lands in Ohio, granted to make roads from waters of Atlantic to Ohio river, &c.....	2	175
1803, Mar. 3. Three per cent. of net proceeds of lands in Ohio, granted for making roads within that State.....	2	226
1811, Feb. 20. Five per centum of proceeds of sale of lands in State of Louisiana, to be applied to making roads and levees in that State.....	2	643
1816, Ap'l 19. Five per centum of proceeds of lands in Indiana, to be applied to making roads and canals	3	290
1817, Mar. 1. Same as it regards proceeds of lands in State of Mississippi.....	3	349
1818, Ap'l 18. Two-fifths of five per cent. of net proceeds of sales of public lands in Illinois, to be applied to making roads.....	3	430
1819, Mar. 2. Five per cent. on net proceeds of sales in Alabama, to be applied to internal improvements.....	3	491
1820, Mar. 6. Five per cent. on net sales in Missouri, to be applied to making roads and canals.....	3	547
1827, Mar. 2. One-half of five sections in width, on each side of canal in Illinois, and reserving each alternate section to the United States from one end of the said canal to the other, granted to the State of Illinois, to be subject to the disposal of the Legislature of that State, for that purpose	4	234

- 1827, Mar. 2. Same quantity, for the purpose of making the Wabash and Erie canal, granted to the State of Indiana, subject to like conditions..... 4 236
- 1827, Mar. 2. The strip of land ceded to the United States by treaty by the Potawatomie Indians, October 16, 1826, granted to the State of Indiana, for the purpose of making a road from Lake Michigan, by Indianapolis, to some convenient point on the Ohio river, viz: a strip of land, from Lake Michigan, thence to the Wabash, 100 feet wide, for a road; and, also, one section of good land, contiguous to the said road, for each mile of the same; and, also, for each mile of a road, from the termination thereof, through Indianapolis, to the Ohio river. (The right to locate the road, and dispose of the grant, was secured to Indiana by the 2d article of the said treaty) 4 235
- 1827, Mar. 3. Granted to the State of Ohio, to aid the Columbus and Sandusky Turnpike Company in making a road, one-half of a quantity of land, equal to two sections, on the western side of said road, and most contiguous thereto, to be bounded by sectional lines, from one end of said road to the other, wheresoever the same may remain unsold; reserving to the United States each alternate section the whole length of said road through the lands of the United States: provided that no toll be paid by the United States, &c..... 4 242
- 1828, Apr'l 17. In lieu of the lands appropriated by the preceding act, there was granted to the State of Ohio 49 sections of land, to be located in the Delaware land district in a particular manner, therein stated..... 4 263
- 1828, May 23. 400,000 acres of land granted to Alabama, to be applied to the improvement of the Muscle shoals and Colbert's shoals, in the Tennessee river, and the navigation of certain other rivers.... 4 290
- 1828, May 24. Granted to the State of Ohio, to extend the Miami canal from Dayton to Lake Erie, by the Maumee route, a quantity of land, equal to one-half of five sections in width, on each side of said canal, between Dayton and the Maumee river, &c., &c.; also, 500,000 acres, to aid the State of Ohio in paying the debt contracted by that State in the construction of canals within the same, and the interest thereon..... 4 305
- 1835, Mar. 3. Land over which certain railroads would be constructed in Alabama, Georgia, and Florida, granted to the companies incorporated by the legislatures, viz: the land over which the roads shall pass, and 30 feet on each side thereof, and the privilege of using the timber for 100 yards on each side of said roads, for the construction and repair of said roads; also, 10 acres at the termination of said roads, &c.....
- 1836, July 2. Land, 80 feet wide, granted to the New Orleans and Nashville

- Railroad Company; and; also, five acres for every 15 miles of the road, for depots, &c.....
- 1836, July 4. Five per cent. of the net proceeds of the sales of the lands within the States of Mississippi and Alabama, granted to those States respectively, for purposes of internal improvement within the same
- 1837, Jan. 31. Land, 80 feet wide, and certain privileges granted to certain incorporated railroad companies in Florida, &c.....
- 1837, Mar. 3. The same granted to Atchafalaya Railroad and Banking Company, incorporated by the State of Louisiana, &c.....
- 1837, Mar. 3. The same granted to the New Orleans and Carrollton Railroad Company, incorporated by the Legislature of Louisiana.....
- 1838, June 28. Land, 80 feet wide, and certain privileges, granted to the Florida Peninsula Railroad and Steamboat Company, incorporated by the legislative council of Florida.....
- 1838, June 18. Granted to Wisconsin, for opening a canal to unite the waters of Lake Michigan with those of Rock river, between the point of intersection with said river, of the line dividing towns, 7 and 8 and the Lake Koshkonong, *all the land heretofore not otherwise appropriated* or disposed of in those sections and fractional sections which are numbered with odd numbers on the plats of the public surveys; within the breadth of five full sections, taken in north and south, or east and west tiers, on each side of the main route of said canal, from one end thereof to the other, and reserving the even numbered sections and fractional sections, taken as above, to the United States; and the said land, so granted to aid in the construction of said canal, shall be subject to the disposal of the legislature of the said territory, for the purpose aforesaid, and no other
- 1841, Sept. 4. Granted by the "Act to appropriate the proceeds of the sales of the public lands, and to grant pre-emption rights," as follows, viz: "That, from and after the 31st-day of December, 1841, there be allowed and paid to each of the States of Ohio, Indiana, Illinois, Alabama, Missouri, Mississippi, Louisiana, Arkansas, and Michigan, over and above what each of the said States is entitled to by the terms of the compacts entered into between them and the United States, upon their admission into the Union, the sum of ten per centum upon the net proceeds of the sales of the public lands, which, subsequent to the day aforesaid, shall be made within the limits of each of said States respectively; and the residue of the proceeds of the sales of the public lands, after deducting the expenses for their survey and management, to be divided among the several States and Territories of the United States." And, in addition to the above, there was granted to each of the new States above mentioned, and to such new States as may be hereafter admitted, 500,000

- acres of land within their limits respectively, deducting in each case from that quantity any lands previously granted to them as States or as Territories.....
- 1844, June 15. A section of land granted for the improvement of Grant river, at the town of Potosi, in Wisconsin Territory
- 1845, Mar. 3. By the "Act to grant certain lands to the State of Indiana, the better to enable the said State to extend and complete the Wabash and Erie canal, from Terre Haute to the Ohio river," there was granted to said State *one moiety* of the public lands, (remaining unsold and not otherwise disposed of, encumbered, or appropriated,) a strip five miles in width on each side of said canal, to be selected by an agent, &c., reserving to the United States each alternate section, &c., from one end of said canal to the other. There was also granted by this act, for the same object, one moiety of all the other lands in the Vincennes land district, in said State, and which remain as aforesaid unsold and not otherwise disposed of, encumbered, or appropriated..... 5 731
- 1845, Mar. 3. By the act supplemental to the act for the admission of the States of Iowa and Florida into the Union, there was granted to the State of Iowa five per cent. of the net proceeds of sales of all public lands lying within the said State, which have been, or shall be sold by Congress, from and after the admission of said State, after deducting all the expenses incident to the same, shall be appropriated for making public roads and canals within the said State, as the legislature may direct..... 5 790
- 1846, Aug. 8. Granted by act of this date to the Territory of Iowa, for the purpose of aiding said Territory to improve the navigation of the Des Moines river from its mouth to the Racoon Fork, (so called,) in said Territory, one equal moiety, in alternate sections of the public lands, (remaining unsold, &c.,) in a strip five miles in width on each side of said river.—Pamphlet laws, 1st session 29th Congress, page 115.....
- 1846, Aug. 8. Granted by act of this date to the State of Wisconsin, on the admission of such State into the Union, for the purpose of improving the navigation of the Fox and Wisconsin rivers, in the Territory of Wisconsin, and of constructing the canal to unite the said rivers at or near the portage, a quantity of land, equal to one half of three sections in width, on each side of said Fox river, and the lakes through which it passes, from its mouth to the point where the Portage canal shall enter the same, and on each side of the said canal, from one stream to the other, reserving the alternate sections to the United States, &c.—Pamphlet laws, 1st session 29th Congress, page 140.....