

# Thirty-Seventh Congress of the United States of America:

At the Second Session.

Began and held at the city of Washington, on Monday, the Second day of December, one thousand eight hundred and sixty-eight.

## AN ACT

*Granting public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

That there be granted to the several States for the purposes hereinafter mentioned an amount of public land to be apportioned to each State a quantity equal to thirty thousand acres for each Senator and representative in Congress to which the State are respectively entitled by the apportionment under the census of sixteen hundred and sixty: Provided, That no mineral lands shall be selected or purchased under the provisions of this act. Sec. 2. And he it further enacted, That the land aforesaid, after being surveyed, shall be apportioned to the several States in sections or subdivisions of sections, not less than one quarter of a section, and whenever there are public lands in a State subject to sale at private sale at one dollar and twenty-five cents per acre the quantity to which said State shall be entitled shall be selected from such lands within the limits of such State and the Secretary of the Interior, or, in his absence, the Commissioner of the General Land Office, shall select the same and the Secretary of the Interior, or, in his absence, the Commissioner of the General Land Office, shall issue to each of the States in which there is not the quantity of public lands subject to sale at private sale at one dollar and twenty-five cents per acre to which said State may be entitled under the provisions of this act, land scrips to the amount in acres for the deficiency of its distributive share; and said scrips to be sold by said State and the proceeds thereof applied to the uses and purposes provided in this act and for no other use or purpose whatsoever: Provided, That in no case shall any State to which land scrips may thus be issued, be allowed to locate the same within the limits of any other State, or any Territory of the United States, but their assignment may thus locate said land scrips upon any of the unappropriated lands of the United States subject to sale at private sale at one dollar and twenty-five cents or less per acre, and provided further, but not more than one million acres shall be located by such assignment on any one of the States: And provided further, that no cession or other shall be made before

one year from the passage of this act, the State shall be it further enacted, that  
all the expense of management, expenditures, and taxes from date of abolition  
of said lands previous to their sale, and all expenses incurred in the manage-  
ment and disbursement of the moneys which may be received therefrom, shall be  
paid by the State, provided the same may be paid out of the treasury of said State,  
so that the entire proceeds of the sale of said lands shall be applied without  
any diminution whatever to the purposes hereinafter mentioned. Sec. 6.  
And be it further enacted, that all moneys derived from the sale of the lands  
aforesaid by the State, to which the lands are appertained, and from the interest  
of land scrips heretofore provided for, shall be invested in stocks of the  
United States, or of the States, or some other safe stocks, not being not less than five  
per centum upon the par value of said stocks; and that the moneys so invested  
shall constitute a perpetual fund, the capital of which shall remain forever un-  
diminished, except so far as may be provided in section fifth of this act; and  
the interest of which shall be immediately appropriated, by each State, which  
may take and claim the benefit of this act, to the endowment, support, and main-  
tenance of at least one college, where the leading object shall be, without ex-  
cluding other scientific and classical studies and including military  
institutes, to teach such branches of learning as are related to agriculture, and the  
mechanic arts, in such manner as the legislatures of the States may respectively  
provide, in order to promote the liberal and practical education of the indus-  
trial classes in the several pursuits and professions in life. Sec. 7. And  
be it further enacted, that the grant of land and land scrips here by  
authorized shall be made on the following conditions, to which, as well  
as to the provisions heretofore contained, the previous assent of the several  
States shall be signified by legislative acts. First, If any portion of the  
fund invested, as provided by the preceding section, in any portion of the  
United States, shall by any action whatsoever be diminished or lost, it  
shall be replaced by the State to which it belongs, so that the capital of the fund  
shall remain forever undiminished; and the annual interest shall be  
regularly applied without diminution to the purposes mentioned in  
the fourth section of this act, except that a sum, not exceeding ten per centum  
of the amount received by any State in pursuance of this act, may be  
applied to the purchase of lands for mines or other mineral resources, where

authorized by the respective legislatures of said States, toward the purchase of  
said land, and the interest thereon, shall be applied, directly or indirectly, and  
in no particular manner, to the purchase, erection, improvement, or repair of any public  
or buildings, said any State which may take and obtain the benefit of the pro-  
visions of this act shall provide, within five years, at least, and within no longer  
period, in the parts of this act, or the grant to each State that it can, and said  
State shall be bound to pay the United States the amount accrued of any lands purchased  
and that the title to purchases under the act shall be valid. Sec. 2. An  
annual report shall be made, regarding the progress of each college, respecting any  
improvements and experiments made, with their cost and results, and such other matter  
relating to the industrial and economical statistics as may be supposed useful,  
a copy of which shall be transmitted, by mail free of charge, to all the other colleges  
which may be authorized under the provisions of this act, and also one copy to the  
Secretary of the Interior, which shall be retained from time to time, which may be  
required to double the number of copies of reports and accounts of railroads and  
shall be reported to the States of the maximum price, and the number of acres  
proprietorship diminished. Sec. 3. No State which is in a condition of rebellion or  
insurrection against the government of the United States shall be entitled to the ben-  
efit of this act. Sec. 4. No State shall be entitled to the benefit of this act unless it shall  
expressly comply therewith by its Legislature within two years from the date of its  
approval by the President. Sec. 5. This act shall be of further enactment, that land except  
and under the provisions of this act shall not be subject to taxation until after the first  
day of January in the second year thereof, and only then. Sec. 6. This act shall be of further  
enactment, that the land officers shall upon the issue of this act be required to make  
the provisions of this act as provided for the location of military family land granted  
under existing laws. Sec. 7. This act shall be of further enactment, that the Secretary of the Interior shall be required to report annually to Congress all  
sales made of such land until the whole shall be disposed of, the amount received  
for the same and what appropriations have been made of the proceeds.

Wm. A. Holt

Speaker of the House of Representatives.

Washington D. C.

President of the Senate pro tempore

Alfred S. Conner

Washington, July 3, 1862.