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1862, July 2 - 12 Stat. 503, Act Donating Public Land For Colleges

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THE

Statutes at Large, Treaties,

AND

PROCLAMATIONS,

OF THE

UNITED STATES OF AMERICA.

FROM

DECEMBER 5, 1858, TO MARCH 8, 1863.

arranged in Chronological Order and carefully collated with the Originals at Washington.

WITH

REFERENCES TO THE MATTER OF EACH ACT AND TO THE SUBSEQUENT ACTS ON THE SAME SUBJECT.

EDITED BY

GEORGE P. SANGER,
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1863.

1862, July 2 - 12 Stat. 503, Act Donating Public Land For Colleges
prescribed for that offence, shall be deprived of his office and rendered incapable forever after of holding any office or place under the United States.

APPROVED, July 2, 1862.

Chap. CXXIX. — An Act to establish a Land District in the Territory of Nevada, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the public lands of the United States in the Territory of Nevada shall constitute a land district, to be called the District of Nevada, the office for which shall be established at such place within said district as the President of the United States may from time to time direct, and the prescription laws are hereby extended to said Territory.

SEC. 2. And be it further enacted, That the President be, and he is hereby, authorized to appoint, by and with the advice and consent of the Senate, a register and receiver for said district, whom shall be required to reside at the site of said office, and who shall have the same powers and perform the same duties as are now or may hereafter be prescribed by law for other land officers, and whose compensation shall be the same as allowed to such officers by the act approved April twenty, eighteen hundred and eighteen, entitled "An act for changing the compensation of receivers and registers of the land offices."

SEC. 3. And be it further enacted, That when the settlers in any township or townships, not mineral or reserved by government, shall desire a survey made of the same under the authority of the Surveyor-General of the United States, and shall file an application therefor in writing, and deposit in a proper United States depository to the credit of the United States a sum sufficient to pay for such survey, together with all expenses incident thereto, without cost or claim for indemnity on the United States, it shall and may be lawful for said Surveyor-General, under such instructions as may be given him by the Commissioner of the General Land Office, and in accordance with existing laws and instructions, to survey such township or townships, and make return thereof to the general and proper local land office: Provided, That the townships so proposed to be surveyed are within the range of the regular progress of the public surveys embraced by existing standard lines or bas6s for the township and sub-divisional surveys.

APPROVED, July 2, 1862.

Chap. CXXX. — An Act donating 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 States are respectively entitled by the apportionment under the census of eighteen hundred and sixty: Provided, That no mineral lands shall be selected or purchased under the provisions of this act.

SEC. 2. And be 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 entry 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 is hereby directed to issue to each
Where there are no such lands, scrip to be issued.

Scrip may be sold.

Proviso.

Where there of the States in which there is not the quantity of public lands subject to sale at private entry at one dollar and twenty-five cents per acre, to which said State may be entitled under the provisions of this act, land scrip to the amount in acres for the deficiency of its distributive share: said scrip to be sold by said States and the proceeds thereof applied to the uses and purposes prescribed in this act, and for no other use or purpose whatsoever: Provided, That in no case shall any State to which land scrip may thus be issued be allowed to locate the same within the limits of any other State, or of any Territory of the United States, but their assignees may thus locate said land scrip upon any of the unappropriated lands of the United States subject to sale at private entry at one dollar and twenty-five cents, or less, per acre: And provided, further, That not more than one million acres shall be located by such assignees in any one of the States: Provided, further, That no such location shall be made before one year from the passage of this act.

Expenses of management, &c. to be paid by States.

Moneys from sales of such lands to be invested;

to constitute a perpetual fund;

interest to be applied to support one college for agriculture and the mechanic arts.

Conditions of this grant.

Assent of States.

Diminution of fund to be made up by State.

Annual interest to be applied regularly.

No portion to be applied to buildings.

Any State claiming the benefits of this act, to provide college within five years.

Sec. 3. And be it further enacted, That all the expenses of management, superintendence, and taxes from date of selection of said lands, previous to their sales, and all expenses incurred in the management and disbursement of the moneys which may be received therefrom, shall be paid by the States to which they may belong, out of the treasury of said States, so that the entire proceeds of the sale of said lands shall be applied without any diminution whatever to the purposes hereinafter mentioned.

Sec. 4. And be it further enacted, That all moneys derived from the sale of the lands aforesaid by the States to which the lands are appropriated, and from the sales of land scrip hereinbefore provided for, shall be invested in stocks of the United States, or of the States, or some other safe stocks, yielding 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 undiminished, (except so far as may be provided in section fifth of this act,) and the interest of which shall be inviolably appropriated, by each State which may take and claim the benefit of this act, to the endowment, support, and maintenance of at least one college where the leading object shall be, without excluding other scientific and classical studies, and including military tactics, 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 prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions in life.

Sec. 5. And be it further enacted, That the grant of land and land scrip hereby authorized shall be made on the following conditions, to which, as well as to the provisions hereinbefore 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 foregoing section, or any portion of the interest thereon, shall, by any action or contingency, 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 applied without diminution to the purposes mentioned in the fourth section of this act, except that a sum, not exceeding ten per centum upon the amount received by any State under the provisions of this act, may be expended for the purchase of lands for sites or experimental farms, whenever authorized by the respective legislatures of said States.

Second. No portion of said fund, nor the interest thereon, shall be applied, directly or indirectly, under any pretense whatever, to the purchase, erection, preservation, or repair of any building or buildings.

Third. Any State which may take and claim the benefit of the provisions of this act shall provide, within five years, at least not less than one college, as described in the fourth section of this act, or the grant to such
State shall cease; and said State shall be bound to pay the United States
the amount received of any lands previously sold, and that the title to
purchasers under the State shall be valid.

Fourth. An annual report shall be made regarding the progress of each
college, recording any improvements and experiments made, with their
cost and results, and such other matters, including State industrial and
economical statistics, as may be supposed useful; one copy of which shall
be transmitted by mail free, by each, to all the other colleges which may
be endowed under the provisions of this act, and also one copy to the
Secretary of the Interior.

Fifth. When lands shall be selected from those which have been raised
to double the minimum price, in consequence of railroad grants, they shall
be computed to the States at the maximum price, and the number of acres
proportionally diminished.

Sixth. No State while in a condition of rebellion or insurrection against
the government of the United States shall be entitled to the benefit of this
act.

Seventh. No State shall be entitled to the benefits of this act unless it
shall express its acceptance thereof by its legislature within two years
from the date of its approval by the President.

SEC. 6. And be it further enacted, That land scrip issued under the
provisions of this act shall not be subject to location until after the first
day of January, one thousand eight hundred and sixty-three.

SEC. 7. And be it further enacted, That the land officers shall receive
the same fees for locating land scrip issued under the provisions of this
act as is now allowed for the location of military bounty land warrants
under existing laws; Provided, their maximum compensation shall not be
thereby increased.

SEC. 8. And be it further enacted, That the Governors of the several
States to which scrip shall be issued under this act shall be required to
report annually to Congress all sales made of such scrip until the whole
shall be disposed of, the amount received for the same, and what appro-
priation has been made of the proceeds.

APPROVED, July 2, 1862.

CHAP. CXXXIII. — An Act making Appropriations for the Support of the Army for the
Year ending the thirtieth of June, eighteen hundred and sixty-three, and additional Appropri-
ations for the Year ending thirtieth of June, eighteen hundred and sixty-two, and for
other Purposes.

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That the following sums be, and
the same are hereby appropriated, out of any money in the treasury not
otherwise appropriated, for the support of the army for the year ending the
thirtieth of June, eighteen hundred and sixty-three:

For the recruiting service of the army, namely: For the enlistment of
recruits, for quarters, fuel, stationery, straw, postage, banks, compensation
to citizen surgeons for medical attendance, transportation from rendezvous
to depots, and all other expenses until put in march to join regiments, one
hundred and eighty thousand dollars.

For purchase of books of tactics and instructions for volunteers, fifty
thousand dollars.

For pay of the army, eight million nine hundred and five thousand
three hundred and eighteen dollars.

For commutation of officers' subsistence, one million five hundred and
seveny-four thousand one hundred and eighty-six dollars and fifty cents.

For commutation of forage for officers' horses, two hundred and eighty-
three thousand four hundred and fourteen dollars.

For payments to discharged soldiers for clothing not drawn, one hun-
dred and fifty thousand dollars.