

INDIANA STATE SEMINARY OF LEARNING.

[To accompany bill H. R. No. 295.]

MAY 22, 1850.

Mr. ALBERTSON, from the Committee on Public Lands, made the following

REPORT:

*The Committee on Public Lands, to whom was referred the memorial of the president and trustees of the State University of Indiana, and also the joint resolution of the legislature, setting forth that a certain township of land heretofore conveyed to the university fell short four thousand one hundred and sixty-six acres, and praying that Congress grant to the university lands equivalent to these lands thus lost to the institution, have had that subject under consideration, and now submit the following report:*

A law of Congress, approved 19th April, 1816, declares a reservation for the use of the above-named university of two entire townships of land. In accordance with this law, an entire township in the county of Monroe was appropriated to the use of the university; and another township in Gibson county, some years before reserved for purposes of education in a certain land district, lying partly in Indiana and partly in Illinois, was also appropriated for the use of the university; thus fulfilling the intention of Congress, provided both these townships had been entire townships. But on examining the annual report of the treasurer of the State of Indiana for the year 1842-'3, which has been submitted to your committee, your committee find that previously to the above law of 1816, twenty-six quarter sections of the said township in Gibson county, containing four thousand one hundred and sixty-six acres, had been sold, and the proceeds of the same appropriated; so that the said lands and the proceeds thereof were wholly lost to the university, contrary, as to your committee it appears, to the clearly expressed intention of Congress.

Your committee do not find in the law of 1816 any express provision for such a contingency; but in regard to the sixteenth or school sections set apart by the same law, it is provided, that when any sixteenth section has been "sold, granted, or disposed of," then and in that case "other lands equivalent thereto" shall be granted, &c.

Your committee are therefore induced to believe that, had Congress been cognizant of the fact that, at the time the above two townships were thus set apart for the use of the university, a portion of one of them had already been "sold, granted, or disposed of," they would have added, for the benefit of the university, the same proviso which was inserted for the benefit of the common school fund, namely, that "other lands equivalent thereto" should be granted in lieu of the lands thus lost, by previous sale, to the university.

For these reasons, and in fulfilment of the evident intentions of Congress, as set forth in the law of 1816, your committee report and recommend the passage of the bill herewith submitted.

# THE JOURNAL

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