

United States a right in common to all the lands lying to the westward of the frontiers as aforesaid, in such manner that the said lands be sold out or otherwise disposed of for the common benefit of all the States; and that the money arising from the sale of those lands may be deemed and taken as part of the monies belonging to the United States, and as such be appropriated by Congress towards defraying the expenses of the war, and the payment of interest on monies borrowed or to be borrowed on the credit of the United States or for any other joint benefits of the United States.'

In December 1779, the General Assembly, in their instructions to the Delegates in Congress, declare that 'the great injustice of burdening this State for the sole and exclusive advantage of others, induce us to be of opinion that Congress will interfere, and not suffer that immense tract of country to be appropriated to the emolument of particular States.'

The journals of the two houses furnish numerous proofs, in addition to those contained in the foregoing extracts, that Maryland protested against the claims of Virginia and other large States, and not against the claims of the United States. Restricted to narrow limits herself, she earnestly urged upon Congress the necessity of resisting 'the very extensive claim of Virginia to the back lands,' under the apprehension that if the same were admitted, the freedom of the smaller States and the liberties of America might be thereby greatly endangered.' The convention therefore contended that 'such lands ought to be considered a *common stock*, to be parcelled out at proper times into convenient, free and independent Governments.'

The General Assembly refused to accede to the confederation unless full powers were given to the United States, in Congress assembled, to fix the western limits of those States which claimed to the Mississippi or the South Sea; and objected especially to that article of the confederation which provided that 'no State should be deprived of territory for the benefit of the United States,' because it might be construed into an admission of the claims which Maryland had constantly resisted. This State insisted upon a division of the western territory into convenient, free and independent States, to secure something like an equality of power among the different members of the Union; and regarding it next, in a primary point of view, contended that the revenue arising from it should *be deemed and taken as part of the monies belonging to the United States*, and as such be appropriated by Congress towards defraying the expenses of the war, and payment of interest on monies borrowed or to be borrowed on the credit of the United States, *or for any other joint benefit of the United States.*'

The position occupied by Maryland during the revolution, cannot be misunderstood by any one who has examined the subject. She then contended that the money arising from the sales of the public lands ought to be deemed as a part of the monies *belonging to the United States*, and appropriated by Congress for defraying the expenses of the war, and paying the interest of the national debt, or for any other *joint benefit* of the United States. She asked for no part of this fund for the payment of her own debts—for no distribution of it among the States for their separate use—but as a member of the Union, contended that it ought to be appropriated by Congress to those general purposes for which the Union was