

established. The men who then directed her councils, did not perceive the advantage of drawing money from the national treasury, and subjecting Congress to the necessity of replacing it by a tax on her own citizens; nor did it occur to them that they were sacrificing the interest and honor of Maryland, by contending that the public territory was the property of the United States.

In the year 1821 the Legislature of this State, in examining the title to the public lands, gave it as their opinion that, 'by the treaty of peace in 1783, Great Britain relinquished to the United States all claim to the government, property and territorial rights of the same, and every part thereof; that the deeds of cession 'at length completed the title of the United States, and placed it *beyond all controversy*;' that the United States had 'in this manner acquired an indisputable title to all the public lands east of the Mississippi;' that the whole of the public lands, 'whether acquired by purchase, conquest or cession, were emphatically *the common property of the Union*;' that 'so far as these lands have been sold, and the proceeds have been received into the national treasury, *all the States have derived a justly proportionate benefit from them*,' 'so far as they have been appropriated for purposes of defence, there is no ground of complaint, for the defence of every part of the country is a common concern;' and that 'so far as the proceeds have been applied to national *and not State purposes*, although the expenditures may have been local, the course of the General Government has been consonant to the principles and spirit of the federal constitution.'

The Legislature were then remonstrating against the partial appropriation of the public lands for purposes of education in the western States, and were contending that the old States were entitled to a participation of this fund for similar purposes. There can be no doubt that all the States were entitled to a proportionate benefit from it for any purpose to which it might be applied; but it is difficult to reconcile an appropriation of it for the support of State schools, with the principles so clearly explained by the Legislature. It was then distinctly stated that, so far as the proceeds of the public lands were paid into the national treasury, and applied to the defence of the country, or to national *and not State purposes*, there was no ground of complaint, because all the States received their just proportions of the benefit. These are precisely the opinions which were advanced in my message. I endeavored to show that the 'claims which our forefathers asserted and maintained,' had been established and confirmed by the treaty of peace, the deeds of cession and the constitution of the United States; and that all the States would continue to derive a proportionate benefit from the public lands, as long as the proceeds of sales were appropriated by Congress to the constitutional purposes of the General Government. The Senate and House of Delegates have taken a different view of the whole subject. 'They have felt too deeply the sacrifice of State pride and State policy involved in the principles promulgated in the communication of his Excellency, to permit it to go forth to the world with the sanction which their silence would give it,' and have requested me to transmit to the Governors of other States and to members of Congress copies of their report and resolutions, in which they proclaim their own concern for the honor and interest of Maryland, and my abandonment of both.