

his own State in transferring her title to the Union; the whole subject had been discussed in the Congress of the confederation and in the convention, yet in recommending the adoption of the constitution, he expressly declares, that after the discharge of the public debt, the sales of the public territory would furnish *liberal tributes to the federal treasury*. If Virginia, among other States, had possessed the slightest residuary interest in this fund, could Mr. Madison have been ignorant of it, or could he have spoken of it as yielding regular supplies for the *public expenses*, or as furnishing "liberal tributes to the federal treasury?"

The majority of the committee quote from General Washington's speech to Congress in 1791, the following paragraph: "A provision for the sale of the vacant lands in the United States is particularly urged, among other reasons, by the important consideration, that they are pledged as a fund for reimbursing the public debt.

Congress passed, the 4th of August, 1790, an act, which provided "that the proceeds of the public lands in the Western territory, now belonging, or that may hereafter belong to the United States, shall be, and are hereby appropriated towards sinking, or discharging the debts, for the payment whereof the United States now are, or by virtue of this act, may be holders, and shall be applied solely to that use until the said debt shall be fully satisfied."

Is it possible that the committee should infer, from the circumstance, that General Washington recommended a provision for the immediate sale of the lands for that purpose, that he recognised any residuary claim of the States, or expressed the opinion, that this fund was pledged in pursuance of the deeds of cession? If the public lands had been conveyed to the general Government to pay the public debt, there would have been no necessity for an additional pledge by Congress; and in that case, the act would have merely recited the conditions of the deeds of cession and provided for the proper application of the fund as it came into the Treasury.

The act of Congress claims the public lands as the *property of the United States*, and appropriates the proceeds to the discharge of the public debt, in the same manner as the revenue from any other source might have been appropriated to the same purpose; or that particular fund might have been applied to any