

terms of cession in the specified instance, and reciting that it was “expedient to assent to the proposed alteration so as to ratify and confirm the said article of compact, etc.” enacts that the aforesaid article of compact, “be and the same is hereby ratified and confirmed, any thing to the contrary in the deed of cession of the said territory, by this Commonwealth to the United States notwithstanding.” (E.)—Thus exercising an acknowledged, recognised supervision over the grantee in relation to the fund conveyed. It would be an insult to the intelligence of the House, to argue more explicitly the trust relation of the government to the lands ceded, until it shall have been shown, that by subsequent action of the States, this charter was abrogated or changed.

The object of the cessions was to give to each State a fund to reimburse its separate charge and expenditure for the general defence. The date of the cession is important, 1784—after war had ceased. The provision then necessarily referred to the reimbursement of charge and expenditure sustained in *unequal proportions* by the State. And so far as the General Government has so applied the fund, so far, have not the trusts of the cession been violated? At the end of the war every State was involved in debt, these debts were assumed by the Government, and their interests in the land pledged for their redemption. The amount of actual assumption was \$18,271,814, and to this extent and no further is the General Government entitled to credit from the States, in the account of this fund. While she is chargeable by the States, with every acre of land and every cent of proceeds applied to other purposes, than for the use of the States in the proportions assumed by their deeds of cession. (F.)

The cessions were made, the treaty was ratified under the confederation; there was no grant in either case to the *General Government*, for no General Government was formed, and most of the civil expense now paid out of general monies, were sustained by the States individually; the war charges were levied upon each State in distinct proportions as a general fund and to this specific “proportion in the *general* charge and expenditure,” the terms of the cession evidently referred. The Constitution made no change in the relation of title, the power of “*disposition*” alone was given, rendered necessary by the organic alteration in the form of Government; while the clause providing means of raising general revenue, does not either expressly or impliedly, embrace the land fund among its sources.

Your committee have asserted that the title of the United States was a trust title, they have so argued from the language of the cessions; it is but commendable distrust, in the force of their individual opinions to draw around the positions they assume the guards of high authority. The trustee capacity of Congress in reference to the lands either ceded or purchased, “bound by compacts and treaties to dispose of the lands according to the terms of the trust,” was asserted by Mr. Benton in 1826. In 1832, William R. King of