Rec'd 2d July

Public 108.

Thirty-Seventh Congress of the United States of America;

At the - Second - Session,

Begun and held at the city of Washington, on Monday, the - Second - day of December, one thousand eight hundred and sixty-one

AN ACT

Donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

That there be granted to the several States for the purposes hereinafter mentioned an amount of public land to be apportioned to each State a quantity equal to thirty thousand acres for each Senator and representative in Congress to which the States are respectively entitled by the apportionment under the census of eighteen hundred and sixty: Provided, That no mineral lands shall be selected or purchased under the provisions of this act. Sec. 2 And be it further enacted, That the land aforesaid, after being surveyed, shall be apportioned to the several States in sections or subdivisions of sections, not less than one quarter of a section, and whenever there are public lands in a State, subject to sale at private entry at one dollar and twenty-five cents per acre, the quantity to which said State shall be entitled shall be selected from such lands within the limits of such State, and the Secretary of the Interior is hereby directed to issue to each of the states in which there is not the quantity of public lands subject to sale at private entry at one dollar and twenty-five cents per acre to which said State may be entitled under the provisions of this act, land scrip to the amount in acres for the deficiency of its distributive share: said scrip to be sold by said States and the proceeds thereof applied to the uses and purposes prescribed in this act and for no other use or purpose whatsoever: Provided, That in no case shall any State to which land scrip may thus be issued, be allowed to locate the same within the limits of any other State, or any Territory of the United States, but their assignees may thus locate said land scrip upon any of the unappropriated lands of the United States subject to sale at private entry at one dollar and twenty-five cents or less per acre, And provided further, that not more than one million acres shall be located by such assignees in any one of the States, And provided further that no such location shall be made before

Act of July 2, 1862 (Morrill Act), Public Law 37-108, which established land grant colleges, 07/02/1862; Enrolled Acts and Resolutions of Congress, 1789-1996; Record Group 11; General Records of the United States Government; National Archives

authorized by the respective legislatures of said States. Second. No portion of said fund, nor the interest thereon, shall be applied, directly or indirectly, under any pretence whatever, to the purchase, erection, preservation, or repair of any building or buildings. Third, Any State which may take and claim the benefit of the provisions of this act shall provide, within five years, at least not less than one college, as described in the fourth section of this act, or the grant to such State shall cease, and said state shall be bound to pay the United States the amount received of any lands previously sold, and that the title to purchasers under the State shall be valid. Fourth. An annual report shall be made regarding the progress of each college, recording any improvements and experiments made, with their cost and results, and such other matters, including State industrial and economical statistics as may be supposed useful; one copy of which shall be transmitted by mail free, by each, to all the other colleges which may be endowed under the provisions of this act, and also one copy to the Secretary of the Interior. Fifth. When lands shall be selected from those which have been raised to double the minimum price in consequence of railroad grants, they shall be computed to the States at the maximum price, and the number of acres proportionally diminished. Sixth. No State while in a condition of rebellion or insurrection against the government of the United States shall be entitled to the benefit of this act. Seventh. No State shall be entitled to the benefits of this act unless it shall express its acceptance thereof by its Legislature within two years from the date of its approval by the President. Sec. 6. And be it further enacted. That land scrip issued under the provisions of this act shall not be subject to location until after the first day of January, one thousand eight hundred and sixty three. Sec. 7. And be it further enacted. That the land officers shall receive the same fees for locating land scrip issued under the provisions of this act as is now allowed for the location of Military Bounty Land warrants under existing laws: Provided their maximum compensation shall not be thereby increased. Sec. 8. And be it further enacted. That the Governors of the several States to which scrip shall be issued under this act shall be required to report annually to Congress all sales made of such scrip until the whole shall be disposed of, the amount received for the same and what appropriation has been made of the proceeds.

Galusha A. Grow

Speaker of the House of Representatives.

Solomon Foot

President of the Senate pro tempore

Approved, July 2, 1862.

Abraham Lincoln

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