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PRESIDENT'S VETO MESSAGE.

To the House of Representatives of the United States:

I return, with my objections, to the House of Representatives, in which it originated, the bill entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," presented to me on the 19th instant.

The bill makes a donation to the several States of twenty thousand acres of the public lands for each senator and representative in the present Congress; and also an additional quantity of twenty thousand acres for each additional representative to which any State may be entitled under the census of 1860.

According to a report from the Interior Department, based upon the present number of Senators and Representatives, the lands given to the States amount to six million and sixty thousand acres, and their value, at the minimum government price of one dollar and twenty-five cents per acre, to seven million five hundred and seventy-five thousand dollars.

The object of this gift, as stated by the bill, is "the endowment, support, and maintenance of at least one college (in each State) where the leading object shall be, without excluding other scientific or classical studies, to teach such branches of learning as relate to agriculture and the mechanic arts, as the legislature of the State may respectively prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions in life."

At first does not appear from the bill to be any beneficiaries in existence to which this endowment can be applied, each State is required "to provide, within five years at least, not less than one college, or the grant of said State shall cease." In that event the "said State shall be deemed 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."

The grant in land itself is confined to such States as have public lands within their limits worth one dollar and twenty-five cents per acre, in the opinion of the Governor. For the remaining States, the Secretary of the Interior is authorized to issue "land script to the amount of their distributive shares in acres under the provisions of this act; said script to be sold by said States, and the proceeds thereof applied to the uses and purposes prescribed in this act, and for no other purpose whatsoever." The lands are granted and the script is to be issued "in sections or subdivisions of sections not less than one quarter of a section."

According to an estimate from the Interior Department, the number of acres which will be received for land script is sixty thousand acres, and it may be much less, leaving a balance of five millions four hundred and eighty thousand acres to be provided for by script.

The granting of land and land script to each of the thirty-three States here made upon certain conditions, the principal of which is, that if the fund shall be lost or diminished on account of unfaithfulness, the State shall make the deficiency shall be replaced and made good by the respective States.

I shall now proceed to state my objections to this bill. I deem it to be both inexpedient and unconstitutional.

1. This bill has been passed at a period when we can with great difficulty, if we desired revenue to sustain the expenses of the government. Should it become a law, the treasury will be deprived of the whole, or nearly the whole, of our income from the sales of public lands, which, for the next fiscal year, has been estimated at five millions of dollars.

A more substantial objection will make this evident. The minimum price at which we dispose of our lands is one dollar and twenty-five cents per acre. At the present moment, however, the price has been reduced to those who purchase the bounty-land warrants of the old soldiers to eighty-five cents per acre; and of those warrants there are still outstanding and uncancelled, it appears by a report (12th February, 1859) from the General Land Office, the amount of eleven millions nine hundred and ninety thousand three hundred and seventy acres. This has already greatly reduced the current sales by the Government, and diminished the revenue from this source. If, in addition, thirty-three States shall enter the market with their land scrip, the price must be greatly reduced below even eighty-five cents per acre, as much to the prejudice of those soldiers who have not already parted with their land warrants as to Government. It is easy to perceive that with this glut of the market Government can sell its lands only at one dollar and twenty-five cents per acre, when the price of bounty-land warrants and scrip shall be reduced to half this sum. This source of revenue will be almost entirely dried up. Under the bill the States may sell their land scrip at any price it may bring. There is no limitation whatever in this respect. The States must sell for what the scrip will bring, for without this fund they cannot proceed to establish their colleges within the five years to which they are limited. It is manifest, therefore, that to the extent to which this bill will prevent the sale of the public lands at one dollar and twenty-five cents per acre, to that amount it will have precisely the same effect upon the treasury as if we should impose a tax or create a loan to endow these State colleges.

Surely the present is the most unpropitious moment which could have been selected for the purpose of this donation.

2. Waiving for the present the question of constitutional power, what effect will this bill have on the relations established between the Federal and State governments? The Constitution is a grant to Congress of a few enumerated but most important powers, relating chiefly to war, peace, foreign and domestic commerce, negotiations, and other subjects which can be best or alone exercised beneficially by the common Government. All other powers are reserved to the States and to the people. For the efficient and harmonious working of both, it is necessary that their several spheres of action should be kept distinct from each other. This has in the past been the chief cause of their long continued prosperity and happiness. Should the time ever arrive when the State governments shall look to the Federal treasury for the means of supporting themselves and maintaining their systems of education and internal policy, the character of both Governments will be greatly deteriorated. The representatives of the States and of the people, feeling a more immediate interest in obtaining money to lighten the burdens of their constituents than for the promotion of the more distant objects intrusted to the Federal Government, will naturally incline to obtain means from the Federal Government for State purposes. If a question shall arise between the States and Congress as to money to carry into effect the objects of the Federal Government and those of the States, their feelings will be enlisted in favor of the latter. This is human nature, and we must of necessity of keeping the two Governments entirely distinct. The preponderance of this human feeling has already manifested itself in the passage of the present bill. The establishment of these colleges has prevailed over the pressing wants of a common treasury. No nation ever has such its inheritance as we possess in the public lands. These ought to be managed with the utmost care, but at the same time with a liberal spirit towards actual settlers.

In the first year of a war with a powerful land power, the revenue from customs will be in a great degree cease. A resort to loans will then become necessary, and these can always be obtained, as our fathers obtained them, on advantageous terms, by pledging the public lands as security. In this view of the subject, it would be wiser to grant money to the States for domestic purposes, than to squander away the public lands, and transfer them in large bodies into the hands of speculators.

A successful struggle on the part of the State governments with the Federal Government for the public lands would deprive the latter of the means of performing its high duties, especially at critical and dangerous periods. Besides, it would operate with the greatest force against the interests of the States. It would remove the most wholesome of all restraints on legislative bodies—that of being obliged to raise money by taxation from their constituents—and would lead to extravagance, if not to corruption. What is obtained easily and without responsibility will be lavishly wasted.

3. This bill, should it become a law, will operate greatly to the injury of the new States. The progress of settlements and the increase of an industrious population depend much upon the cost that they cultivate are the causes which will build them up into great and flourishing Commonwealths. Nothing could be more prejudicial to their interests than for wealthy individuals to acquire large tracts of the public land and hold for speculative purposes. The low price to which this land scrip will probably be reduced will tempt speculators to buy it in large amounts and locate it on the best lands belonging to the Government. The original occupants of the soil, the men who desire to cultivate the soil will be compelled to purchase these very lands at rates much higher than the price at which they could be obtained from the Government.

4. It is extremely doubtful, to say the least, whether this bill would contribute to the advancement of agriculture and the mechanic arts—objects the dignity and value of which cannot be too highly appreciated.

The Federal Government, which makes the donation, has confessedly no constitutional power to follow it into the States and enforce the application of the fund to the intended object. As donors, we shall possess no control over our own gift after it shall have passed from our hands. It is true that the State Legislatures are required to stipulate that they will faithfully execute the trust in the manner prescribed in the bill. But should they fail to do this, what would be the consequence? The Federal Government has no power, and ought to have no power, to compel the execution of the trust. It would be in as helpless a condition as if, even in this, the time of great need, we were to demand any portion of the sixty millions of surplus revenue deposited with the States for safe keeping under the act of 1836.

5. This bill will injuriously interfere with existing colleges in the States and Territories, in many of which agriculture is taught as a science, and in all of which it ought to be taught. These institutions, many of them long grown up with the growth of the country under the fostering care of the States and the munificence of individuals, to meet the advancing demands for education. They have proved great blessings to the people. Many—indeed, most of them—are poor, and sustain themselves with difficulty. What the effect will be on these institutions of creating an indefinite number of rival colleges, sustained by the endowment of the Federal Government, it is not difficult to determine.

Under this bill, it is provided that scientific and classical studies shall not be excluded from them. Indeed, it would be inconsistent the necessity of keeping the two Governments entirely distinct. The preponderance of this human feeling has already manifested itself in the passage of the present bill. The establishment of these colleges has prevailed over the pressing wants of a common treasury. No nation ever has such its inheritance as we possess in the public lands. These ought to be managed with the utmost care, but at the same time with a liberal spirit towards actual settlers.

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