

FEDERAL AND STATE AID TO EDUCATION IN IOWA

[Continued from the October, 1906, number]

THE SALINE LAND GRANT

What is known in Iowa history as the Saline Land Grant was not intended by Congress to be used directly for educational purposes. By an act of Congress, approved March 3, 1845, the National government granted to the State of Iowa *for its use* all salt-springs within the limits of the State, not to exceed twelve in number, together with six sections of land adjoining or as nearly contiguous as possible to each. These springs and the adjoining land were to be selected by the legislature within one year after the admission of Iowa into the Union, and were then to be used on such terms and conditions, and under such regulations as the legislature should provide. One provision of the act was that the General Assembly should never lease or sell this land and the salt springs for a longer period than ten years at a time without the consent of Congress.¹

On February 24, 1847, the General Assembly authorized the Governor to appoint an agent for the purpose of selecting these lands.² Governor Briggs appointed Mr. John Brophy, who made the selections and submitted them to the Governor, by whom they were approved.

Mr. Brophy selected seventy-two sections of these lands and submitted the list to the Secretary of the Interior. But

¹*United States Statutes at Large*, Vol. V, pp. 789-790.

²*Laws of Iowa*, 1846, pp. 126-127.

of this amount eleven and eleven-sixteenths sections were either rejected or suspended. The rest was approved by the Secretary of the Interior August 27, 1852. The amount approved at this date was sixty and five-sixteenths sections.

To supply the deficiencies resulting from the rejection or suspension of a part of the seventy-two sections selected, Governor Hempstead appointed Mr. J. Keister, Saline Land Agent to make other selections in lieu of those suspended or rejected. June 29, 1854, Mr. Keister reported to the Governor a list of his selections. This list was acceptable both to the State and to the United States officers. Thus the seventy-two sections (twelve springs, each with six sections of land) were selected, and were approved by the Secretary of the Interior.

Some of the sections chosen were not perfect sections. A few contained slightly more than 640 acres, and a few contained less than that amount. The exact number of acres, as given by the Register of the State Land Office, is 46,202.53. The location of the saline lands by counties is as follows:

COUNTY	NO. ACRES THEREIN
Appanoose	12,960.28
Davis	640.00
Decatur	2,560.00
Lucas	25,791.46
Monroe	1,120.00
Van Buren	640.00
Wayne	2,490.79
Total	46,202.53

¹ Report of the Register of the State Land Office, 1871, p. 13.

It was mentioned above that Congress, in granting the saline lands to the State, provided that the General Assembly should never lease or sell them at any one time for a longer period than ten years, without the consent of Congress. The General Assembly passed a joint resolution, January 24, 1851, requesting Iowa's Senators and Representatives in Congress to urge the passage of a law authorizing the General Assembly to sell and dispose of the saline lands belonging to the State in such manner and at such price, not to be less than \$1.25 per acre, as the General Assembly might deem expedient.¹

As a result of this action, Congress, by an act approved May 27, 1852, granted the twelve salt springs and six sections contiguous thereto to the State in fee simple to be disposed of, and the proceeds to be applied as the legislature might direct.²

Thus the saline grant became the property of the State, to be disposed of as directed by the legislature. During the next ten years seven different acts were passed relative to the disposal of this land. The first of these, passed February 5, 1851, provided that the saline lands should be sold by the same officer as though they were a part of those lands set aside for the improvement of the Des Moines River. The proceeds of the sales were to constitute a fund for founding and supporting a lunatic asylum, except that \$5,000 of the principal was to be placed at the disposal of the Superintendent of Public Instruction³ for the use of the

¹*Laws of Iowa*, 1850, p. 246.

²*United States Statutes at Large*, Vol. X, p. 7.

³*Laws of Iowa*, 1850, pp. 227-229.

College of Physicians and Surgeons at Keokuk. The Register of the State Land Office reported, however, that there were no sales made under this act.

On January 22, 1853, an act of the General Assembly was approved, providing that the saline lands should be sold by the same officer and under the same regulations as though they formed a portion of the school lands of the State. The proceeds were to be paid into the State Treasury.¹

The next law relative to this land was enacted January 25, 1855. It provided that from the time when it should take effect, all school, saline, and university land should be sold in accordance with a plan set forth in the act, which was practically the same as the plan for selling the sixteenth section land. The act also required the Board of Trustees of the University to elect a Treasurer, and to him the State Treasurer was to deliver over all moneys, books, notes, and other papers in his possession and belonging to the university or saline funds.²

The Fifth General Assembly, at an extra session, enacted, July 14, 1856, that all money arising from the sale of the saline lands of the State, whether in the hands of the Treasurer of State or any other person, should be appropriated to the State Insane Asylum at Mount Pleasant.³

Two years later, March 23, 1858, an act was approved repealing the section of the act of July 14, 1856, which appropriated the proceeds from the sale of saline lands for the construction of the Insane Asylum.⁴

¹*Laws of Iowa*, 1852, pp. 126-127.

²*Laws of Iowa*, 1854, pp. 200-201.

³*Laws of Iowa*, Extra Session, 1856, pp. 90-91

⁴*Laws of Iowa*, 1858, p. 263.

An act passed March 26, 1860, authorized the County Judge and County Treasurer to sell the saline lands. The powers vested in the School Fund Commissioners by the act of January 25, 1855, relative to the sale of saline lands were to be vested in and exercised by the County Judge and County Treasurer.¹

The final disposition of the Saline Land Grant was made by an act of the legislature passed April 2, 1860, and taking effect May 9, 1860. By this act the saline lands and funds were appropriated to the State University to become a part of the permanent fund of that institution. But from this disposal of the fund, reservation was made that the Board of Trustees of the University could expend out of the saline fund an amount not to exceed \$5,000 for completing and furnishing a building erected for a "boarding hall", and a further amount not exceeding \$5,000 in repairing and refitting the main building of the University, and in purchasing necessary apparatus for instruction in the institution.²

As a result of this law the Saline Land Grant was definitely and finally diverted by the legislature to the State University Fund. From this time it was in effect the same as if the Federal government had originally made it as an educational grant.

Soon afterward a question arose as to whether these lands were to be sold and certified by the Board of Trustees of the University or by the County Judges and Treasurers. This question was settled by the legislature in an act approved March 25, 1864. The saline lands were by it placed

¹*Laws of Iowa, Revision of 1860*, pp. 345-346.

²*Laws of Iowa, Revision of 1860*, pp. 346-347.

under the control and management of the Board of Trustees of the University "as fully as if the same were a part of the grant of lands known as the University Lands." They were to be sold by the Board in the same manner and under the same restrictions as the University Grant lands.¹

When the Board of Trustees of the University was superseded by the Board of Regents, as above noted in the treatment of the University Grant, the rules and regulations applying to the care and sale of that grant also applied to the saline grant.

The following table shows the amounts of saline lands patented during the successive biennial periods:

TABLE NO. IX¹

DATE OF REPORT	NO. ACRES PATENTED DURING BIENNIUM
May 14, 1855	5,620.48
November 14, 1856	5,061.34
December 1, 1857	2,504.48
November 7, 1859	1,811.10
November 6, 1861	1,280.00
November 16, 1863	8,681.51
November 16, 1865	10,827.38
November 12, 1867	2,632.29
November 10, 1869	1,145.69
November 1, 1871	1,120.00
November 1, 1873	640.00
November 1, 1875	880.00
October 1, 1877	880.00
October 1, 1879	433.52
October 1, 1881	760.00
July 1, 1883	0

¹*Laws of Iowa*, 1864, pp. 84-86.

²*Report of the Register of the State Land Office, 1857-1881, and Report of the Secretary of State (Land Department), 1883-1905.*

DATE OF REPORT	NO. ACRES PATENTED DURING BIENNIUM
July 1, 1885	160.00
July 1, 1887	40.00
July 1, 1889	40.00
July 1, 1891	560.00
July 1, 1893	160.00
July 1, 1895	701.82
July 1, 1897	120.00
July 1, 1899	0
July 1, 1901	80.00
July 1, 1903	0
July 1, 1905	0
<i>Total</i>	<u>46,139.61</u>
Amount unpatented	1,815.68
	<u>47,955.29</u>
Error or duplication	1,752.76
Amount of grant	<u>46,202.53</u>

One should guard against believing that the entire amount of the saline lands was used for University support. It should be remembered that acts were passed providing for their use first for one purpose and then for another. It was not until 1860 that what was left of this grant was turned into the channel of University support. By that date, a large number of acres had been patented, and a much larger number had been sold. Thomas H. Benton, Jr., said in 1867 that "in the settlement made with the Board in the autumn of 1860, they received of the proceeds \$9,064.64 in cash, and \$20,507.10 in notes, making \$29,571.74, including the \$10,000 appropriated for buildings and apparatus, leaving a net balance of \$19,571.74 and the unsold lands to be added to the University fund—the whole estimated by

the Board at the time at \$31,017.81."¹ Mr. Benton stated that the amount of land unsold at that time and consequently turned over to the University was 4,578.43 acres.

According to a letter received from the Clerk of the Iowa State Land Office, August 6, 1906, there were at that date 1,409.99 acres of the saline grant lands unsold.

THE AGRICULTURAL COLLEGE GRANT

It has been the policy of the Federal government to encourage and aid in the establishment and maintenance of colleges of agriculture and the mechanic arts in the various States of the Union. This policy was first outlined in an act of Congress, approved July 2, 1862, which provided for donations of public lands to the several States and Territories which might found colleges for the teaching of branches of learning related to agriculture and the mechanic arts. It granted to the several States an amount of land such that each State should receive a quantity equal to 30,000 acres for each Senator and Representative in Congress to which the respective States were entitled under the census of 1860. There was a provision that no mineral lands should be selected or purchased under this act. The lands, after being surveyed, were to be apportioned to the several States in sections or subdivisions of not less than one-fourth of a section. The quantity of land to which any State was entitled was to be selected from any of the public lands in that State, subject to private entry at \$1.25 per acre. Where there was not a sufficient quantity of such land in any State to furnish the number of acres to which the State was entitled under

¹ Benton's *Historical Sketch of the State University of Iowa*, pp. 28-29.

this grant, the Secretary of the Interior was directed to issue sufficient land scrip to make up the deficiency of that State's share. This scrip was to be sold, and the proceeds from such sale were to be used for the purpose for which the grant was made.

All money derived from the sale of these lands, or scrip if such were issued, was to be invested in stocks of the United States, or of the States, or some other safe stocks, yielding not less than five per cent upon the par value of such stocks; and the money so invested was to constitute a permanent fund of which the capital should remain forever undiminished. The interest of this fund was to be inviolably appropriated "to the endowment, support, and maintenance of at least one college where the leading object shall be, without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are related to agriculture and the mechanic arts, in such manner as the legislatures of the States may respectively prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions in life."¹

To make sure that the entire proceeds from these lands should be applied, without any diminution whatever, to the purposes mentioned above, it was provided that all expenses of management, superintendence and taxes from the date of the selection of the lands until they should be sold, and all expenses incurred in the management and disbursement of the moneys received from such sales, should be paid out of the Treasuries of the States to which these lands should be-

¹*United States Statutes at Large*, Vol. XII, pp. 503-505.

long. Further, if any part of the funds invested or any of the interest thereon should by any action or contingency be diminished or lost, it was to be replaced by the State, so that the capital might remain forever undiminished. The annual interest was to be regularly applied without diminution to the endowment, support, and maintenance of at least one agricultural college, except that a sum not exceeding ten per cent upon the amount received by a State under this act might be expended for the purchase of lands for sites or experimental farms, whenever the legislature of the State might authorize it. No portion of the permanent fund, nor the interest on it, was to be applied either directly or indirectly, under any pretense whatsoever to the purchase, erection, preservation, or repair of any building or buildings.

This grant was to inure to any State only in case such State should provide at least one agricultural college within five years after claiming the benefits of the provisions of the act.

Under the conditions laid down in this act, Iowa according to the census of 1860, being entitled to eight Senators and Representatives in Congress, was entitled to two hundred and forty thousand acres of land, upon complying with the requirements under which the grant was made. An act of the legislature making provision for the founding of a State Agricultural College had already been passed (March 22, 1858),¹ so Iowa was ready to immediately take advantage of this grant from the Federal government. Accordingly, the General Assembly, being convened in extra session, passed an act, approved September 11, 1862, accepting the lands,

¹*Laws of Iowa*, 1858, pp. 173-179.

rights, powers, and privileges granted to and conferred upon the State of Iowa by the act of Congress discussed above, and upon the terms, conditions, and restrictions contained in that act. The Governor was authorized and required to appoint a Commissioner to select and locate this land under such restrictions as the Governor should direct. But only so many acres were to be selected in any county as there might be in such county subject to entry at \$1.25 per acre, over and above the number of acres of swamp lands selected in such county; and no lands selected as swamp lands were to be selected by this Commissioner.

The list of selections so made by this Commissioner was to be reported to the Governor and by him laid before the Board of Trustees of the Iowa State Agricultural College and Farm. When approved by them, measures were to be taken to have the lands selected certified to the State by the Secretary of the Interior. This act appropriated one thousand dollars, or so much of that amount as might be necessary, to meet the expense of carrying out its provisions.¹

Under this act, Peter Melendy, of Blackhawk County, was appointed to select and locate the lands. He made the selections in the latter part of the year 1863, and they were approved by the Secretary of the Interior, December 13, 1864. Land selected within railroad limits was approved at double the value of other land; 35,691.66 acres of these "double minimum" lands were selected, and being credited at double value, were accepted by the State as 71,383.32 acres. When these lands are thus considered, the total quantity of land received under this grant is 240,000.96 acres.

¹*Laws of Iowa*, Extra Session, 1862, pp. 25-26.

The following table gives the location of this land by counties, stating the number of acres within and without the railroad limits, and the total amount:

TABLE NO. X¹

COUNTY	AMT. IN R. R. LIMITS	OUTSIDE R. R. LIMITS	TOTAL
Beuna Vista . . .	1,765.33	4,072.25	5,837.58
Calhoun	3,068.00		3,068.00
Cherokee	2,249.62		2,249.62
Clay		8,719.42	8,719.42
Dickinson		5,159.67	5,159.67
Emmet		16,648.99	16,648.99
Greene	4,178.65		4,178.65
Hamilton	2,481.50		2,481.50
Humboldt		3,063.13	3,063.13
Ida	5,212.32	3,426.55	8,638.87
Kossuth		84,198.29	84,198.29
Lyon		1,120.00	1,120.00
O'Brien		1,600.00	1,600.00
Palo Alto		27,718.14	27,718.14
Pocahontas	3,549.04		3,549.04
Plymouth	1,760.00	2,082.60	3,842.60
Sac	320.00		320.00
Sioux		1,280.00	1,280.00
Webster	3,249.72		3,249.72
Winnebago		2,429.75	2,429.75
Woodbury	3,201.17	6,902.29	10,103.46
Worth		196.56	196.56
Wright	4,645.45		4,645.45
Error	10.86		10.86
<i>Total</i>	35,691.66	168,617.64	204,309.30

¹Report of the Register of the State Land Office, 1865, pp. 129-130.

On March 29, 1864, there was approved an act of the General Assembly which formally granted to the Iowa State Agricultural College, situated on the Agricultural Farm in Story County, Iowa, the lands carried by the grant of July 2, 1862. By this act the interests on the proceeds arising from the sale of these lands, or any part thereof, and the rents accruing from the lease of any of such lands, were appropriated to the endowment, support and maintenance of the college, upon the terms, conditions, and restrictions contained in the act of Congress making the grant, and subject to such conditions and restrictions as future legislatures of Iowa might impose. The Board of Trustees of the Agricultural College were authorized to sell all of these lands in such tracts or parcels, and to such party or parties, and upon such terms of payment as they might deem proper and for the best interests of the institution. To the purchaser of any part of these lands, the President of the College and Farm was to issue a certificate, countersigned by the Secretary of the Board of Trustees, stating the fact of purchase, to whom sold, description of the land, terms of sale, and the amount paid for it. Upon the proper presentation of this certificate, properly endorsed, to the Register of the State Land Office, if full payment of the purchase money had been made, the Register was to issue a patent for the land.

Not more than ten per cent of the entire grant was to be sold in this manner by the Board of Trustees previous to the first day of April 1866, and none of it was to be sold by the Board for less than one dollar per acre.¹

¹*Laws of Iowa*, 1864, pp. 148-151.

This act also authorized the Trustees to lease for a term of ten or more years, any of these lands. The lessee of such lands was to pay six per cent per annum interest on the appraised value of the lands leased, with the privilege of purchasing the same at the expiration of the lease at the appraised value at the date of the lease. This appraised value was not to be less than \$1.25 per acre. In case the lessee should fail to pay the interest on his lease within six months after it became due he was to forfeit his lease, with all the improvements thereon, to the College.

All the proceeds of the lands thus sold, except ten per cent thereof, were to be invested in stocks of the United States, or of Iowa, or other safe stocks, yielding not less than five per cent upon the par value of such stocks. The interest or increase arising from such investment, or so much of it as might be necessary, was to be applied to the support and maintenance of the College and Farm.

The Register of the State Land Office reported, November 16, 1865, that none of the lands had been sold absolutely, but that 45,504.82 acres had been leased, of which the appraised valuation was \$89,558.77¹

Exactly two years after the approval of the act discussed above, the Eleventh General Assembly passed another act, approved March 29, 1866, regulating the sale and lease of lands belonging to the Iowa State Agricultural College. It was provided that none of these lands should be sold for a less sum than fifty per cent above the prices at which each piece respectively had been appraised in the year 1865. But any land could be sold by the purchaser paying one-fourth

¹*Report of the Register of the State Land Office, 1865, p. 130.*

at the time of the sale, and the balance at any time within ten years from the day of sale, the purchaser to pay eight per cent interest, payable annually in advance, on the deferred payment. Any failure to pay interest or principal within sixty days after it became due was to cause the purchaser to forfeit all claim to the land, as well as that portion of principal and interest already paid on the purchase.

Any of the lands could under this act be leased, in amounts not to exceed one hundred and sixty acres to any one man, for a term not to exceed ten years. The lessee was to pay in advance interest at the rate of eight per cent per annum upon the price of the land, the price of which was made fifty per cent additional to the price at which it had been appraised in 1865. The lessee failing to pay the interest on his lease within sixty days from the time it was due, was to forfeit his lease together with all interest already paid and the improvements on the land.¹

The Trustees were empowered to appoint agents to carry out the provisions of this act, and those of the act of March 29, 1864, which were not repealed by this one. Hon. G. W. Bassett was appointed such agent. In a report which he made in 1869, he gave the total number of acres leased to September 30, 1869, as 204,056.69. The appraised valuation of this land was \$487,608.59, or \$2.39 per acre.²

On March 19, 1874, an act of the General Assembly was approved, which authorized the Board of Trustees to renew leases, for a term not exceeding ten years from the date of

¹*Laws of Iowa*, 1866, pp. 62-64.

²*Report of the State Agricultural College and Farm*, 1870, pp. 70-71, in *Legislative Documents*, 1870, Vol. II.

renewal, and making such lands subject to assessment for taxation at the end of ten years from the date of the original lease.¹

Ten years later, March 27, 1884, an act of the legislature was approved, differing but little from that of March 19, 1874. The Trustees were empowered to still further extend leases, and to continue selling Agricultural College lands, on practically the same terms and conditions as had been previously the case.²

On March 28, 1884, there was approved an act which provided that the Board of Trustees should consist of one person from each congressional district of the State, elected by the General Assembly, to serve for a term of six years. Neither the President nor any other officer or employee of the College and Farm nor any member of the General Assembly was to be eligible to the office of Trustee.³

By an act approved March 28, 1898, the Governor and Superintendent of Public Instruction were made ex-officio members of the Board of Trustees.⁴

The following table shows the number of acres of this grant patented during each biennial period:

TABLE NO. XI⁵

DATE OF REPORT	ACRES PATENTED DURING BIENNIUM
November 10, 1869	160.00
November 1, 1871	3,242.69
November 1, 1873	2,085.16

¹*Laws of Iowa*, 1874, p. 93.

²*Laws of Iowa*, 1884, pp. 80-82.

³*Laws of Iowa*, 1884, pp. 84-85.

⁴*Laws of Iowa*, 1898, p. 45.

⁵*Report of the Register of the State Land Office, 1869-1881, and Report of the Secretary of State (Land Department), 1883-1905.*

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DATE OF REPORT	ACRES PATENTED DURING BIENNIUM
November 1, 1875	13,418.54
October 1, 1877	10,775.61
October 1, 1879	1,440.00
October 1, 1881	5,753.57
July 1, 1883	6,580.97
July 1, 1885	35,424.78
July 1, 1887	24,534.67
July 1, 1889	14,321.07
June 30, 1891	32,344.20
June 30, 1893	18,256.51
July 1, 1895	11,409.91
July 1, 1897	11,919.66
July 1, 1899	4,888.51
July 1, 1901	4,649.75
June 30, 1903	1,480.00
June 30, 1905	680.00
<i>Total</i>	203,365.60
Amount unpatented	336.02
Not accounted for	607.68
Amount of grant	204,309.30

Of the 607.68 acres which appear on the above table as "not accounted for", 102.94 acres are accounted for by Geo. W. Bassett, Agent for Iowa Agricultural College, in his report for 1870. He says "the number of acres in the grant was reported to be 204,309.30, whereas the actual number of acres is 204,206.36, a difference of 102.94 acres."¹ Not any of the Agricultural College Grant land remains unsold at the present time.

The following table shows the income of the Agricultural College from rentals and interest on the National endowment.

¹Legislative Documents, 1870, Vol. II, Report of State Agricultural College and Farm, p. 71.

TABLE NO. XII¹

YEAR	AMOUNT	YEAR	AMOUNT
1865 . . .	\$4,914.55	1886 . . .	\$45,355.43
1866 . . .	4,923.27	1887 . . .	49,669.94
1867 . . .	30,840.81	1888 . . .	46,239.01
1868 . . .	23,241.75	1889 . . .	47,891.87
1869 . . .	31,735.03	1890 . . .	44,145.14
1870 . . .	32,460.42	1891 . . .	49,371.22
1871 . . .	33,826.62	1892 . . .	44,417.73
1872 . . .	29,061.78	1893 . . .	43,928.73
1873 . . .	33,390.15	1894 . . .	51,159.55
1874 . . .	30,779.32	1895 . . .	43,291.25
1875 . . .	35,886.18	1896 . . .	46,596.05
1876 . . .	34,936.17	1897 . . .	47,729.75
1877 . . .	37,833.98	1898* . . .	16,609.62
1878 . . .	38,200.36	1899 . . .	47,178.42
1879 . . .	40,304.36	1900 . . .	41,819.27
1880 . . .	41,791.24	1901 . . .	43,801.05
1881 . . .	44,384.20	1902 . . .	38,253.93
1882 . . .	48,135.77	1903 . . .	36,728.51
1883 . . .	45,949.73	1904 . . .	36,295.73
1884 . . .	46,721.89	1905 . . .	35,265.03
1885 . . .	39,122.53	<i>Total</i> . . .	\$1,564,176.34

THE FIVE SECTION GRANT

Another body of land which, like the Five Hundred Thousand Acre Grant, the Federal government gave to Iowa for purposes other than education, and which was diverted by the State into educational channels, was that known as the

¹*Census of Iowa*, 1905, pp. cxix-cxx.

*Partial year—November 11, 1897 to June 30, 1898. Change in ending of fiscal year.

Five Section Grant. The land conveyed by this grant became a part of the Agricultural College lands and therefore should be considered in a treatment of the sources of our educational funds.

In an act supplemental to that for the admission of the States of Florida and Iowa into the Union, approved March 3, 1845, Congress provided that five entire sections of land, in legal divisions of not less than a quarter section, be granted to the State of Iowa. The purpose for which the proceeds of this land were to be used was that of completing the public buildings of the State, or for the erection of public buildings at the seat of government of the State, as the legislature might determine and direct. These five sections were to be selected and located under direction of the legislature, and might consist of any of the unappropriated lands of the United States within the State of Iowa.¹

The State legislature accepted this grant, and, in order to carry out the provisions of the act by which it was made, passed an act February 22, 1847, in which John Brown of Lee County, Joseph D. Hoag, of Henry County, and John Taylor, of Jones County, were appointed Commissioners to locate the permanent seat of government of the State, and to select the lands granted by Congress to aid in erecting public buildings.² These Commissioners chose the entire 3,200 acres in Jasper County. The selections, described by section, township, and range, are shown in the following table:

¹*United States Statutes at Large*, Vol. V, p. 790.

²*Laws of Iowa*, 1846, p. 85.

TABLE NO. XIII¹

SECTION	TWP.	RANGE	ACRES
Lots 5 & 8, and the S. W. $\frac{1}{4}$ of 3	78 N	20 W	320
Lots 5, 6, 7, & 8, and S. E. & S. W. $\frac{1}{4}$ of 4	78	20	640
Lots 5, 6, 7, & 8, and S. E. & S. W. $\frac{1}{4}$ of 5	78	20	640
Sec. 8	78	20	640
Sec. 9	78	20	640
W. $\frac{1}{2}$ of 10	78	20	320
<i>Total</i>			<u>3,200</u>

In an act approved March 22, 1858, the General Assembly provided for the establishment of a State Agricultural College and Farm. Of this act, section eleven stated that "There is hereby appropriated the proceeds of the sale of five sections of land heretofore granted to the State of Iowa by Congress for the erection of Capitol buildings, for the use and benefit of the college herein established: Provided Congress diverts the same for this purpose."²

On the following day, March 23, 1858, there was approved an unpublished resolution asking Congress for a diversion of these five section lands from their originally intended use in the erection of public buildings. This resolution instructed Iowa's Senators in Congress and requested her Representatives to endeavor to obtain the passage of an act of Congress authorizing the use of the five sections of land for the benefit of the Agricultural College and Model Farm.³

In response to this request, Congress passed an act July 11, 1862, in which it was enacted that the five sections of land granted to the State of Iowa should be released and discharged from the limitation contained in the granting act.

¹Report of the Register of the State Land Office, 1857, p. 25.

²Laws of Iowa, 1858, p. 174.

³Report of the Register of the State Land Office, 1859, p. 30.

Permission was given to the General Assembly of Iowa to make such disposition of this land as it might deem best for the interests of the State.¹

This act of Congress having given approval to the act of the State legislature, the Trustees of the Agricultural College took over the control and management of the five section lands.

The Register of the State Land Office in his report dated November 16, 1865, said that 2,560 acres of this land had been sold, 1,120 acres having been patented. In his report two years later—November 12, 1867—he stated that the entire 3,200 acres had been sold and patented.

The Secretary of the Agricultural College and Farm in his report of January 1, 1866, gave a table of the receipts of the College for each of the successive years up to that date. In the tables of receipts for the years 1864 and 1865, he includes the following items:²

1864—Jasper County Lands	\$16,000.00
1865—Jasper County Lands	1,453.79
<i>Total</i>	<u>\$17,453.79</u>

This amount of \$17,453.79 became a part of the permanent fund of the State Agricultural College and from that time any treatment of the proceeds of the Five Section Grant lands as separate from the rest of that fund is impossible.

THE SWAMP LAND GRANT

In considering the Swamp Land Grant, no attempt will be made in this paper to follow out in detail every line of this

¹*United States Statutes at Large*, Vol. XII, p. 536.

²*Legislative Documents*, 1866, Vol. II; *Report of Agricultural College and Farm*, pp. 13-14.

complicated and badly mixed affair. Herein a treatment of the more fundamental features and the more important details of the Swamp Land Grant and its disposal in Iowa will suffice.

The method of selecting and determining what was or was not to be considered swamp land caused much of the difficulty and complication referred to. Many hundred thousand acres have been selected and claimed to be swamp land which agents of the Federal government have refused to recognize as such. In many cases the selecting agents were doubtless either intentionally or unintentionally wrong in their judgment as to the swampy nature of certain tracts. They were also in some cases careless in reporting and describing such selections.

Another cause of irregularity is the fact that some land selected as swamp land, and so due to the State under the Swamp Land Grant, was also included in one or more of the various grants made to aid in the construction of railroads. In this way complications arose many in number and almost impossible of disentanglement.

Again, many tracts of land swampy in their nature had been located and filed upon by settlers before the Swamp Land Grant was made, and so could not well pass to the State. It was this fact that led to the system of indemnifying the State either by other land in the place of such tracts or by cash indemnity.

A still further cause of complications is found in the fact that certain years during the selection of swamp lands—namely 1854 and 1855—were very wet years. This period was followed by a time of unusual drouth. Accordingly many

tracts selected during the wet years were not approved by the agents of the Federal government during the later dry years. During the dry period one could have been easily persuaded that fraud had been practiced in the selection of good land under the claim that it was of a swampy character. It was, indeed, sometimes asserted that the National government was being held up and robbed in this manner.

The facts above mentioned are sufficient to convince the reader that a complete discussion of the Swamp Land Grant would demand the consideration of many complicated questions. As stated above, in this chapter we shall content ourselves with making a somewhat general and less detailed study of this grant.

By an act of Congress, approved September 28, 1850, entitled "An act to enable the State of Arkansas and other States to reclaim the 'Swamp Lands' within their limits", the so-called Swamp Land Grant was made.¹ By this act it was provided that to enable the State of Arkansas to construct the necessary levees and drains to reclaim the swamp and overflowed lands therein, the whole of those swamps and overflowed lands, made unfit thereby for cultivation, which should remain unsold at the passage of this act, should be and the same were thereby, granted to said State. The Secretary of the Interior, as soon as practicable after the passage of this act, was to make out an accurate list and plats of such swamps and overflowed lands, and transmit this list to the Governor of Arkansas, and at the request of said Governor, cause a patent to be issued to the State therefor. Upon the granting of this patent, the fee simple to said lands

¹*United States Statutes at Large*, Vol. IX, pp. 519-520.

was to vest in the State of Arkansas, subject to the disposal of the legislature thereof. The proceeds of these lands were to be used, exclusively, as far as necessary, for the purpose of reclaiming them by means of levees and drains.

In making out the list and plats of these swamp lands, all legal subdivisions, the greater part of which was "wet and unfit for cultivation", were to be included in such lists and plats. If the greater part of such subdivisions was not of that character, the entire parcel of land was to be excluded from the list and plats.

The part of this act of most importance in a consideration of Iowa land grants, is section four, by which it was enacted that the provisions of this act should be extended to, and their benefits be conferred upon, each of the other States of the Union in which such swamp and overflowed lands might be situated.¹

Another act of Congress, approved March 2, 1855, provided that the President of the United States should issue patents to purchasers or locators of lands claimed as swamp lands prior to the issue of patents to the State or States as provided in the law of September 28, 1850, discussed above. Upon due proof, by the authorized agent of the State or States, before the Commissioner of the General Land Office, that any of the lands purchased were swamp lands within the true intent and meaning of the act of September 28, 1850, the purchase money was to be paid over to the said State or States. Where the lands had been located by warrant or scrip, the said State was to be authorized to locate a quantity of like amount upon any of the public lands subject

¹ *United States Statutes at Large*, Vol. IX, pp. 519-520.

to entry at one dollar and a quarter per acre or less, and patents were to be issued therefor upon the terms and conditions enumerated in the act of 1850. Such decisions of the Commissioner of the General Land Office were to be approved by the Secretary of the Interior.¹

An act confirming to the several States lands selected as swamp lands was approved March 3, 1857. This act provided that the selection of swamp lands made in conformity with the above acts, and reported to the Commissioner of the General Land Office prior to the passage of this act, so far as the same should remain vacant and unappropriated, and not interfered with by actual settlement under any existing law of the United States, was thereby confirmed and should be approved and patented to the said several States as soon as practicable.²

The Fourth General Assembly of the State of Iowa passed an act, approved January 13, 1853, for the disposal of the swamp and overflowed lands in Iowa and to pay the expense of selecting and surveying the same. By this act all the swamp and overflowed lands granted by the act of Congress of September 28, 1850, were granted to the counties in which they were respectively situated, for the purpose of constructing the necessary levees and drains to reclaim the same. Any lands remaining after the expenses of reclamation had been met, were to be used for the building of roads and bridges, when necessary, through or across these lands. If all should not be needed for these purposes, the remainder was to be expended in building roads and bridges within

¹*United States Statutes at Large*, Vol. X, pp. 634-635.

²*United States Statutes at Large*, Vol. XI, p. 251.

the county. A minimum selling price of twenty cents per acre was placed upon this land.¹

January 27, 1858, a measure was enacted authorizing the Governor to appoint an agent to proceed to Washington to effect an adjustment and settlement for the different counties in the State of their swamp land business. The Governor was also authorized to appoint one or more agents to have the swamp and overflowed lands selected in the new and unorganized counties of the State.²

Provision was also made that when the General government had issued the scrip and refunded the money to the State, as contemplated by the act of Congress of March 2, 1855, and patented to the State the lands accruing by virtue of the act of Congress of September 28, 1850, the Governor, Register of the State Land Office, and the agent of the county, if any, should constitute a board to ascertain what amount of said land, money, and scrip should be due the different counties of the State and when so ascertained the same should be subject to the order of the County Judges, or other proper authorities in the county.³

By another law, enacted March 22, 1858, it was provided that it should be competent and lawful for counties owning swamp and overflowed lands, to devote the same, or the proceeds thereof, either in whole or in part to the erection of public buildings for the purpose of education, the building of bridges, roads and highways, for building institutions of learning or for making railroads through the county or

¹*Laws of Iowa*, 1852, pp. 29-37.

²*Laws of Iowa*, 1858, pp. 3-4.

³*Laws of Iowa*, 1858, pp. 3-4.

counties to which such lands belonged. But before any such lands or money could be used for any or all of these purposes, it was necessary that the question whether it be done or not should be submitted to the people at some general or special election of the county.¹

At an extra session of the Eighth General Assembly an act was passed, approved May 28, 1861, by which the swamp lands in the various counties of the State were placed under the control of the respective county Boards of Supervisors. All previous acts of the county Boards of Supervisors relative to the swamp lands were legalized.²

The following year an amendatory act was passed, becoming a law without the Governor's signature, March 31, 1862, by which it was made possible for the counties to use their swamp lands, or the proceeds thereof, for any or all of the following purposes: (a) the erection of public buildings for the purpose of education; (b) the building of bridges, roads, and highways; (c) for building institutions of learning; (d) for a permanent school fund for the use of the county to which such lands belong; (e) for building of county buildings; or (f) for making railroads through the county or counties to which such lands belonged. But no county was to be released from its obligations to make the necessary drains and levees as contemplated in the original act of Congress by which the grant was made.³

Another act by this same General Assembly, approved April 8, 1862, again authorized the Governor to appoint an

¹*Laws of Iowa*, 1858, pp. 256-257.

²*Laws of Iowa*, Extra Session, 1861, p. 7.

³*Laws of Iowa*, 1862, pp. 78-79.

agent or agents to settle the entire matter of the swamp lands with the Commissioner of the General Land Office at Washington. This act also made many provisions as to the methods to be pursued in such settlement and as to the distributions of the lands or proceeds thereof to the several counties.¹ A number of general agents were appointed; and one of these, Samuel Townsend, went to Washington and accomplished something toward straightening out the swamp land affairs. A great many details, however, remained unsettled.

At the next session of the legislature an act, approved March 22, 1864, provided that the Boards of Supervisors in the several counties might appoint three citizens to make a careful examination of the swamp lands in their respective counties, "lying in, along or contiguous to navigable streams; such lands being subject to periodical overflow during any of the summer months". Upon this land a value was to be appraised. Upon all other of the swamp lands of the county, not situated as described above a value was to be appraised, not to be less than one dollar per acre. After such appraisal, the Board of Supervisors was to have power to sell such lands at public or private sale, at a price not lower than that at which it had been appraised.²

By an act approved March 30, 1866, J. A. Harvey was appointed a Commissioner on behalf of the State of Iowa to adjust with the General government several matters relative to grants of land to the State. Among these matters was that of settling the claims of Iowa against the United

¹*Laws of Iowa*, 1862, pp. 186-190.

²*Laws of Iowa*, 1864, pp. 74-75.

States arising under the Swamp Land Grant.¹ Mr. Harvey did not complete this work, and on January 12, 1872, Hon. John Cleghorn was appointed as Commissioner. He went to Washington, D. C., and entered upon his duties May 28, 1872. October 28, 1873, he made a report to Hon. Aaron Brown, Register of the State Land Office, in which he noted much progress in the accurate adjustment of the claims of the State, although many vexatious questions in connection with the swamp lands remained unsettled.²

At the adjourned session of the Fourteenth General Assembly, Joint Resolution No. 15, passed January 25, 1873, authorized and required the Governor and the Register of the State Land Office to procure as soon as practicable from the Commissioner of the General Land Office at Washington, and also when deemed necessary from the several local land offices, certified lists of the lands on which there were conflicting claims under the several railroad and swamp land grants, together with lists of all cancelled preëmption entries and homestead claims or settlements. These lists were to be filed and recorded in the office of the Register of the State Land Office. The necessary expenses of this work were to be paid out of the general contingent fund of the State.³

The Governor appointed Mr. P. S. Brown as an agent to do this work and the Register of the State Land Office in his annual report of November 1, 1875, indicates that the duty was performed and that the lists made out were on file at the Land Office.

¹*Laws of Iowa*, 1866, pp. 71-73.

²*Report of the Register of the State Land Office*, 1873, pp. 164-176.

³*Laws of Iowa*, Adjourned Session, 1873, p. 27.

Mr. Cleghorn held this office until it was abolished by an act of the legislature, approved March 18, 1874.¹

The question was raised in the case of the *American Emigrant Company vs. Adams County* whether the swamp lands could be legitimately used for any purpose except that of reclaiming such land, as contemplated in the act of Congress making the grant. The case was transferred from the District Court of Adams County, Iowa, to the Circuit Court of the United States. It was appealed from the Circuit Court to the Supreme Court of the United States. The Supreme Court first decided that any other use was a violation of the act of Congress and so was unlawful. But upon reconsideration this opinion was reversed and the grant by the State of its swamp and overflow lands to the several counties for general county purposes was held to be valid.²

The act of April 8, 1862, mentioned above, granting to the Governor power to appoint agents to receive and locate swamp land scrip, fixed as compensation for such agents four dollars per day, the money to be paid by the counties. The Treasurer of the State, instead of distributing among the several counties all the money received as swamp land indemnity, kept out a percentage of the swamp land funds passing through his hands. This money was to be used in paying the swamp land agents. The full amount retained thus by the Treasurer was not needed for this purpose; and accordingly, on March 25, 1878, an act of the legislature was approved, instructing the Treasurer to distribute these accumulated funds to the several counties from which such

¹*Laws of Iowa*, 1874, p. 18.

²*Report of the Secretary of State* (Land Department), 1883, p. 80.

funds had been held back. After the passage of this act all money received from the United States in payment of cash indemnity for swamp lands was to be paid over to the proper counties, the State Treasurer not retaining any part of it.¹

An act of the Nineteenth General Assembly, approved March 25, 1882, authorized the sale and conveyance of the so called "Indemnity Swamp-Land". Any such land belonging to any county of the State was to be sold by the Board of Supervisors of that county. After being appraised by three disinterested persons, notice was to be published for three successive weeks in some newspaper of the county. In response to such notice sealed bids were to be made. If any such bid equaled the appraised value of the land, the Board of Supervisors could accept the highest bid, and upon proper payments being made by the bidder, the County Auditor was to execute a deed of conveyance to the land.² This act was amended by another, approved February 25, 1892, by which it was made possible for the Board of Supervisors to sell this land at public outcry. The same notice as to such public sale was to be made as was provided in the act to which this one was amendatory. No land was to be thus sold at less than its appraised value.³

In cases where swamp land had been located by warrant or scrip previous to its selection as swamp land, the act of March 2, 1855, had stipulated that the State should be authorized to locate a like quantity upon any of the public

¹*Laws of Iowa*, 1878, p. 122.

²*Laws of Iowa*, 1882, pp. 162-164.

³*Laws of Iowa*, 1892, p. 66.

lands subject to entry at one dollar and a quarter per acre or less. The ruling was made that such land due in lieu of swamp land could be located only within the State.¹ The Registers of the State Land Office in several successive reports called the attention of the legislature to the fact that a number of the counties still had such land due them, but that there was no government land remaining not entered within the State of Iowa. To try to make it possible for these counties to get the land rightly due them, the General Assembly, March 17, 1880, passed a joint resolution and memorial in which the Senators and Representatives of Iowa in Congress were requested and urged to use all lawful means to procure an act of Congress authorizing the location of such land scrip upon any government lands open to public entry in any other State or Territory of the United States.²

This desired result not being accomplished, the General Assembly in 1884 again passed a joint resolution instructing Iowa's Senators and requesting her Representatives in Congress to use all proper and lawful means within their power to secure the enactment of a bill allowing the location of swamp land scrip outside of the State of Iowa.³

This resolution likewise failing to bring about the desired act of Congress, still a third call upon Iowa's delegation in Congress was made by the Twenty-second General Assembly. A concurrent resolution of this Assembly once more urged the Senators and Representatives of the State in Con-

¹ *United States Statutes at Large*, Vol. X, pp. 634-635.

² *Laws of Iowa*, 1880, p. 215.

³ *Laws of Iowa*, 1884, pp. 238-239.

gress to use their influence to effect the passage of an act enabling the counties to locate their swamp land scrip in some other State or Territory.¹

Nothing has come of this request; and at the present time there still remain in the State Land Office, four certificates for lands not located, and which cannot be located unless some relief act be passed by Congress. The counties to which these certificates belong, and the number of acres carried by each certificate are set forth in the following table.

TABLE NO. XIV²

COUNTY	NO. OF ACRES
Greene County, (Certificate No. 91)	10,658.22
Guthrie County, (Certificate No. 94)	1,840.00
Marion County, (Certificate No. 16)	120.00
Chickasaw County, (Supplemental Certificate No. 33)	109.00
<i>Total</i>	<u>12,727.22</u>

As is stated in the report from which this table is taken, if the Federal government does not make it possible to locate this land in some more western State still having public lands, it should pay cash indemnity therefor.

As noted above in the act of March 2, 1855, it was provided that if upon due proof, by the authorized agent of the State before the Commissioner of the General Land Office, any of the lands which had before that date been purchased by settlers were swamp lands in the true meaning and intent of the act making the swamp land grant, the purchase money should be paid over to the State.³ From time to time payments of such indemnity money have been

¹*Laws of Iowa*, 1888, pp. 240-241.

²*Report of the Secretary of State* (Land Department), 1903, p. 22.

³*United States Statutes at Large*, Vol. X, pp. 634-635.

made. The total amount of cash indemnity paid to Iowa up to June 30, 1904, is \$584,284.53.¹

The amounts of swamp land patented to this State during the successive biennial periods are shown by the following table:

TABLE NO. XV²

DATE OF REPORT	NO. ACRES PATENTED
November 7, 1859	23,611.49
November 6, 1861	430,462.99
November 15, 1863	142,330.64
November 16, 1865	
November 12, 1867	325,106.30
November 10, 1869	188,383.69
November 1, 1871	35,408.21
November 1, 1873	4,099.29
November 1, 1875	16,274.76
October 1, 1877	2,209.97
October 1, 1879	6,078.40
October 1, 1881	1,516.06
July 1, 1883	711.89
July 1, 1885	2,365.00
July 1, 1887	3,249.54
July 1, 1889	1,436.97
June 30, 1891	1,045.13
June 30, 1893	667.16
July 1, 1895	1,120.00
July 1, 1897	2,385.40
July 1, 1899	1,069.56
July 1, 1901	938.56
June 30, 1903	1,179.61
June 30, 1905	393.70
<i>Total</i>	<u>1,192,044.32</u>

¹Report of Commissioner of General Land Office, 1904, p. 536.

²Census of Iowa, 1905, p. ix.

This table includes patents for the lands granted by both the original act of September 28, 1850, and the indemnity act of March 2, 1855. Of the above total—1,192,044.32 acres—870,189.09 acres are of "lands in place", and 321,855.23 acres are of "indemnity lands".

The cash indemnity of \$584,284.53 was on a basis of 468,521.71 acres of land. So, the entire quantity of land inuring to Iowa under the Swamp Land Grant up to the present time is 1,660,556.03 acres. There is yet a considerable quantity both of lands in place and of indemnity lands that has been selected, but has not been either approved or rejected by the general government. During the past few years a large number of acres have been rejected, and it is probable that the larger part of present claims will be treated in the same manner.

THE FIVE PER CENT FUND

Attention has already been called to the fact that various methods have been used by the Federal government in aiding public education. As was stated above the greater part of such aid has been extended by means of land grants. The seven grants by which aid has been given to Iowa have now been presented and briefly discussed. The three sections which follow are devoted to a brief discussion of Federal aid to education in Iowa extended by means other than land grants. The topics thus to be taken up are: (1) the Five Per Cent Fund, (2) the Second Morrill Act Fund, and (3) Federal Aid to Experiment Stations.

Of these three topics the first to be presented in this paper is that of the Five Per Cent Fund. This method which

in Iowa has been used in extending Federal aid to public school education should possibly be treated under the head of land grants, as the money was received from the sale of public lands and as its amount depended upon the price at which such lands were sold. As was the case with two or three of the land grants, mentioned and discussed above, the original purpose of the Five Per Cent Fund was not that of aid to education. But, as the result of action by the State, this money, intended by the Federal government for other purposes, was diverted into educational channels. Hence, it is treated here under the head of Federal aid to education in Iowa.

In section six of an act of Congress, approved March 3, 1845, and entitled "An act supplemental to an act for the admission of the States of Iowa and Florida into the Union", there is a statement of the original intent in the establishing of the Five Per Cent Fund. This section provides that "five per cent of the net proceeds of sales of all public lands lying within the said State [Iowa], which have been, or shall be sold by Congress, from and after the admission of said State, after deducting all the expenses incident to the same, shall be appropriated for making public roads and canals within said State, as the legislature may direct."¹

In article X, section 2, of the Constitution under which Iowa was admitted into the Union, it was provided that such per cent as Congress might grant, on the sale of public lands in the State, should enter into and become a part of the permanent fund, of which the interest should be used for

¹*United States Statutes at Large*, Vol. V, p. 790.

support of the common schools.¹ By an act of Congress of December 28, 1846, Iowa was admitted into the Union. This act stated that all the provisions of the act of March 3, 1845, should be in force.² The State was admitted, however, under the Constitution above mentioned. The act of Congress provided that the Five Per Cent Fund must be used for certain internal improvements, while the Constitution stated that it should be used to increase the permanent school fund.

By an act approved February 25, 1847, the General Assembly provided that the five per cent upon the net proceeds of the sales of the public lands, granted to Iowa by the United States, should be paid into the hands of the Superintendent of Public Instruction to be disposed of by him according to law.³ Acting upon this legislation the Superintendent, in November 1848, made application for this money. But the Comptroller of the Treasury replied to him that it could not be paid until official advice should be received that a law had been passed appropriating it for the purposes of internal improvements, as contemplated in the act of Congress of March 3, 1845. The attention of the Iowa delegation in Congress was called to the difficulty, and they procured the passage of an act of Congress, March 2, 1849, by which the controversy was settled. By this act it was declared that the act by which Iowa was admitted into the Union should be interpreted as giving assent to the application of the Five Per Cent Fund for the support of com-

¹This Constitution may be found in *Laws of Iowa*, 1846. The section here referred to is on page 13.

²*United States Statutes at Large*, Vol. IX, p. 117.

³*Laws of Iowa*, 1846-'47, pp. 160-164.

mon schools as provided by the Constitution of Iowa.¹ Thus the matter was satisfactorily settled.

Up to and including the year 1856 this money was paid to the Superintendent of Public Instruction and by him disposed of according to law. After that time it was paid into the State Treasury, and in this way became part of the permanent school fund.

The amounts of money received from the Five Per Cent Fund have been as follows:²

DATE RECEIVED	LAND SOLD	AMOUNT
in 1849	1847	\$ 16,442.05
1850	1848	9,105.52
1851	1849	5,708.46
1852	1850	6,471.36
1853	1851	11,901.90
1854	1852	1,697.68
1855	1853	54,241.58
1856	1854	226,800.86
Jan. 1, 1857	185,785.32
Sept. 21, 1857	34,219.34
Oct. 2, 1858	28,101.41
<i>Total</i>	\$580,475.48

THE SECOND MORRILL ACT FUND

By an act of Congress, approved August 30, 1890, it was provided that there should be annually appropriated out of any money in the Treasury not otherwise appropriated, arising from the sales of public lands, to each State and Territory a sum of money for the more complete endowment

¹ *United States Statutes at Large*, Vol. IX, p. 349.

² *Reports of the Superintendents of Public Instruction, and Reports of the State Treasurers.*

and maintenance of colleges for the benefit of agriculture and the mechanic arts. For the year ending June 30, 1890, this sum was to be \$15,000, and there was to be an annual increase of the amount of such appropriation thereafter for ten years by an additional sum of \$1,000 over the preceding year. The annual amount to be paid after the expiration of these ten years was \$25,000.

This money was to be applied only to instruction in agriculture, the mechanic arts, the English language, and the various branches of mathematical, physical, natural, and economic science, with special reference to their applications in the industries of life, and to the facilities for such instruction. The sums appropriated by this act were to be paid annually on or before July 31 of each year, to the various State or Territorial Treasurers or to any other officer so designated by the legislature. Upon the order of the trustees of the various agricultural colleges, these officers were to pay over this money to the treasurers of the respective institutions entitled to it. These treasurers were to be required to report to the Secretary of Agriculture and the Secretary of the Interior annually on or before September 1, a detailed statement of the amount so received and of its disbursement.

A further provision of the act was that if any portion of the money granted by this act should, by any action or contingency, be diminished or lost, or be misapplied, it should be replaced by the State or Territory to which it belonged; and until such replacement no subsequent appropriation should be apportioned or paid to such State or Territory. No portion of this money was to be applied, directly or in-

directly, under any pretense whatever, to the purchase, erection, preservation, or repair of any building or buildings.

The president of each such college was to make an annual report to the Secretary of Agriculture and to the Secretary of the Interior regarding the condition and progress of the college, including statistical information as to its receipts and expenditures, its library, the number of its students and professors, and also as to any improvements and experiments made under the direction of any experiment stations attached to said colleges, with their cost and results, and such other industrial and economical statistics as might be regarded as useful.¹

The grants of money authorized by this act were made subject to the legislative assent of the several States and Territories to the purposes of the grants, as set down above.

The first installment of this fund, known as the Morrill Fund because the act of Congress making the grant was called the second Morrill act, was for the year 1889. The Treasurer of the Agricultural College reports receipts from this source of revenue as follows:²

1889	.	.	.	\$15,000	1898	.	.	.	\$23,000
1890	.	.	.	16,000	1899	.	.	.	24,000
1891	.	.	.	17,000	1900	.	.	.	25,000
1892	.	.	.	18,000	1901	.	.	.	25,000
1893	.	.	.	19,000	1902	.	.	.	25,000
1894	.	.	.	20,000	1903	.	.	.	25,000
1895	.	.	.	21,000	1904	.	.	.	25,000
1896	.	.	.	22,000	1905	.	.	.	25,000
1897*	.	.	.	15,000	<i>Total</i>	.	.	.	\$360,000

¹ *United States Statutes at Large*, Vol. XXVI, pp. 417-419.

² *Census of Iowa*, 1905, pp. cxix-cxx.

*Change made in the ending of fiscal year.

FEDERAL AID TO EXPERIMENT STATIONS

By an act of Congress, approved March 2, 1887, it was provided that, in each State or Territory which had established or which might afterward establish an Agricultural College receiving aid from Federal land grants, an experiment station should be established as a department of such College. The purpose of this experiment station, as stated in the act, was "to aid in acquiring and diffusing among the people of the United States useful and practical information on subjects connected with agriculture, and to promote scientific investigation and experiment respecting the principles and applications of agricultural science." The law goes into considerable detail in enumerating specific lines of investigation and information to be pursued at such experiment stations, but these details are not of direct interest to us in this discussion.¹

For the purpose of paying the necessary expenses of conducting investigations and experiments and printing and distributing results of such work, the law appropriated to each State and Territory complying with the provisions of the law, the sum of fifteen thousand dollars per annum. This sum was to be paid in four equal quarterly installments, on the first day of January, April, July, and October in each year, to the treasurer or other officer duly appointed by the governing boards of said colleges to receive the same, the first payment to be made October 1, 1887. Out of the first annual appropriation arising from this act, it was permitted that any station might expend an amount not exceeding one-fifth of that appropriation in the erection, enlargement, or re-

¹ *United States Statutes at Large*, Vol. XXIV, pp. 440-442.

pair of a building or buildings necessary for carrying on the work of such station. After the first year, an amount not exceeding five per cent of the annual appropriation could be expended for these purposes.

The act provided further that if any part of the annual appropriation should remain unexpended at the end of the year the amount unexpended should be deducted from the next annual appropriation, in order that the amount of money appropriated to any station should not exceed the amount actually and necessarily required for its maintenance and support.

The grants of money authorized by this act were made subject to the legislative assent of the several States and Territories to the purposes of such grants. Accordingly, at the next session of the General Assembly of Iowa an act was passed and approved March 1, 1888, giving such legislative assent to the uses of the money specified in the act of Congress by which the grant was made. By this law the State agreed to devote the money thus received to the establishment and support of an agricultural experiment station as a department of the Iowa Agricultural College, as provided by the act of Congress.¹ The money thus appropriated for the Iowa Experiment Station has been and is being used in conducting experiments and investigations along the lines of agriculture, horticulture, and kindred research. A considerable number of bulletins have already been published and distributed.

The amounts received by the State Agricultural College as a result of this law have been as follows:²

¹*Laws of Iowa*, 1888, p. 215.

²*Census of Iowa*, 1905, pp. cxix-cxx.

FEDERAL AID TO EDUCATION IN IOWA 45

1887 . . . \$ 3,750.00	1897 . . . 15,000.00
1888 . . . 15,000.00	1898* . . . 7,500.00
1889 . . . 15,000.00	1899 . . . 15,000.00
1890 . . . 18,750.00	1900 . . . 15,000.00
1891 . . . 15,000.00	1901 . . . 15,000.00
1892 . . . 15,000.00	1902 . . . 15,000.00
1893 . . . 15,000.00	1903 . . . 15,000.00
1894 . . . 15,000.00	1904 . . . 15,000.00
1895 . . . 15,000.00	1905 . . . 15,000.00
1896 . . . 15,000.00	<i>Total</i> . . . <u>\$270,000.00</u>

This money has been expended at Ames in accordance with the provisions of the act granting it. The work done at the experiment station is of considerable importance to agricultural and industrial education in Iowa. Results have proved and are proving that the granting of Federal aid to experiment stations is a wise and profitable policy.

HUGH S. BUFFUM

THE STATE UNIVERSITY OF IOWA
IOWA CITY, IOWA

*From November 11, 1897, to June 30, 1898. Change made in ending of fiscal year.