

Report No. 650.

[To accompany bill H. R. No. 517.]

HOUSE OF REPRESENTATIVES.

SCHOOL LANDS IN SENECA COUNTY, OHIO.

MAY 30, 1848.

Mr. COLLAMER, from the Committee on Public Lands, made the following

REPORT :

*The Committee on Public Lands, to whom was referred the memorial of Abel Rawson, report:*

It appears that at the time of the first survey of township No. 3 north, in range 16 east, in Seneca county, Ohio, more than half of the same was within the Seneca reservation, to which the Indian title was not extinguished, and therefore the 16th section could not then be had for the use of schools. The township was, therefore, regarded as a sectional one, and another tract therein, to wit, the west half of section 12, was selected and allotted for the use of schools therein. Some years afterwards, the Indian title to the Seneca reservation was extinguished, and the whole of the township became unincumbered and subject to sale; and the whole was surveyed and platted, and then the 16th section reserved, by the general law, for the use of schools in the township, being its full proportion, independent of said west half of section 12, was reserved from sale; yet said west half of section 12 was never disposed of by the government.

By a general law of Ohio, the school lands in the State were sold and the avails are funded, and the accruing interest is expended in the townships for schools. In relation to this township, this section 16 was, under the law of the State, sold; and afterwards, by and under an act of the State, passed in March, 1843, the west half of section 12, aforesaid, was also sold. These sales were for amounts above the minimum price of the public lands, and have been paid for by the purchasers to the State.

As doubts have arisen as to the legal title of said purchasers, the

senate and house of representatives of the State of Ohio, by joint resolution, have requested that the titles under these sales be, by act of Congress, confirmed, upon there being being paid into the treasury of the United States the amount for which the said west half of section 12 was sold.

The committee regard that as entirely equitable, and report a bill accordingly. A copy of said resolutions of Ohio are hereto annexed.

#### PREAMBLE AND JOINT RESOLUTION

Relative to the confirmation of title to section 16, township 3 north, range 16 east, Seneca county.

*Whereas*, in the year 1836, section sixteen, in township three north, in range sixteen east, in Seneca county, pursuant to an act of the general assembly of the State of Ohio, passed January thirty, one thousand eight hundred and thirty-six, was sold as land appropriated by Congress for the use of schools, and full payment has been made, and deeds executed and delivered to the purchasers, for the same; and whereas, doubts have been expressed as to the title of the purchasers, and as to the appropriation of said lands for the use of schools; and whereas, in the year one thousand eight hundred and forty-five, the west half of section twelve, in the same township, pursuant to an act of the general assembly of Ohio, passed March tenth, one thousand eight hundred and forty-three, was, in like manner, sold as land appropriated for the use of schools; and whereas, it is believed that all the purchasers of both tracts purchased in the confident belief that they would acquire a good title by such purchase, and gave fair prices for the land so purchased; and whereas, it is presumed that the United States will readily confirm to the inhabitants of such township said section sixteen, and that it was never intended by Congress that any larger quantity of land should be so appropriated for such township; therefore,

*Resolved*, by the general assembly of the State of Ohio, That our senators and representatives in Congress be requested to use their influence to procure the passage of an act of Congress, providing for the confirmation of the title to section sixteen, in said township, to those holding the same by grants from the State of Ohio, and also for the payment of the purchase money, for the west half of section twelve, into the treasury of the United States, according to the terms of the sale thereof.

*Resolved*, That the governor be requested to forward copies of the above preamble and resolution to our senators and representatives in Congress respectively.

ELIAS F. DRAKE,

*Speaker of the House of Representatives.*

SEABURY FORD,

*Speaker of the Senate.*

JANUARY 17, 1846.