

1780 RESOLUTION ON PUBLIC LANDS

From the *Journals of the Continental Congress*,
Wednesday, September 6, 1780, page 808:

A motion was made by Mr. [Joseph] Jones, seconded by Mr. [James] Madison, respecting the lands that may be ceded in pursuance of the foregoing report and resolve.

That in case the recommendation of Congress to the States of Virginia, North Carolina and Georgia to cede to the United States a portion of their unappropriated Western Territory shall be complied with in such manner as to be approved of by Congress, the Territory so ceded shall be laid out in separate and distinct States at such time and in such manner as Congress shall hereafter direct, so as that no state be less than one hundred or more than one hundred and fifty miles square or as near thereto as circumstances will admit, and that upon such cession being approved of and accepted by Congress the United States will guaranty the remaining Territory to the said States respectively.

That such of the said States as have been at expence in subduing any of the British Posts within the Territory proposed to be ceded and in maintaining Garrisons and supporting civil government therein since the reduction of such Posts shall be reimbursed by the Continent the amount of such expence.

That all the Lands to be ceded to the United States and not appropriated or disposed of in bounties to the American Army, shall be considered as a common fund for the use and benefit of such of the United States as have become or shall become members of the confederation according to their usual proportions or quotas of general charge and expenditure, and shall be applied and disposed of for that purpose and no other whatsoever, and therefore all purchases and deeds from any Indian or Indians, or any Indian Nation or Nations for any Lands within any part of such ceded Territory, which have been or shah be made for the use of any private person or persons whatsoever, shall be deemed and taken as absolutely void.

Adjourned to 10 o'Clock to Morrow.

From the *Journals of the Continental Congress*,
Tuesday, October 10, 1780, pages 915-16:

Congress resumed the consideration of the report of the committee on the motion made by the delegates of Virginia; and thereupon,

Resolved, That the unappropriated lands that may be ceded or relinquished to the United States, by any particular states, pursuant to the recommendation of Congress of the 6 day of September last, shall be disposed of for the common benefit of the United States, and be settled and formed into distinct republican states, which shall become members of the federal union, and have the same rights of sovereignty, freedom and independence, as the other states: that each state which shall be so formed shall contain a suitable extent of territory, not less than one hundred nor more than one hundred and fifty miles square, or as near thereto as circumstances will admit.

That the necessary and reasonable expences which any particular state shall have incurred since the commencement of the present war, in subduing any of the British posts, or in maintaining forts or garrisons within and for the defence, or in acquiring any part of the territory that may be ceded or relinquished to the United States, shall be reimbursed;

That the said lands shall be granted and settled at such times and under such regulations as shall hereafter be agreed on by the United States in Congress assembled, or any nine or more of them. [916]

That no purchases and deeds from any Indians or Indian nations, for lands within the Territory to be ceded or relinquished, shall not have been ratted by lawful authority, shall be deemed valid or ratified by Congress.

On this the yeas and nays being required by Mr. Fell-

[Five states voted yea; five voted nay; and two were divided].

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