

THE NATIONAL LAND SYSTEM

1785-1820

by
PAYSON JACKSON TREAT, PH.D.

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BY

PAYSON JACKSON TREAT, PH. D.

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*TO MY
FATHER*

PREFACE

It is the purpose of this study to show how the national public lands passed into private ownership during the first great period of our land system. It is concerned, therefore, only with the disposal of the lands by the nation, it does not presume to discuss the uses to which the lands were put. It considers the land grants for education, for example, merely as a way in which great areas passed from the public domain to the control of the States; it does not work out the management of those grants. In short, it deals with the origin of the public domain and with every form of disposition which was in use before 1820.

Some explanation may be necessary for the choice of 1820 as the termination of this study. That date marks the close of the first great period in the history of the national land system. Between 1776 and 1820 the public domain had been formed, the land system had been organized, the granting of land for education and military services had been introduced, and grants for internal improvements had been discussed, while the methods for confirming foreign titles had been well worked out. But especially it was the period of the credit system, the operation of which well deserves consideration. There may be some difference of opinion as to the other periods into which a study of the land system

PREFACE

may be divided. I would have the second end with the Preëmption Act of 1841, the third with the Homestead Act of 1862, and the fourth with the rise of the Conservation Movement, which certainly marks a new period in our land history.

John Fiske has told us that "questions about public lands are often regarded as the driest of historical deadwood. Discussions about them in newspapers and magazines belong to the class of articles which the general reader usually skips. Yet there is a great deal of the philosophy of history wrapped up in this subject." And he was very near the truth. A transaction with the land office was a very unromantic performance, and yet it was of great importance in the life of the settler. And if the subject is dull in itself it is closely related to some of the most interesting phases of our history. Without some knowledge of the land system a study of the westward movement would be only superficial, and a large part of the history of the West must be written in terms of land.

It is a pleasure to acknowledge here my indebtedness to Professor Max Farrand, of Yale University, who first called my attention to the importance of this subject, and to my colleagues, Professor E. D. Adams and Professor H. E. Bolton, who have offered valuable suggestions. The map of the Indian Cessions was based on the excellent collection in the Eighteenth Annual Report of the Bureau of Ethnology.

PAYSON J. TREAT.

August 2, 1910.

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