

RAILROAD LAND GRANTS.

EDITOR OF THE CONSERVATIVE :

I have read with much interest your article upon "Railroad Land Grants" in the United States together with the letter of Mr. Stuyvesant Fish relating to the Illinois Central grant and your editorial reply thereto. Finding serious inaccuracies in your article regarding the amount of lands granted to the Chicago, Burlington & Quincy, and all the companies to which lands were granted in the state of Iowa, and more serious inaccuracies regarding the values of the lands, I was led to make a brief investigation of the entire series of quoted statistics. Some of these inquiries have been made of the land department at Washington, and, where opportunity presented, of the officials of the several railroad companies.

With your kind permission, I will call attention to some of the results of my inquiries, in the interest of truth, and because of the importance of the subject, and from the fact that a vast deal of misinformation has been written and circulated in regard to it.

Quantity of Lands Granted.

Your article states: "The gross area of the lands given, which have not been forfeited by failure to comply with the conditions of the contracts is 244,261 square miles," which would be 156,327,000 acres; and comparison is then made of this great area with the areas of the 13 original states, and of various states in this country and Europe in a way calculated to impress the average citizen with the "lavish manner" in which the public domain has been given away to favored corporations.

I do not find that this quantity of lands, nor anything approximating it, has been granted. The total amount of lands certified or patented to railroad companies by the government up to June 30, 1899, was 86,748,635 acres.

Several hundred thousand acres of patented lands have lapsed, or have been reconveyed to the United States or deducted from the original grants under supreme court decisions. The Burlington road lost about 10 per cent. of the lands patented to it in Iowa, by reason of conflict with the swamp land grant and other causes. The following tabular statement of the Iowa grants will serve to illustrate the great discrepancy between your figures of the quantity granted to the five companies in that state and the correct statement:

Iowa Land Grants.		Actual
	"Conservative" Figures.	Acreage.
Roads.	Acres	Granted.
Burlington.....	948,645	358,424
Rock Island.....	1,261,181	550,193
St. Paul.....	1,536,000	372,653
North Western.....	1,032,363	956,597
Dubuque & Sioux City (Illinois Central).....	1,226,063	444,161
Total.....	6,004,252	2,682,028

The figures of actual acreage granted are taken from the sworn reports of the

companies to the state authorities. These grants are all closed. There are no more lands to be received by any of the companies. In the same way, 48 of the grants are virtually adjusted and closed and no more lands can possibly be received by those companies.

Your article gives the Atlantic & Pacific road as 1,654 miles long and its land grant as 25,275,320 acres. Vice President Kenna says:

"A small portion of the Atlantic & Pacific railroad was constructed in Missouri and the eastern part of the Indian Territory prior to 1875, but the amount of land earned under this construction was exceedingly small, as there were no public lands in the Indian Territory and most of lands in the state of Missouri had been previously settled upon. Consequently, it is entirely fair to disregard all portions of this line except the 560 miles in New Mexico and Arizona, which were constructed and are now operated by the Santa Fe Pacific Railroad Company, it having purchased at foreclosure proceedings the railroad and land grant of the Atlantic & Pacific Railroad Company.

"It is difficult to conceive where the writer obtained his information that the Atlantic & Pacific railroad was ever 1,654 miles in length. As above stated, the line in New Mexico and Arizona is 560 miles in length, and about 125 miles in Missouri and the Indian Territory were constructed.

"The statement that the land grant consisted of 25,275,320 acres, is far from the fact. By reason of the losses incident to prior locations, Mexican grants, Indian reservations, etc., the total amount the Atlantic & Pacific company and its successors will finally receive, will be less than one-half the acreage stated."

Your article gives the Union Pacific grant as 20,181,944 acres. The total quantity patented to the company is 20,900,459 acres.

The Northern Pacific road will never receive within 5,000,000 acres of the estimated area of its grant. The land grant of the Chicago, Milwaukee & St Paul is stated in your article as 3,524,022 acres. The land commissioner of that company, in the adjustment proceedings, has reported a shortage of 2,030,000 acres in their grants, and says, "not exceeding 1,000 acres are still to be obtained, and these are mostly contested."

Withholding From Patent to Escape Taxation.

The article in question states that a practice prevails among railroads to only procure patents for lands for which a sale can be obtained at good prices. "The advantage to the company of this method is obvious. So long as the land is nominally public land, it cannot be assessed for local taxes. When, how-

ever, the title passes into the hands of the company, this exemption comes to an end. Unpatented, the land rests as an asset which can be carried indefinitely without trouble or expense."

I am at a loss to understand how this idea originated. Such a practice may have obtained in exceptional cases, but certainly not for the reason stated—to avoid taxation. The lands are subject to taxation when surveyed, and the matter of surveying is entirely within the control of the government. The railroads have deposited over \$1,700,000 to reimburse the government for the cost of survey of lands.

The vice-president of the Atlantic & Pacific says: "For years the requests of this company for patents were refused by the department, and as a consequence, the opportunity of selling lands was lost."

Explanation of the Discrepancy.

There is a natural and very reasonable explanation of how the writer of the article may have been deceived as to the quantity of lands. He says: "The grant made to the Illinois Central was the basis upon which nearly all of the government grants were founded. It provided that the company was to receive all even sections within six miles of the road," etc. But the act of congress only granted to the railroads the "public lands" within the designated limits. No land to which any title or claim of right in others attached at the date when the grant took effect was "public land," and therefore no such land passed or was granted to any railroad company. In older states, a large part of the lands within the designated limits had been previously "entered" or filed upon or settled with military bounty land warrants, or under pre-emption certificates or patents. Besides, there are many cases of prior Mexican grants, swamp land grants, Indian and military and forest reservations and other deductions, which have operated to materially reduce the quantum of these grants.

Owing to the amount of unsurveyed lands, it is impossible for any one to state at this time with accuracy, what is the total acreage granted. The last railroad grant was made nearly 30 years ago. Lands which have not yet been even surveyed, probably possess little money value. Statements of quantity, under such circumstances, must necessarily be estimates only. Based upon the best information at command, it is my opinion that the amount of land of an appreciable money value, granted to all the railroads of the United States, will not exceed 90,000,000 acres.

Value of the Railroad Land Grants.

Your article states:

"So far as the western and south-western railroad companies are con-