

sum or sums of money are due to said State, heretofore unsettled, on account of the public lands in said State, and upon the same principles of allowance and settlement as prescribed in the act to settle certain accounts between the United States and the State of Alabama, approved March 2d, 1855, and that he be required to include in said account the several reservations under the various treaties with the Chickasaw and Choctaw Indians within the limits of Mississippi, and allow and pay to the said State five per centum thereon, as in case of other sales, estimating the lands at the value of one dollar and twenty-five cents per acre.

"SEC. 2. *And be it further enacted*, That the said Commissioner shall also state an account between the United States and each of the other States upon the same principles, and shall allow and pay to each State such amount as shall thus be found due, estimating all lands and permanent reservations at one dollar and twenty-five cents per acre." (11 Stats., p. 200.)

Section four of the act admitting Kansas into the Union provides:

"That from and after the admission of the State of Kansas, as hereinbefore provided, *all laws* of the United States which are not locally inapplicable shall have the same force and effect within that State as in other States of the Union." (12 Stats., 127.)

The Supreme Court, in *Smith vs. Cockrill*, (6 Wall., 756,) in construing this identical section 4 in connection with a general law of 1828, held that the said section was a virtual re-enactment of the said law of 1828. The case turned upon the sole question whether an act of Congress passed in 1828 was applicable to the State of Kansas.

The Secretary of the Interior, in his decision of November 9th, 1874, in passing upon a similar case to the one under consideration, says that the said act of 1857 is applicable to the State of Nebraska.

If applicable to Nebraska, why not to Kansas? The clause in the Nebraska act of admission is the same as section four in the act admitting Kansas. The truth is, this law of 1857 is a part of the general land system, and applies to each of the public land States, and any attempt to give it any other or less meaning, force, or effect, is simply an attempt to draw a line of distinction, by the splitting of hairs, between States of the Union.