

Ulysses S. Grant

March 4, 1869, to March 4, 1877



ULYSSES S. GRANT

With official portrait engraved from copy of original in steel



ULYSSES S. GRANT

Ulysses S. Grant

ULYSSES S. GRANT was born at Point Pleasant, Clermont County, Ohio, April 27, 1822. He was of Scotch ancestry, but his family had been American in all its branches for several generations. Was a descendant of Mathew Grant, who arrived at Dorchester, Mass., in May, 1630. His father was Jesse R. Grant and his mother Hannah Simpson; they were married in Clermont County, Ohio, in June, 1821. In the fall of 1823 his parents removed to Georgetown, the county seat of Brown County, Ohio. Ulysses, the eldest of six children, spent his boyhood in assisting his father on the farm, which was more congenial than working in the tannery of which his father was proprietor. From an early age until 17 years old attended the subscription schools of Georgetown, except during the winters of 1836-37 and 1838-39, which were spent at schools in Maysville, Ky., and Ripley, Ohio. In the spring of 1839, at the age of 17, was appointed to a cadetship in the Military Academy at West Point by Thomas L. Hamer, a Member of Congress, and entered the Academy July 1, 1839. The name given him at birth was Hiram Ulysses, but he was always called by his middle name. Mr. Hamer, thinking Ulysses his first name, and that his middle name was probably that of his mother's family, inserted in the official appointment the name of Ulysses S. Grant. The officials of the Academy were notified by Cadet Grant of the error, but they did not feel authorized to correct it, and it was acquiesced in and became the name by which he was always known. Graduated from the Academy in 1843, twenty-first in a class of thirty-nine members. Was attached to the Fourth United States Infantry as brevet second lieutenant July 1, 1843; was appointed second lieutenant, Seventh Infantry, September 30, 1845, and transferred to the Fourth Infantry November 15, 1845. During the Mexican War (1846-1848) took part with his regiment in active service, and was in all the battles fought by Generals Scott and Taylor except that of Buena Vista. Was brevetted for gallant conduct at the battles of Palo Alto and Resaca de la Palma, but declined the honor. At the battle of Monterey distinguished himself by volunteering to run the gantlet and bring ammunition for the troops into the city. September 8, 1847, was appointed brevet first lieutenant

for gallant conduct at Molino del Rey. Acted as regimental quartermaster April 1, 1847, to July 23, 1848, and from November 17, 1848, to August 5, 1853. September 13, 1847, was brevetted captain for gallant conduct at the battle of Chapultepec, and on September 16 was appointed first lieutenant. At San Cosme was mentioned in special orders by his commanders—regimental, brigade, and division. After the Mexican War his regiment was sent to Pascagoula, Miss., and afterwards to Sacketts Harbor, N. Y., and Detroit, Mich. August 22, 1848, married Miss Julia Dent, of St. Louis, Mo. In 1852 his regiment was sent to the Pacific Coast. August 5, 1853, was appointed captain. Resigned July 31, 1854, and went to live on a farm near St. Louis, but in 1858 gave up farming on account of his health, and entered into the real-estate business in St. Louis. In May, 1860, removed to Galena, Ill., and became a clerk in his father's store. In April, 1861, after President Lincoln's call for troops, presided at a public meeting in Galena, which resulted in the organization of a company of volunteers, which he drilled and accompanied to Springfield, Ill. Was employed by Governor Yates in the adjutant-general's office, and appointed mustering officer. Offered his services to the National Government in a letter written May 24, 1861, but no answer was ever made to it. June 17, 1861, was appointed colonel of the Twenty-first Illinois Volunteers, and served until August 7, when he was appointed brigadier-general of volunteers by the President, his commission to date from May 17, 1861. Was assigned September 1 to command the District of Southeastern Missouri. September 4 established his headquarters at Cairo, and on the 6th captured Paducah, Ky. February 2, 1862, advanced from Cairo; on the 6th captured Fort Henry, and on the 16th Fort Donelson. Soon afterwards was made a major-general of volunteers, his commission dating from February 16. March 4 was relieved from his command and ordered to remain at Fort Henry, but on the 13th was restored. Commanded at the battle of Shiloh, April 6 and 7, 1862. General Halleck on April 11 assumed command of the combined armies, and General Grant became second in command during the advance upon and the siege of Corinth. In July Halleck became general in chief of all the armies, and General Grant was placed in command of the District of West Tennessee. In September fought the battle of Iuka, Miss., and in October the battle of Corinth. January 29, 1863, moved down the Mississippi River and took command of the troops opposite Vicksburg. On March 29 sent one corps of his army across the peninsula opposite Vicksburg, and on April 16 ran the batteries with seven gunboats and three transports. April 22 six other transports ran the batteries. His army was now below Vicksburg, and on the 29th bombarded Grand Gulf. May 1 fought the battle at Port Gibson, and on May 3 captured Grand Gulf. May 12 defeated the Confederates at Raymond, and on the 14th captured Jackson, Miss. After several engagements the Confederates were driven by him into Vicksburg, when

he began the siege of that city, which was surrendered July 4, 1863. On the same day was commissioned a major-general in the United States Army. In August went to New Orleans to confer with General Banks, and while reviewing the troops there was injured by his horse falling on him. About the middle of October was assigned to the command of the Military Division of the Mississippi, which included Rosecran's army at Chattanooga, Tenn. Arrived at Chattanooga October 23, and the next day issued orders which resulted in the battle of Wauhatchie on the 29th. Attacked the Confederates under General Bragg on November 23, and after three days' fighting captured Missionary Ridge, whereupon the Confederates retreated to Dalton, Ga. For his successes Congress, in December, 1863, passed a resolution of thanks to him and the officers and soldiers of his command, and presented him with a gold medal. The bill restoring the grade of lieutenant-general became a law in February, 1864, and on March 1 he was nominated for the position and was confirmed the succeeding day. On March 12 assumed command of all the armies of the United States, and immediately began the plan of campaign that kept all of the armies in motion until the war ended. About May 4, 1864, this campaign, the greatest of the war, began, and lasted until the surrender of the Confederates in April, 1865. During this period there were fought some of the bloodiest battles of the world. On April 9, 1865, General Lee surrendered his army at Appomattox, Va., to General Grant, who then displayed the greatest magnanimity to the Confederates, and won for himself from his late enemies their warmest gratitude. His magnanimity will always be remembered by the Confederate soldiers, and will stand in history as long as nobility of character shall be appreciated by mankind. On the closing of the war directed his attention to mustering out of service the great army under his command and the disposal of the enormous quantity of stores of the Government. In the discharge of his duties visited different sections of the country and was received everywhere with enthusiasm. The citizens of Philadelphia presented him with a handsome residence in that city; his old neighbors in Galena gave him a pretty home in their town; the people of New York presented to him a check for \$105,000. In November and December, 1865, traveled through the Southern States, and made a report to the President upon the conditions there. In May, 1866, submitted a plan to the Government for the reorganization of the Regular Army of the United States, which became the basis of its reorganization. July 25 Congress passed an act creating the grade of general of the armies of the United States, and on the same day he was appointed to this rank. August 12, 1867, was appointed by President Johnson Secretary of War *ad interim*, which position he held until January 14, 1868. At the national convention of the Republican party which met in Chicago on May 20, 1868, was unanimously nominated for President on the first call of States. His letter of acceptance of that nomination was brief, and contained the

famous sentence, "Let us have peace." At the election in November was chosen to be President, receiving 214 electoral votes, while Horatio Seymour received 80. Was renominated by his party in national convention in Philadelphia June 6, 1872, and at the election in November received 286 electoral votes, against 66 which would have been cast for Horace Greeley if he had lived. Retired from office March 4, 1877. After his retirement made a journey into foreign countries, and was received with great distinction and pomp by all the governments and peoples he visited. An earnest effort was made to nominate him for a third term, but it failed. By special act of Congress passed March 3, 1885, was placed as general on the retired list of the Army. He died July 23, 1885, at Mount McGregor, N. Y., and was buried at Riverside Park, New York City, on the Hudson River.

FIRST INAUGURAL ADDRESS.

Citizens of the United States:

Your suffrages having elected me to the office of President of the United States, I have, in conformity to the Constitution of our country, taken the oath of office prescribed therein. I have taken this oath without mental reservation and with the determination to do to the best of my ability all that is required of me. The responsibilities of the position I feel, but accept them without fear. The office has come to me unsought; I commence its duties untrammelled. I bring to it a conscious desire and determination to fill it to the best of my ability to the satisfaction of the people.

On all leading questions agitating the public mind I will always express my views to Congress and urge them according to my judgment, and when I think it advisable will exercise the constitutional privilege of interposing a veto to defeat measures which I oppose; but all laws will be faithfully executed, whether they meet my approval or not.

I shall on all subjects have a policy to recommend, but none to enforce against the will of the people. Laws are to govern all alike—those opposed as well as those who favor them. I know no method to secure the repeal of bad or obnoxious laws so effective as their stringent execution.

The country having just emerged from a great rebellion, many questions will come before it for settlement in the next four years which preceding Administrations have never had to deal with. In meeting these it is desirable that they should be approached calmly, without prejudice, hate, or sectional pride, remembering that the greatest good to the greatest number is the object to be attained.

This requires security of person, property, and free religious and political opinion in every part of our common country, without regard to local prejudice. All laws to secure these ends will receive my best efforts for their enforcement.

A great debt has been contracted in securing to us and our posterity the Union. The payment of this, principal and interest, as well as the return to a specie basis as soon as it can be accomplished without material detriment to the debtor class or to the country at large, must be provided for. To protect the national honor, every dollar of Government indebtedness should be paid in gold, unless otherwise expressly stipulated in the contract. Let it be understood that no repudiator of one farthing of our public debt will be trusted in public place, and it will go far toward strengthening a credit which ought to be the best in the world, and will ultimately enable us to replace the debt with bonds bearing less interest than we now pay. To this should be added a faithful collection of the revenue, a strict accountability to the Treasury for every dollar collected, and the greatest practicable retrenchment in expenditure in every department of Government.

When we compare the paying capacity of the country now, with the ten States in poverty from the effects of war, but soon to emerge, I trust, into greater prosperity than ever before, with its paying capacity twenty-five years ago, and calculate what it probably will be twenty-five years hence, who can doubt the feasibility of paying every dollar then with more ease than we now pay for useless luxuries? Why, it looks as though Providence had bestowed upon us a strong box in the precious metals locked up in the sterile mountains of the far West, and which we are now forging the key to unlock, to meet the very contingency that is now upon us.

Ultimately it may be necessary to insure the facilities to reach these riches, and it may be necessary also that the General Government should give its aid to secure this access; but that should only be when a dollar of obligation to pay secures precisely the same sort of dollar to use now, and not before. Whilst the question of specie payments is in abeyance the prudent business man is careful about contracting debts payable in the distant future. The nation should follow the same rule. A prostrate commerce is to be rebuilt and all industries encouraged.

The young men of the country—those who from their age must be its rulers twenty-five years hence—have a peculiar interest in maintaining the national honor. A moment's reflection as to what will be our commanding influence among the nations of the earth in their day, if they are only true to themselves, should inspire them with national pride. All divisions—geographical, political, and religious—can join in this common sentiment. How the public debt is to be paid or specie payments resumed is not so important as that a plan should be adopted and acquiesced in. A united determination to do is worth more than divided counsels upon the method of doing. Legislation upon this subject may

not be necessary now, nor even advisable, but it will be when the civil law is more fully restored in all parts of the country and trade resumes its wonted channels.

It will be my endeavor to execute all laws in good faith, to collect all revenues assessed, and to have them properly accounted for and economically disbursed. I will to the best of my ability appoint to office those only who will carry out this design.

In regard to foreign policy, I would deal with nations as equitable law requires individuals to deal with each other, and I would protect the law-abiding citizen, whether of native or foreign birth, wherever his rights are jeopardized or the flag of our country floats. I would respect the rights of all nations, demanding equal respect for our own. If others depart from this rule in their dealings with us, we may be compelled to follow their precedent.

The proper treatment of the original occupants of this land—the Indians—is one deserving of careful study. I will favor any course toward them which tends to their civilization and ultimate citizenship.

The question of suffrage is one which is likely to agitate the public so long as a portion of the citizens of the nation are excluded from its privileges in any State. It seems to me very desirable that this question should be settled now, and I entertain the hope and express the desire that it may be by the ratification of the fifteenth article of amendment to the Constitution.

In conclusion I ask patient forbearance one toward another throughout the land, and a determined effort on the part of every citizen to do his share toward cementing a happy union; and I ask the prayers of the nation to Almighty God in behalf of this consummation.

MARCH 4, 1869.

[NOTE.—The Forty-first Congress, first session, met March 4, 1869, in accordance with the act of January 22, 1867.]

SPECIAL MESSAGES.

WASHINGTON, D. C., *March 6, 1869.*

To the Senate of the United States:

Since the nomination and confirmation of Alexander T. Stewart to the office of Secretary of the Treasury I find that by the eighth section of the act of Congress approved September 2, 1789, it is provided as follows, to wit:

And be it further enacted, That no person appointed to any office instituted by this act shall, directly or indirectly, be concerned or interested in carrying on the business of trade or commerce; or be owner, in whole or in part, of any sea vessel; or

purchase, by himself or another in trust for him, any public lands or other public property; or be concerned in the purchase or disposal of any public securities of any State or of the United States; or take or apply to his own use any emolument or gain for negotiating or transacting any business in the said Department other than what shall be allowed by law; and if any person shall offend against any of the prohibitions of this act he shall be deemed guilty of a high misdemeanor and forfeit to the United States the penalty of \$3,000, and shall upon conviction be removed from office and forever thereafter incapable of holding any office under the United States: *Provided*, That if any other person than a public prosecutor shall give information of any such offense, upon which a prosecution and conviction shall be had, one-half the aforesaid penalty of \$3,000, when recovered, shall be for the use of the person giving such information.

In view of these provisions and the fact that Mr. Stewart has been unanimously confirmed by the Senate, I would ask that he be exempted by joint resolution of the two Houses of Congress from the operations of the same.

U. S. GRANT.

WASHINGTON, *March 9, 1869.*

To the Senate of the United States:

I transmit to the Senate, in compliance with its resolution of the 5th instant, a report from the Secretary of State, communicating a list of the public and private acts and resolutions passed at the third session of the Fortieth Congress which have become laws, either by approval or otherwise.

U. S. GRANT.

WASHINGTON, *March 9, 1869.*

To the Senate of the United States:

I have the honor to request to be permitted to withdraw from the Senate of the United States my message of the 6th instant, requesting the passage of a joint resolution of the two Houses of Congress to relieve the Secretary of the Treasury from the disabilities imposed by section 8 of the act of Congress approved September 2, 1789.

U. S. GRANT.

WASHINGTON, *March 15, 1869.*

To the Senate and House of Representatives:

I invite the attention of Congress to the accompanying communication* of this date, which I have received from the Secretary of the Interior.

U. S. GRANT.

* Report of the Government directors of the Union Pacific Railroad relative to an injunction issued by Judge Barnard, of the supreme court of the city of New York, restraining and prohibiting an election of officers or directors on the day directed by the law of December 20, 1867.

WASHINGTON, March 16, 1869.

To the Senate of the United States:

In compliance with the resolution of the Senate of the 11th instant, asking if the first installment due from the Government of Venezuela pursuant to the convention of April 25, 1866, has been paid, I transmit a report from the Secretary of State, to whom the resolution was referred.

U. S. GRANT.

WASHINGTON, March 24, 1869.

To the Senate of the United States:

I transmit to the Senate, in answer to their resolution of the 1st instant, a report from the Secretary of State, together with accompanying papers.*

U. S. GRANT.

WASHINGTON, March 29, 1869.

To the Senate of the United States:

In compliance with the request contained in the resolution of the Senate of the 17th instant, in regard to certain correspondence† between James Buchanan, then President of the United States, and Lewis Cass, Secretary of State, I transmit a report from the Department of State, which is accompanied by a copy of the correspondence referred to.

U. S. GRANT.

WASHINGTON, March 31, 1869.

To the House of Representatives:

In compliance with a resolution of the House of Representatives of the 30th of January last, calling for the papers relative to the claim of Owen Thorn and others against the British Government, I transmit a report from the Secretary of State, together with copies of the papers referred to in said resolution.

U. S. GRANT.

WASHINGTON, April 3, 1869.

To the House of Representatives:

In answer to the resolution of the House of Representatives of the 28th of January last, requesting information concerning the destruction during the late war by rebel vessels of certain merchant vessels of the United States, and concerning the damages and claims resulting therefrom, I transmit a report from the Secretary of State and the tabular statement which accompanied it.

U. S. GRANT.

* Correspondence with the United States minister and the secretary of legation at Madrid.

† Regarding the policy to be pursued to avert civil war, then threatening, which correspondence led to the resignation of Mr. Cass.

WASHINGTON, D. C., *April 6, 1869.*

To the Senate of the United States:

I transmit herewith, for the constitutional action of the Senate, certain articles of agreement made and concluded at the Kaw Indian Agency, Kans., on the 13th ultimo, between the commissioners on the part of the United States and certain chiefs or headmen of the Kansas or Kaw tribe of Indians on behalf of said tribe, together with a letter from the Secretary of the Interior, to which attention is invited.

U. S. GRANT.

WASHINGTON, *April 7, 1869.*

To the Senate of the United States:

In answer to the resolution of the Senate of the 27th of May last, in relation to the subject of claims against Great Britain, I transmit a report from the Secretary of State and the papers which accompanied it.

U. S. GRANT.

—WASHINGTON, D. C., *April 7, 1869.*

To the Senate and House of Representatives:

While I am aware that the time in which Congress proposes now to remain in session is very brief, and that it is its desire, as far as is consistent with the public interest, to avoid entering upon the general business of legislation, there is one subject which concerns so deeply the welfare of the country that I deem it my duty to bring it before you.

I have no doubt that you will concur with me in the opinion that it is desirable to restore the States which were engaged in the rebellion to their proper relations to the Government and the country at as early a period as the people of those States shall be found willing to become peaceful and orderly communities and to adopt and maintain such constitutions and laws as will effectually secure the civil and political rights of all persons within their borders. The authority of the United States, which has been vindicated and established by its military power, must undoubtedly be asserted for the absolute protection of all its citizens in the full enjoyment of the freedom and security which is the object of a republican government; but whenever the people of a rebellious State are ready to enter in good faith upon the accomplishment of this object, in entire conformity with the constitutional authority of Congress, it is certainly desirable that all causes of irritation should be removed as promptly as possible, that a more perfect union may be established and the country be restored to peace and prosperity.

The convention of the people of Virginia which met in Richmond on Tuesday, December 3, 1867, framed a constitution for that State, which was adopted by the convention on the 17th of April, 1868, and I desire

respectfully to call the attention of Congress to the propriety of providing by law for the holding of an election in that State at some time during the months of May and June next, under the direction of the military commander of that district, at which the question of the adoption of that constitution shall be submitted to the citizens of the State; and if this should seem desirable, I would recommend that a separate vote be taken upon such parts as may be thought expedient, and that at the same time and under the same authority there shall be an election for the officers provided under such constitution, and that the constitution, or such parts thereof as shall have been adopted by the people, be submitted to Congress on the first Monday of December next for its consideration, so that if the same is then approved the necessary steps will have been taken for the restoration of the State of Virginia to its proper relations to the Union. I am led to make this recommendation from the confident hope and belief that the people of that State are now ready to cooperate with the National Government in bringing it again into such relations to the Union as it ought as soon as possible to establish and maintain, and to give to all its people those equal rights under the law which were asserted in the Declaration of Independence in the words of one of the most illustrious of its sons.

I desire also to ask the consideration of Congress to the question whether there is not just ground for believing that the constitution framed by a convention ~~of the~~ people of Mississippi for that State, and once rejected, might not be again submitted to the people of that State in like manner, and with the probability of the same result.

U. S. GRANT.

PROCLAMATION.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas objects of interest to the United States require that the Senate should be convened at 12 o'clock on the 12th day of April, 1869, to receive and act upon such communications as may be made to it on the part of the Executive:

Now, therefore, I, U. S. Grant, President of the United States, have considered it to be my duty to issue this my proclamation, declaring that an extraordinary occasion requires the Senate of the United States to convene for the transaction of business at the Capitol, in the city of Washington, on the 12th day of April, 1869, at 12 o'clock noon on that day, of which all who shall at that time be entitled to act as members of that body are hereby required to take notice.

Given under my hand and the seal of the United States, at Washington, the 8th day of April, A. D. 1869, and of the Independence of the United States of America the ninety-third.

By the President:

U. S. GRANT.

HAMILTON FISH,
Secretary of State.

SPECIAL MESSAGES.

WASHINGTON, April 16, 1869.

To the Senate of the United States:

I transmit to the Senate, for consideration with a view to ratification, a convention between the United States and the Emperor of the French, signed this day by the plenipotentiaries of the parties, for the mutual protection of trade-marks of their respective citizens and subjects.

U. S. GRANT.

WASHINGTON, April 21, 1869.

To the Senate of the United States:

I transmit to the Senate, in answer to their resolution adopted in executive session on the 16th of February last, requesting copy of the official correspondence of Mr. Buchanan during his residence at St. Petersburg as minister of the United States, a report from the Secretary of State, with the accompanying papers.

U. S. GRANT.

PROCLAMATIONS.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

In pursuance of the provisions of the act of Congress approved April 10, 1869, I hereby designate the 6th day of July, 1869, as the time for submitting the constitution passed by the convention which met in Richmond, Va., on Tuesday, the 3d day of December, 1867, to the voters of said State registered at the date of such submission, viz, July 6, 1869, for ratification or rejection.

And I submit to a separate vote the fourth clause of section 1 of article 3 of said constitution, which is in the following words:

Every person who has been a Senator or Representative in Congress, or elector of President or Vice-President, or who held any office, civil or military, under the

United States, or under any State, who, having previously taken an oath as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, shall have engaged in insurrection or rebellion against the same or given aid or comfort to the enemies thereof. This clause shall include the following officers: Governor, lieutenant-governor, secretary of state, auditor of public accounts, second auditor, register of the land office, State treasurer, attorney-general, sheriffs, sergeant of a city or town, commissioner of the revenue, county surveyors, constables, overseers of the poor, commissioner of the board of public works, judges of the supreme court, judges of the circuit court, judges of the court of hustings, justices of the county courts, mayor, recorder, alderman, councilmen of a city or town, coroners, escheators, inspectors of tobacco, flour, etc., clerks of the supreme, district, circuit, and county courts and of the court of hustings, and attorneys for the Commonwealth: *Provided*, That the legislature may, by a vote of three-fifths of both houses, remove the disabilities incurred by this clause from any person included therein, by a separate vote in each case.

And I also submit to a separate vote the seventh section of article 3 of the said constitution, which is in the words following:

In addition to the foregoing oath of office, the governor, lieutenant-governor, members of the general assembly, secretary of state, auditor of public accounts, State treasurer, attorney-general, and all persons elected to any convention to frame a constitution for this State or to amend or revise this constitution in any manner, and mayor and council of any city or town, shall, before they enter on the duties of their respective offices, take and subscribe the following oath or affirmation: *Provided*, The disabilities therein contained may be individually removed by a three-fifths vote of the general assembly:

"I do solemnly swear (or affirm) that I have never voluntarily borne arms against the United States since I have been a citizen thereof; that I have voluntarily given no aid, countenance, counsel, or encouragement to persons engaged in armed hostility thereto; that I have never sought nor accepted nor attempted to exercise the functions of any office whatever under any authority or pretended authority in hostility to the United States; that I have not yielded a voluntary support to any pretended government, authority, power, or constitution within the United States hostile or inimical thereto. And I do further swear (or affirm) that, to the best of my knowledge and ability, I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

The above oath shall also be taken by all the city and county officers before entering upon their duties, and by all other State officers not included in the above provision. I direct the vote to be taken upon each of the above-cited provisions alone, and upon the other portions of the said constitution in the following manner, viz:

Each voter favoring the ratification of the constitution (excluding the provisions above quoted) as framed by the convention of December 3, 1867, shall express his judgment by voting for the constitution.

Each voter favoring the rejection of the constitution (excluding the provisions above quoted) shall express his judgment by voting against the constitution.

Each voter will be allowed to cast a separate ballot for or against either or both of the provisions above quoted.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 14th day of May, A. D. 1869, and of the Independence of the United States of America the ninety-third.

U. S. GRANT.

By the President:

HAMILTON FISH, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas the act of Congress approved June 25, 1868, constituted, on and after that date, eight hours a day's work for all laborers, workmen, and mechanics employed by or on behalf of the Government of the United States, and repealed all acts and parts of acts inconsistent therewith:

Now, therefore, I, Ulysses S. Grant, President of the United States, do hereby direct that from and after this date no reduction shall be made in the wages paid by the Government by the day to such laborers, workmen, and mechanics on account of such reduction of the hours of labor.

In testimony whereof I have hereto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 19th day of May, A. D. 1869, and of the Independence of the United States the ninety-third.

U. S. GRANT.

By the President:

HAMILTON FISH, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas satisfactory evidence has been received by me from His Majesty the Emperor of France, through the Count Faverney, his chargé d'affaires, that on and after this date the discriminating duties heretofore levied in French ports upon merchandise imported from the countries of its origin in vessels of the United States are to be discontinued and abolished:

Now, therefore, I, U. S. Grant, President of the United States of America, by virtue of the authority vested in me by an act of Congress of the 7th day of January, 1824, and by an act in addition thereto of the 24th day of May, 1828, do hereby declare and proclaim that on and after this date, so long as merchandise imported from the countries of its origin into French ports in vessels belonging to citizens of the United States is admitted into French ports on the terms aforesaid, the discriminating

duties heretofore levied upon merchandise imported from the countries of its origin into ports of the United States in French vessels shall be, and are hereby, discontinued and abolished.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 12th day of June, A. D. 1869, and of the Independence of the United States of America the ninety-third.

U. S. GRANT.

By the President:

HAMILTON FISH, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

In pursuance of the provisions of the act of Congress approved April 10, 1869, I hereby designate Tuesday, the 30th day of November, 1869, as the time for submitting the constitution adopted on the 15th day of May, 1868, by the convention which met in Jackson, Miss., to the voters of said State registered at the date of such submission, viz, November 30, 1869.

And I submit to a separate vote that part of section 3 of Article VII of said constitution which is in the following words:

That I am not disfranchised in any of the provisions of the acts known as the reconstruction acts of the Thirty-ninth and Fortieth Congress, and that I admit the political and civil equality of all men. So help me God: *Provided*, If Congress shall at any time remove the disabilities of any person disfranchised in said reconstruction acts of the said Thirty-ninth and Fortieth Congress (and the legislature of this State shall concur therein), then so much of this oath, and so much only, as refers to the said reconstruction acts shall not be required of such person so pardoned to entitle him to be registered.

And I further submit to a separate vote section 5 of the same article of said constitution, which is in the following words:

No person shall be eligible to any office of profit or trust, civil or military, in this State who, as a member of the legislature, voted for the call of the convention that passed the ordinance of secession, or who, as a delegate to any convention, voted for or signed any ordinance of secession, or who gave voluntary aid, countenance, counsel, or encouragement to persons engaged in armed hostility to the United States, or who accepted or attempted to exercise the functions of any office, civil or military, under any authority or pretended government, authority, power, or constitution within the United States hostile or inimical thereto, except all persons who aided reconstruction by voting for this convention or who have continuously advocated the assembling of this convention and shall continuously and in good faith advocate the acts of the same; but the legislature may remove such disability: *Provided*, That nothing in this section, except voting for or signing the ordinance of secession, shall be so construed as to exclude from office the private soldier of the late so-called Confederate States army.

And I further submit to a separate vote section 5 of Article XII of the said constitution, which is in the following words:

The credit of the State shall not be pledged or loaned in aid of any person, asso-

ciation, or corporation; nor shall the State hereafter become a stockholder in any corporation or association.

And I further submit to a separate vote part of the oath of office prescribed in section 26 of Article XII of the said constitution, which is in the following words:

That I have never, as a member of any convention, voted for or signed any ordinance of secession; that I have never, as a member of any State legislature, voted for the call of any convention that passed any such ordinance.

The above oath shall also be taken by all the city and county officers before entering upon their duties, and by all other State officials not included in the above provision. I direct the vote to be taken upon each of the above-cited provisions alone, and upon the other portions of the said constitution in the following manner, viz:

Each voter favoring the ratification of the constitution (excluding the provisions above quoted), as adopted by the convention of May 15, 1868, shall express his judgment by voting for the constitution.

Each voter favoring the rejection of the constitution (excluding the provisions above quoted) shall express his judgment by voting against the constitution.

Each voter will be allowed to cast a separate ballot for or against either or both of the provisions above quoted.

It is understood that sections 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15 of Article XIII, under the head of "Ordinance," are considered as forming no part of the said constitution.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 13th day of July, A. D. 1869, and of the Independence of the United States of America the ninety-fourth.

U. S. GRANT.

By the President:

HAMILTON FISH, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

In pursuance of the provisions of the act of Congress approved April 10, 1869, I hereby designate Tuesday, the 30th day of November, 1869, as the time for submitting the constitution adopted by the convention which met in Austin, Tex., on the 15th day of June, 1868, to the voters of said State registered at the date of such submission, viz:

I direct the vote to be taken upon the said constitution in the following manner, viz:

Each voter favoring the ratification of the constitution as adopted by the convention of the 15th of June, 1868, shall express his judgment by voting for the constitution.

Each voter favoring the rejection of the constitution shall express his judgment by voting against the constitution.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 15th day of July, A. D. 1869, and of the Independence of the United States of America the ninety-fourth.

U. S. GRANT.

By the President:

HAMILTON FISH, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

The year which is drawing to a close has been free from pestilence; health has prevailed throughout the land; abundant crops reward the labors of the husbandman; commerce and manufactures have successfully prosecuted their peaceful paths; the mines and forests have yielded liberally; the nation has increased in wealth and in strength; peace has prevailed, and its blessings have advanced every interest of the people in every part of the Union; harmony and fraternal intercourse restored are obliterating the marks of past conflict and estrangement; burdens have been lightened; means have been increased; civil and religious liberty are secured to every inhabitant of the land, whose soil is trod by none but freemen.

It becomes a people thus favored to make acknowledgment to the Supreme Author from whom such blessings flow of their gratitude and their dependence, to render praise and thanksgiving for the same, and devoutly to implore a continuance of God's mercies.

Therefore I, Ulysses S. Grant, President of the United States, do recommend that Thursday, the 18th day of November next, be observed as a day of thanksgiving and of praise and of prayer to Almighty God, the creator and the ruler of the universe; and I do further recommend to all the people of the United States to assemble on that day in their accustomed places of public worship and to unite in the homage and praise due to the bountiful Father of All Mercies and in fervent prayer for the continuance of the manifold blessings he has vouchsafed to us as a people.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed, this 5th day of October, A. D. 1869, and of the Independence of the United States of America the ninety-fourth.

U. S. GRANT.

By the President:

HAMILTON FISH, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas by the proclamation of the President of the United States of the 12th day of June last the levying of discriminating duties on merchandise imported into the United States in French vessels from the countries of its origin was discontinued; and

Whereas satisfactory information has since been received by me that the levying of such duties on all merchandise imported into France in vessels of the United States, whether from the countries of its origin or from other countries, has been discontinued:

Now, therefore, I, U. S. Grant, President of the United States of America, by virtue of the authority vested in me by an act of Congress of the 7th day of January, 1824, and by an act in addition thereto of the 24th day of May, 1828, do hereby declare and proclaim that on and after this date, so long as merchandise imported into France in vessels of the United States, whether from the countries of its origin or from other countries, shall be admitted into the ports of France on the terms aforesaid, the discriminating duties heretofore levied upon merchandise imported into the United States in French vessels, either from the countries of its origin or from any other country, shall be, and are, discontinued and abolished.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 20th day of November, A. D. 1869, and of the Independence of the United States of America the ninety-fourth.

U. S. GRANT.

By the President:

HAMILTON FISH,
Secretary of State.

EXECUTIVE ORDERS.

GENERAL ORDERS, NO. 10.

HEADQUARTERS OF THE ARMY,
ADJUTANT-GENERAL'S OFFICE,
Washington, March 5, 1869.

The President of the United States directs that the following orders be carried into execution as soon as practicable:

1. The Department of the South will be commanded by Brigadier and Brevet Major General A. H. Terry.

2. Major-General G. G. Meade is assigned to command the Military Division of the Atlantic, and will transfer his headquarters to Philadelphia, Pa. He will turn over his present command temporarily to Brevet Major-General T. H. Ruger, colonel Thirty-third Infantry, who is assigned to duty according to his brevet of major-general while in the exercise of this command.

3. Major-General P. H. Sheridan is assigned to command the Department of Louisiana, and will turn over the command of the Department of the Missouri temporarily to the next senior officer.

4. Major-General W. S. Hancock is assigned to command the Department of Dakota.

5. Brigadier and Brevet Major General E. R. S. Canby is assigned to command the First Military District, and will proceed to his post as soon as relieved by Brevet Major-General Reynolds.

6. Brevet Major-General A. C. Gillem, colonel Twenty-fourth Infantry, will turn over the command of the Fourth Military District to the next senior officer and join his regiment.

7. Brevet Major-General J. J. Reynolds, colonel Twenty-sixth Infantry, is assigned to command the Fifth Military District, according to his brevet of major-general.

8. Brevet Major-General W. H. Emory, colonel Fifth Cavalry, is assigned to command the Department of Washington, according to his brevet of major-general.

By command of the General of the Army:

E. D. TOWNSEND,
Assistant Adjutant-General.

GENERAL ORDERS, NO. 11.

HEADQUARTERS OF THE ARMY,
ADJUTANT-GENERAL'S OFFICE,
Washington, March 8, 1869.

The following orders of the President of the United States are published for the information and government of all concerned:

WAR DEPARTMENT,
Washington City, March 5, 1869.

By direction of the President, General William T. Sherman will assume command of the Army of the United States.

The chiefs of staff corps, departments, and bureaus will report to and act under the immediate orders of the General Commanding the Army.

All official business which by law or regulations requires the action of the President or Secretary of War will be submitted by the General of the Army to the Secretary of War, and in general all orders from the

President or Secretary of War to any portion of the Army, line or staff, will be transmitted through the General of the Army.

J. M. SCHOFIELD, *Secretary of War.*

By command of the General of the Army:

E. D. TOWNSEND,
Assistant Adjutant-General.

SPECIAL ORDERS, NO. 55.

HEADQUARTERS OF THE ARMY,
ADJUTANT-GENERAL'S OFFICE,
Washington, March 9, 1869.

* * * * *

6. By direction of the President, Brevet Major-General Adelbert Ames, lieutenant-colonel Twenty-fourth United States Infantry, is hereby assigned to command the Fourth Military District, according to his brevet rank.

* * * * *

By command of General Sherman:

E. D. TOWNSEND,
Assistant Adjutant-General.

GENERAL ORDERS, NO. 18.

HEADQUARTERS OF THE ARMY,
ADJUTANT-GENERAL'S OFFICE,
Washington, March 16, 1869.

By direction of the President of the United States, the following changes are made in military divisions and department commands:

I. Lieutenant-General P. H. Sheridan is assigned to command the Military Division of the Missouri.

II. Major-General H. W. Halleck is assigned to the command of the Military Division of the South, to be composed of the Departments of the South and Louisiana, of the Fourth Military District, and of the States composing the present Department of the Cumberland; headquarters, Louisville, Ky. Major-General Halleck will proceed to his new command as soon as relieved by Major-General Thomas.

III. Major-General G. H. Thomas is assigned to command the Military Division of the Pacific.

IV. Major-General J. M. Schofield is assigned to command the Department of the Missouri. The State of Illinois and post of Fort Smith, Ark., are transferred to this department.

V. Brigadier and Brevet Major General O. O. Howard is assigned to command the Department of Louisiana. Until his arrival the senior

officer, Brevet Major-General J. A. Mower, will command, according to his brevet of major-general.

VI. The Department of Washington will be discontinued and merged in the Department of the East. The records will be sent to the Adjutant-General of the Army.

VII. The First Military District will be added to the Military Division of the Atlantic.

VIII. As soon as Major-General Thomas is ready to relinquish command of the Department of the Cumberland, the department will be discontinued, and the States composing it will be added to other departments, to be hereafter designated. The records will be forwarded to the Adjutant-General of the Army.

By command of General Sherman:

E. D. TOWNSEND,
Assistant Adjutant-General.

WAR DEPARTMENT,
Washington City, March 26, 1869.

By direction of the President, the order of the Secretary of War dated War Department, March 5, 1869, and published in General Orders, No. 11, Headquarters of the Army, Adjutant-General's Office, dated March 8, 1869, except so much as directs General W. T. Sherman to "assume command of the Army of the United States," is hereby rescinded.

All official business which by law or regulations requires the action of the President or Secretary of War will be submitted by the chiefs of staff corps, departments, and bureaus to the Secretary of War.

All orders and instructions relating to military operations issued by the President or Secretary of War will be issued through the General of the Army.

JNO. A. RAWLINS,
Secretary of War.

SPECIAL ORDERS, NO. 75.

HEADQUARTERS OF THE ARMY,
ADJUTANT-GENERAL'S OFFICE,
Washington, March 31, 1869.

* * * * *

16. By direction of the President of the United States, Brevet Major-General A. S. Webb, United States Army, is assigned to command the First Military District, according to his brevet of major-general, until the arrival of Brevet Major-General Canby to relieve him. He will accordingly repair to Richmond, Va., without delay.

17. By direction of the President, Brevet Major-General George Stoneman, colonel Twenty-first United States Infantry, is hereby relieved from

the temporary command of the First Military District, and will accompany his regiment to the Military Division of the Pacific.

* * * * *

By command of General Sherman:

E. D. TOWNSEND,
Assistant Adjutant-General.

EXECUTIVE MANSION,
Washington, D. C., June 3, 1869.

A commission of citizens having been appointed under the authority of law to cooperate with the administrative departments in the management of Indian affairs, consisting of William Welsh, of Philadelphia; John V. Farwell, of Chicago; George H. Stuart, of Philadelphia; Robert Campbell, St. Louis; W. E. Dodge, New York; E. S. Tobey, Boston; Felix R. Brnnot, Pittsburg; Nathan Bishop, New York, and Henry S. Lane, of Indiana, the following regulations will till further directions control the action of said commission and of the Bureau of Indian Affairs in matters coming under their joint supervision:

1. The commission will make its own organization and employ its own clerical assistants, keeping its "necessary expenses of transportation, subsistence, and clerk hire when actually engaged in said service" within the amount appropriated therefor by Congress.
2. The commission shall be furnished with full opportunity to inspect ~~the~~ records of the Indian Office and to obtain full information as to the conduct of all parts of the affairs thereof.
3. They shall have full power to inspect, in person or by subcommittee, the various Indian superintendencies and agencies in the Indian country, to be present at payment of annuities, at consultations or councils with the Indians, and when on the ground to advise superintendents and agents in the performance of their duties.
4. They are authorized to be present, in person or by subcommittee, at purchases of goods for Indian purposes, and inspect said purchases, advising the Commissioner of Indian Affairs in regard thereto.
5. Whenever they shall deem it necessary or advisable that instructions of superintendents or agents be changed or modified, they will communicate such advice through the office of Commissioner of Indian Affairs to the Secretary of the Interior, and in like manner their advice as to changes in modes of purchasing goods or conducting the affairs of the Indian Bureau proper. Complaints against superintendents or agents or other officers will in the same manner be forwarded to the Indian Bureau or Department of the Interior for action.
6. The commission will at their board meetings determine upon the recommendations to be made as to the plans of civilizing or dealing with the Indians, and submit the same for action in the manner above indicated, and all plans involving the expenditure of public money will

be acted upon by the Executive or the Secretary of the Interior before expenditure is made under the same.

7. The usual modes of accounting with the Treasury can not be changed, and all expenditures, therefore, must be subject to the approvals now required by law and the regulations of the Treasury Department, and all vouchers must conform to the same laws and requirements and pass through the ordinary channels.

8. All the officers of the Government connected with the Indian service are enjoined to afford every facility and opportunity to said commission and their subcommittees in the performance of their duties, and to give the most respectful heed to their advice within the limits of such officers' positive instructions from their superiors; to allow such commissioners full access to their records and accounts, and to cooperate with them in the most earnest manner to the extent of their proper powers in the general work of civilizing the Indians, protecting them in their legal rights, and stimulating them to become industrious citizens in permanent homes, instead of following a roving and savage life.

9. The commission will keep such records or minutes of their proceedings as may be necessary to afford evidence of their action, and will provide for the manner in which their communications with and advice to the Government shall be made and authenticated.

U. S. GRANT.

[From the *Daily Morning Chronicle*, Washington, September 8, 1869.]

DEPARTMENT OF STATE,
Washington, September 7, 1869.*

It is my melancholy duty to inform you that the Hon. John A. Rawlins, Secretary of War, departed this life at twelve minutes past 4 o'clock on yesterday afternoon. In consequence of this afflicting event the President directs that the Executive Departments of the Government will be careful to manifest every observance of honor which custom has established as appropriate to the memory of one so eminent as a public functionary and so distinguished as a citizen.

I am, sir, very respectfully, your obedient servant,

HAMILTON FISH.

[From the *Daily Morning Chronicle*, Washington, September 8, 1869.]

DEPARTMENT OF STATE,
Washington, September 7, 1869.

SIR: * I have the honor to inform you that the President directs me to communicate to you his order that in honor of the memory of the Hon. John A. Rawlins, late Secretary of War, who died yesterday at twelve minutes past 4 o'clock p. m., the Executive Departments shall be draped

* Addressed to the heads of the Executive Departments.

in mourning for a period of thirty days, and that they be closed from the morning of the 8th instant until after the obsequies of the deceased shall have been solemnized.

I have the honor to be, your obedient servant,

HAMILTON FISH.

DEPARTMENT OF STATE, *Washington, September 7, 1869.*

The remains of the Hon. John A. Rawlins, late Secretary of War, will be interred with military honors, under the direction of the General of the Army, on Thursday, the 9th instant, at 10 o'clock a. m. The following persons will officiate as pallbearers on the occasion:

Brevet Major-General Edward D. Townsend, Adjutant-General; Brevet Major-General Randolph B. Marcy, Inspector-General; Brevet Major-General Joseph Holt, Judge-Advocate-General; Brevet Major-General Montgomery C. Meigs, Quartermaster-General; Brevet Major-General Amos B. Eaton, Commissary-General; Brevet Major-General Joseph K. Barnes, Surgeon-General; Brevet Major-General B. W. Brice, Paymaster-General; Brevet Major-General A. A. Humphreys, Chief of Engineers; Brevet Major-General Alexander B. Dyer, Chief of Ordnance; Brevet Brigadier-General Albert J. Myer, Chief Signal Officer; Brevet Major-General O. O. Howard; Brevet Major-General John E. Smith; Commodore Melancton Smith, Chief Bureau Equipment; Brigadier-General Jacob Zeilin, Marine Corps; Brigadier-General Giles A. Smith, Second Assistant Postmaster-General; Hon. Sayles J. Bowen, mayor of Washington.

On the day of the funeral the customary number of guns will be fired from all arsenals, forts, and navy-yards in the United States and from the Military and Naval Academies. Flags will be kept at half-mast, custom-houses closed, and all public work suspended during the day.

The General of the Army and heads of the several Executive Departments will issue the orders necessary for carrying these directions into effect.

By order of the President:

HAMILTON FISH, *Secretary of State.*

GENERAL ORDERS, No. 69.

HEADQUARTERS OF THE ARMY,

ADJUTANT-GENERAL'S OFFICE,

Washington, October 9, 1869.

I. The following order of the President has been received from the War Department:

EXECUTIVE MANSION, *Washington, October 8, 1869.*

The painful duty devolves upon the President of announcing to the people of the United States the death of one of his honored predecessors, Franklin Pierce, which occurred at Concord early this morning.

Eminent in the public councils and universally beloved in private life, his death will be mourned with a sorrow befitting the loss which his country sustains in his decease.

As a mark of respect to his memory, it is ordered that the Executive Mansion and the several Departments at Washington be draped in mourning, and all business suspended on the day of the funeral.

It is further ordered that the War and Navy Departments cause suitable military and naval honors to be paid on the occasion to the memory of this illustrious citizen who has passed from us.

U. S. GRANT.

II. In compliance with the instructions of the President and of the Secretary of War, on the day after the receipt of this order at each military post the troops will be paraded at 10 o'clock a. m. and the order read to them, after which all labors for the day will cease.

The national flag will be displayed at half-staff.

At dawn of day thirteen guns will be fired, and afterwards at intervals of thirty minutes between the rising and setting sun a single gun, and at the close of the day a national salute of thirty-seven guns.

The officers of the Army will wear crape on the left arm and on their swords and the colors of the several regiments will be put in mourning for the period of thirty days.

By command of General Sherman:

—
J. C. KELTON,
Assistant Adjutant-General.

GENERAL ORDER.

NAVY DEPARTMENT,
Washington, October 9, 1869.

The death of ex-President Franklin Pierce is announced in the following order of the President of the United States:

[For order see preceding page.]

In pursuance of the foregoing order, it is hereby directed that twenty-one guns be fired, at intervals of one minute each, at the several navy-yards and stations, on the day of the funeral where this order may be received in time, otherwise on the day after its receipt, commencing at noon, and also on board the flagships in each fleet. The flags at the several navy-yards, naval stations, marine barracks, and vessels in commission will be placed at half-mast from sunrise to sunset on the day when the minute guns are fired.

All officers of the Navy and Marine Corps will wear the usual badge of mourning attached to the sword hilt and on the left arm for thirty days.

GEO. M. ROBESON,
Secretary of the Navy.

BY THE PRESIDENT OF THE UNITED STATES.

EXECUTIVE ORDER.

WASHINGTON, October 19, 1869.

All communications in writing intended for the executive department of this Government and relating to public business of whatever kind, including suggestions for legislation, claims, contracts, employment, appointments, and removals from office, and pardons, must be transmitted through the Department to which the care of the subject-matter of the communication properly belongs. Communications otherwise transmitted will not receive attention.

By order of the President:

HAMILTON FISH,
Secretary of State.

FIRST ANNUAL MESSAGE.

EXECUTIVE MANSION,
Washington, D. C., December 6, 1869.

To the Senate and House of Representatives:

In coming before you for the first time as Chief Magistrate of this great nation, it is with gratitude to the Giver of All Good for the many benefits we enjoy. We are blessed with peace at home, and are without entangling alliances abroad to forebode trouble; with a territory unsurpassed in fertility, of an area equal to the abundant support of 500,000,000 people, and abounding in every variety of useful mineral in quantity sufficient to supply the world for generations; with exuberant crops; with a variety of climate adapted to the production of every species of earth's riches and suited to the habits, tastes, and requirements of every living thing; with a population of 40,000,000 free people, all speaking one language; with facilities for every mortal to acquire an education; with institutions closing to none the avenues to fame or any blessing of fortune that may be coveted; with freedom of the pulpit, the press, and the school; with a revenue flowing into the National Treasury beyond the requirements of the Government. Happily, harmony is being rapidly restored within our own borders. Manufactures hitherto unknown in

our country are springing up in all sections, producing a degree of national independence unequaled by that of any other power.

These blessings and countless others are intrusted to your care and mine for safe-keeping for the brief period of our tenure of office. In a short time we must, each of us, return to the ranks of the people, who have conferred upon us our honors, and account to them for our stewardship. I earnestly desire that neither you nor I may be condemned by a free and enlightened constituency nor by our own consciences.

Emerging from a rebellion of gigantic magnitude, aided, as it was, by the sympathies and assistance of nations with which we were at peace, eleven States of the Union were, four years ago, left without legal State governments. A national debt had been contracted; American commerce was almost driven from the seas; the industry of one-half of the country had been taken from the control of the capitalist and placed where all labor rightfully belongs—in the keeping of the laborer. The work of restoring State governments loyal to the Union, of protecting and fostering free labor, and providing means for paying the interest on the public debt has received ample attention from Congress. Although your efforts ~~have not~~ met with the success in all particulars that might have been desired, yet on the whole they have been more successful than could have been reasonably anticipated.

Seven States which passed ordinances of secession have been fully restored to their places in the Union. The eighth (Georgia) held an election at which she ratified her constitution, republican in form, elected a governor, Members of Congress, a State legislature, and all other officers required. The governor was duly installed, and the legislature met and performed all the acts then required of them by the reconstruction acts of Congress. Subsequently, however, in violation of the constitution which they had just ratified (as since decided by the supreme court of the State), they unseated the colored members of the legislature and admitted to seats some members who are disqualified by the third clause of the fourteenth amendment to the Constitution—an article which they themselves had contributed to ratify. Under these circumstances I would submit to you whether it would not be wise, without delay, to enact a law authorizing the governor of Georgia to convene the members originally elected to the legislature, requiring each member to take the oath prescribed by the reconstruction acts, and none to be admitted who are ineligible under the third clause of the fourteenth amendment.

The freedmen, under the protection which they have received, are making rapid progress in learning, and no complaints are heard of lack of industry on their part where they receive fair remuneration for their labor. The means provided for paying the interest on the public debt, with all other expenses of Government, are more than ample. The loss of our commerce is the only result of the late rebellion which has not received sufficient attention from you. To this subject I call your earnest

attention. I will not now suggest plans by which this object may be effected, but will, if necessary, make it the subject of a special message during the session of Congress.

At the March term Congress by joint resolution authorized the Executive to order elections in the States of Virginia, Mississippi, and Texas, to submit to them the constitutions which each had previously, in convention, framed, and submit the constitutions, either entire or in separate parts, to be voted upon, at the discretion of the Executive. Under this authority elections were called. In Virginia the election took place on the 6th of July, 1869. The governor and lieutenant-governor elected have been installed. The legislature met and did all required by this resolution and by all the reconstruction acts of Congress, and abstained from all doubtful authority. I recommend that their Senators and Representatives be promptly admitted to their seats, and that the State be fully restored to its place in the family of States. Elections were called in Mississippi and Texas, to commence on the 30th of November, 1869, and to last two days in Mississippi and four days in Texas. The elections have taken place, but the result is not known. It is to be hoped that the acts of the legislatures of these States, when they meet, will be such as to receive your approval, and thus close the work of reconstruction.

Among the evils growing out of the rebellion, and not yet referred to, is that of an irredeemable currency. It is an evil which I hope will receive your most earnest attention.—It is a duty, and one of the highest duties, of Government to secure to the ~~citizen~~ a medium of exchange of fixed, unvarying value. This implies a return to a specie basis, and no substitute for it can be devised. It should be commenced now and reached at the earliest practicable moment consistent with a fair regard to the interests of the debtor class. Immediate resumption, if practicable, would not be desirable. It would compel the debtor class to pay, beyond their contracts, the premium on gold at the date of their purchase, and would bring bankruptcy and ruin to thousands. Fluctuation, however, in the paper value of the measure of all values (gold) is detrimental to the interests of trade. It makes the man of business an involuntary gambler, for in all sales where future payment is to be made both parties speculate as to what will be the value of the currency to be paid and received. I earnestly recommend to you, then, such legislation as will insure a gradual return to specie payments and put an immediate stop to fluctuations in the value of currency.

The methods to secure the former of these results are as numerous as are the speculators on political economy. To secure the latter I see but one way, and that is to authorize the Treasury to redeem its own paper, at a fixed price, whenever presented, and to withhold from circulation all currency so redeemed until sold again for gold.

The vast resources of the nation, both developed and undeveloped, ought to make our credit the best on earth. With a less burden of

taxation than the citizen has endured for six years past, the entire public debt could be paid in ten years. But it is not desirable that the people should be taxed to pay it in that time. Year by year the ability to pay increases in a rapid ratio. But the burden of interest ought to be reduced as rapidly as can be done without the violation of contract. The public debt is represented in great part by bonds having from five to twenty and from ten to forty years to run, bearing interest at the rate of 6 per cent and 5 per cent, respectively. It is optional with the Government to pay these bonds at any period after the expiration of the least time mentioned upon their face. The time has already expired when a great part of them may be taken up, and is rapidly approaching when all may be. It is believed that all which are now due may be replaced by bonds bearing a rate of interest not exceeding $4\frac{1}{2}$ per cent, and as rapidly as the remainder become due that they may be replaced in the same way. To accomplish this it may be necessary to authorize the interest to be paid at either of three or four of the money centers of Europe, or by any assistant treasurer of the United States, at the option of the holder of the bond. I suggest this subject for the consideration of Congress, and ~~also~~, simultaneously with this, the propriety of redeeming our currency, as before suggested, at its market value at the time the law goes into effect, increasing the rate at which currency shall be bought and sold from day to day or week to week, at the same rate of interest as Government pays upon its bonds.

The subjects of tariff and internal taxation will necessarily receive your attention. The revenues of the country are greater than the requirements, and may with safety be reduced. But as the funding of the debt in a 4 or a $4\frac{1}{2}$ per cent loan would reduce annual current expenses largely, thus, after funding, justifying a greater reduction of taxation than would be now expedient, I suggest postponement of this question until the next meeting of Congress.

It may be advisable to modify taxation and tariff in instances where unjust or burdensome discriminations are made by the present laws, but a general revision of the laws regulating this subject I recommend the postponement of for the present. I also suggest the renewal of the tax on incomes, but at a reduced rate, say of 3 per cent, and this tax to expire in three years.

With the funding of the national debt, as here suggested, I feel safe in saying that taxes and the revenue from imports may be reduced safely from sixty to eighty millions per annum at once, and may be still further reduced from year to year, as the resources of the country are developed.

The report of the Secretary of the Treasury shows the receipts of the Government for the fiscal year ending June 30, 1869, to be \$370,943,747, and the expenditures, including interest, bounties, etc., to be \$321,490,597. The estimates for the ensuing year are more favorable to the Government, and will no doubt show a much larger decrease of the public debt.

The receipts in the Treasury beyond expenditures have exceeded the amount necessary to place to the credit of the sinking fund, as provided by law. To lock up the surplus in the Treasury and withhold it from circulation would lead to such a contraction of the currency as to cripple trade and seriously affect the prosperity of the country. Under these circumstances the Secretary of the Treasury and myself heartily concurred in the propriety of using all the surplus currency in the Treasury in the purchase of Government bonds, thus reducing the interest-bearing indebtedness of the country, and of submitting to Congress the question of the disposition to be made of the bonds so purchased. The bonds now held by the Treasury amount to about seventy-five millions, including those belonging to the sinking fund. I recommend that the whole be placed to the credit of the sinking fund.

Your attention is respectfully invited to the recommendations of the Secretary of the Treasury for the creation of the office of commissioner of customs revenue; for the increase of salaries to certain classes of officials; the substitution of increased national-bank circulation to replace the outstanding 3 per cent certificates; and most especially to his recommendation for the repeal of laws allowing shares of fines, penalties, forfeitures, etc., to officers of the Government or to informers.

The office of Commissioner of Internal Revenue is one of the most arduous and responsible under the Government. It falls but little, if any, short of a Cabinet position in its importance and responsibilities. I would ask for it, therefore, such legislation as in your judgment will place the office upon a footing of dignity commensurate with its importance and with the character and qualifications of the class of men required to fill it properly.

As the United States is the freest of all nations, so, too, its people sympathize with all people struggling for liberty and self-government; but while so sympathizing it is due to our honor that we should abstain from enforcing our views upon unwilling nations and from taking an interested part, *without invitation*, in the quarrels between different nations or between governments and their subjects. Our course should always be in conformity with strict justice and law, international and local. Such has been the policy of the Administration in dealing with these questions. For more than a year a valuable province of Spain, and a near neighbor of ours, in whom all our people can not but feel a deep interest, has been struggling for independence and freedom. The people and Government of the United States entertain the same warm feelings and sympathies for the people of Cuba in their pending struggle that they manifested throughout the previous struggles between Spain and her former colonies in behalf of the latter. But the contest has at no time assumed the conditions which amount to a war in the sense of international law, or which would show the existence of a *de facto* political organization of the insurgents sufficient to justify a recognition of belligerency.

The principle is maintained, however, that this nation is its own judge when to accord the rights of belligerency, either to a people struggling to free themselves from a government they believe to be oppressive or to independent nations at war with each other.

The United States have no disposition to interfere with the existing relations of Spain to her colonial possessions on this continent. They believe that in due time Spain and other European powers will find their interest in terminating those relations and establishing their present dependencies as independent powers—members of the family of nations. These dependencies are no longer regarded as subject to transfer from one European power to another. When the present relation of colonies ceases, they are to become independent powers, exercising the right of choice and of self-control in the determination of their future condition and relations with other powers.

The United States, in order to put a stop to bloodshed in Cuba, and in the interest of a neighboring people, proposed their good offices to bring the existing contest to a termination. The offer, not being accepted by Spain on a basis which we believed could be received by Cuba, was withdrawn. It is hoped that the good offices of the United States may yet prove advantageous for the settlement of this unhappy strife. Meanwhile a number of illegal expeditions against Cuba have been broken up. It has been the endeavor of the Administration to execute the neutrality laws in good faith, no matter how unpleasant the task, made so by the sufferings we have endured from lack of like good faith toward us by other nations.

On the 26th of March last the United States schooner *Lizzie Major* was arrested on the high seas by a Spanish frigate, and two passengers taken from it and carried as prisoners to Cuba. Representations of these facts were made to the Spanish Government as soon as official information of them reached Washington. The two passengers were set at liberty, and the Spanish Government assured the United States that the captain of the frigate in making the capture had acted without law, that he had been reprimanded for the irregularity of his conduct, and that the Spanish authorities in Cuba would not sanction any act that could violate the rights or treat with disrespect the sovereignty of this nation.

The question of the seizure of the brig *Mary Lowell* at one of the Bahama Islands by Spanish authorities is now the subject of correspondence between this Government and those of Spain and Great Britain.

The Captain-General of Cuba about May last issued a proclamation authorizing search to be made of vessels on the high seas. Immediate remonstrance was made against this, whereupon the Captain-General issued a new proclamation limiting the right of search to vessels of the United States so far as authorized under the treaty of 1795. This proclamation, however, was immediately withdrawn.

I have always felt that the most intimate relations should be cultivated

between the Republic of the United States and all independent nations on this continent. It may be well worth considering whether new treaties between us and them may not be profitably entered into, to secure more intimate relations—friendly, commercial, and otherwise.

The subject of an interoceanic canal to connect the Atlantic and Pacific oceans through the Isthmus of Darien is one in which commerce is greatly interested. Instructions have been given to our minister to the Republic of the United States of Colombia to endeavor to obtain authority for a survey by this Government, in order to determine the practicability of such an undertaking, and a charter for the right of way to build, by private enterprise, such a work, if the survey proves it to be practicable.

In order to comply with the agreement of the United States as to a mixed commission at Lima for the adjustment of claims, it became necessary to send a commissioner and secretary to Lima in August last. No appropriation having been made by Congress for this purpose, it is now asked that one be made covering the past and future expenses of the commission.

The good offices of the United States to bring about a peace between Spain and the South American Republics with which she is at war having been accepted by Spain, Peru, and Chile, a congress has been invited to be held in Washington during the present winter.

A grant has been given to Europeans of an exclusive right of transit over the territory of Nicaragua, to which Costa Rica has given its assent, which, it is alleged, conflicts with vested rights of citizens of the United States. The Department of State has now this subject under consideration.

The minister of Peru having made representations that there was a state of war between Peru and Spain, and that Spain was constructing, in and near New York, thirty gunboats, which might be used by Spain in such a way as to relieve the naval force at Cuba, so as to operate against Peru, orders were given to prevent their departure. No further steps having been taken by the representative of the Peruvian Government to prevent the departure of these vessels, and I not feeling authorized to detain the property of a nation with which we are at peace on a mere Executive order, the matter has been referred to the courts to decide.

The conduct of the war between the allies and the Republic of Paraguay has made the intercourse with that country so difficult that it has been deemed advisable to withdraw our representative from there.

Toward the close of the last Administration a convention was signed at London for the settlement of all outstanding claims between Great Britain and the United States, which failed to receive the advice and consent of the Senate to its ratification. The time and the circumstances attending the negotiation of that treaty were unfavorable to its acceptance by the people of the United States, and its provisions were wholly inadequate for the settlement of the grave wrongs that had been sustained by this

Government, as well as by its citizens. The injuries resulting to the United States by reason of the course adopted by Great Britain during our late civil war—in the increased rates of insurance; in the diminution of exports and imports, and other obstructions to domestic industry and production; in its effect upon the foreign commerce of the country; in the decrease and transfer to Great Britain of our commercial marine; in the prolongation of the war and the increased cost (both in treasure and in lives) of its suppression—could not be adjusted and satisfied as ordinary commercial claims, which continually arise between commercial nations; and yet the convention treated them simply as such ordinary claims, from which they differ more widely in the gravity of their character than in the magnitude of their amount, great even as is that difference. Not a word was found in the treaty, and not an inference could be drawn from it, to remove the sense of the unfriendliness of the course of Great Britain in our struggle for existence, which had so deeply and universally impressed itself upon the people of this country.

Believing that a convention thus misconceived in its scope and inadequate in its provisions would not have produced the hearty, cordial settlement of pending questions, which alone is consistent with the relations which I desire to have firmly established between the United States and Great Britain, I regarded the action of the Senate in rejecting the treaty to have been wisely taken in the interest of peace and as a necessary step in the direction of a perfect and cordial friendship between the two countries. A sensitive people, conscious of their power, are more at ease under a great wrong wholly unatoned than under the restraint of a settlement which satisfies neither their ideas of justice nor their grave sense of the grievance they have sustained. The rejection of the treaty was followed by a state of public feeling on both sides which I thought not favorable to an immediate attempt at renewed negotiations. I accordingly so instructed the minister of the United States to Great Britain, and found that my views in this regard were shared by Her Majesty's ministers. I hope that the time may soon arrive when the two Governments can approach the solution of this momentous question with an appreciation of what is due to the rights, dignity, and honor of each, and with the determination not only to remove the causes of complaint in the past, but to lay the foundation of a broad principle of public law which will prevent future differences and tend to firm and continued peace and friendship.

This is now the only grave question which the United States has with any foreign nation.

The question of renewing a treaty for reciprocal trade between the United States and the British Provinces on this continent has not been favorably considered by the Administration. The advantages of such a treaty would be wholly in favor of the British producer. Except, possibly, a few engaged in the trade between the two sections, no citizen of

the United States would be benefited by reciprocity. Our internal taxation would prove a protection to the British producer almost equal to the protection which our manufacturers now receive from the tariff. Some arrangement, however, for the regulation of commercial intercourse between the United States and the Dominion of Canada may be desirable.

The commission for adjusting the claims of the "Hudsons Bay and Puget Sound Agricultural Company" upon the United States has terminated its labors. The award of \$650,000 has been made and all rights and titles of the company on the territory of the United States have been extinguished. Deeds for the property of the company have been delivered. An appropriation by Congress to meet this sum is asked.

The commissioners for determining the northwestern land boundary between the United States and the British possessions under the treaty of 1856 have completed their labors, and the commission has been dissolved.

In conformity with the recommendation of Congress, a proposition was early made to the British Government to abolish the mixed courts created under the ~~treaty of~~ April 7, 1862, for the suppression of the slave trade. The subject is still under negotiation.

It having come to my knowledge that a corporate company, organized under British laws, proposed to land upon the shores of the United States and to operate there a submarine cable, under a concession from His Majesty the Emperor of the French of an exclusive right for twenty years of telegraphic communication between the shores of France and the United States, with the very objectionable feature of subjecting all messages conveyed thereby to the scrutiny and control of the French Government, I caused the French and British legations at Washington to be made acquainted with the probable policy of Congress on this subject, as foreshadowed by the bill which passed the Senate in March last. This drew from the representatives of the company an agreement to accept as the basis of their operations the provisions of that bill, or of such other enactment on the subject as might be passed during the approaching session of Congress; also, to use their influence to secure from the French Government a modification of their concession, so as to permit the landing upon French soil of any cable belonging to any company incorporated by the authority of the United States or of any State in the Union, and, on their part, not to oppose the establishment of any such cable. In consideration of this agreement I directed the withdrawal of all opposition by the United States authorities to the landing of the cable and to the working of it until the meeting of Congress. I regret to say that there has been no modification made in the company's concession, nor, so far as I can learn, have they attempted to secure one. Their concession excludes the capital and the citizens of the United States from competition upon the shores of France. I recommend

legislation to protect the rights of citizens of the United States, as well as the dignity and sovereignty of the nation, against such an assumption. I shall also endeavor to secure, by negotiation, an abandonment of the principle of monopolies in ocean telegraphic cables. Copies of this correspondence are herewith furnished.

The unsettled political condition of other countries, less fortunate than our own, sometimes induces their citizens to come to the United States for the sole purpose of becoming naturalized. Having secured this, they return to their native country and reside there, without disclosing their change of allegiance. They accept official positions of trust or honor, which can only be held by citizens of their native land; they journey under passports describing them as such citizens; and it is only when civil discord, after perhaps years of quiet, threatens their persons or their property, or when their native state drafts them into its military service, that the fact of their change of allegiance is made known. They reside permanently away from the United States, they contribute nothing to its revenues, they avoid the duties of its citizenship, and they only make themselves known by a claim of protection. I have directed the diplomatic and consular officers of the United States to scrutinize carefully all such claims for protection. The citizen of the United States, whether native or adopted, who discharges his duty to his country, is entitled to its complete protection. While I have a voice in the direction of affairs I shall not consent to imperil this sacred right by conferring it upon fictitious or fraudulent claimants.

On the accession of the present Administration it was found that the minister for North Germany had made propositions for the negotiation of a convention for the protection of emigrant passengers, to which no response had been given. It was concluded that to be effectual all the maritime powers engaged in the trade should join in such a measure. Invitations have been extended to the cabinets of London, Paris, Florence, Berlin, Brussels, The Hague, Copenhagen, and Stockholm to empower their representatives at Washington to simultaneously enter into negotiations and to conclude with the United States conventions identical in form, making uniform regulations as to the construction of the parts of vessels to be devoted to the use of emigrant passengers, as to the quality and quantity of food, as to the medical treatment of the sick, and as to the rules to be observed during the voyage, in order to secure ventilation, to promote health, to prevent intrusion, and to protect the females; and providing for the establishment of tribunals in the several countries for enforcing such regulations by summary process.

Your attention is respectfully called to the law regulating the tariff on Russian hemp, and to the question whether to fix the charges on Russian hemp higher than they are fixed upon manila is not a violation of our treaty with Russia placing her products upon the same footing with those of the most favored nations.

Our manufactures are increasing with wonderful rapidity under the encouragement which they now receive. With the improvements in machinery already effected, and still increasing, causing machinery to take the place of skilled labor to a large extent, our imports of many articles must fall off largely within a very few years. Fortunately, too, manufactures are not confined to a few localities, as formerly, and it is to be hoped will become more and more diffused, making the interest in them equal in all sections. They give employment and support to hundreds of thousands of people at home, and retain with us the means which otherwise would be shipped abroad. The extension of railroads in Europe and the East is bringing into competition with our agricultural products like products of other countries. Self-interest, if not self-preservation, therefore dictates caution against disturbing any industrial interest of the country. It teaches us also the necessity of looking to other markets for the sale of our surplus. Our neighbors south of us, and China and Japan, should receive our special attention. It will be the endeavor of the Administration to cultivate such relations with all these nations as to entitle us to their confidence and make it their interest, as well as ours, to establish better commercial relations.

Through the agency of a more enlightened policy than that heretofore pursued toward China, largely due to the sagacity and efforts of one of our own distinguished citizens, the world is about to commence largely increased relations with that populous and hitherto exclusive nation. As the United States have been the initiators in this new policy, so they should be the most earnest in showing their good faith in making it a success. In this connection I advise such legislation as will forever preclude the enslavement of the Chinese upon our soil under the name of coolies, and also prevent American vessels from engaging in the transportation of coolies to any country tolerating the system. I also recommend that the mission to China be raised to one of the first class.

On my assuming the responsible duties of Chief Magistrate of the United States it was with the conviction that three things were essential to its peace, prosperity, and fullest development. First among these is strict integrity in fulfilling all our obligations; second, to secure protection to the person and property of the citizen of the United States in each and every portion of our common country, wherever he may choose to move, without reference to original nationality, religion, color, or politics, demanding of him only obedience to the laws and proper respect for the rights of others; third, union of all the States, with equal rights, indestructible by any constitutional means.

To secure the first of these, Congress has taken two essential steps: First, in declaring by joint resolution that the public debt shall be paid, principal and interest, in coin; and, second, by providing the means for paying. Providing the means, however, could not secure the object desired without a proper administration of the laws for the collection of

the revenues and an economical disbursement of them. To this subject the Administration has most earnestly addressed itself, with results, I hope, satisfactory to the country. There has been no hesitation in changing officials in order to secure an efficient execution of the laws, sometimes, too, when, in a mere party view, undesirable political results were likely to follow; nor any hesitation in sustaining efficient officials against remonstrances wholly political.

It may be well to mention here the embarrassment possible to arise from leaving on the statute books the so-called "tenure-of-office acts," and to earnestly recommend their total repeal. It could not have been the intention of the framers of the Constitution, when providing that appointments made by the President should receive the consent of the Senate, that the latter should have the power to retain in office persons placed there by Federal appointment against the will of the President. The law is inconsistent with a faithful and efficient administration of the Government. What faith can an Executive put in officials forced upon him, and those, too, whom he has suspended for reason? How will such officials be likely to serve an Administration which they know does not trust them?

For the second requisite to our growth and prosperity time and a firm but humane administration of existing laws (amended from time to time as they may prove ineffective or prove harsh and unnecessary) are probably all that are required.

The third can not be attained by special legislation, but must be regarded as fixed by the Constitution itself and gradually acquiesced in by force of public opinion.

From the foundation of the Government to the present the management of the original inhabitants of this continent—the Indians—has been a subject of embarrassment and expense, and has been attended with continuous robberies, murders, and wars. From my own experience upon the frontiers and in Indian countries, I do not hold either legislation or the conduct of the whites who come most in contact with the Indian blameless for these hostilities. The past, however, can not be undone, and the question must be met as we now find it. I have attempted a new policy toward these wards of the nation (they can not be regarded in any other light than as wards), with fair results so far as tried, and which I hope will be attended ultimately with great success. The Society of Friends is well known as having succeeded in living in peace with the Indians in the early settlement of Pennsylvania, while their white neighbors of other sects in other sections were constantly embroiled. They are also known for their opposition to all strife, violence, and war, and are generally noted for their strict integrity and fair dealings. These considerations induced me to give the management of a few reservations of Indians to them and to throw the burden of the selection of agents upon the society itself. The result has proven most

satisfactory. It will be found more fully set forth in the report of the Commissioner of Indian Affairs. For superintendents and Indian agents not on the reservations, officers of the Army were selected. The reasons for this are numerous. Where Indian agents are sent, there, or near there, troops must be sent also. The agent and the commander of troops are independent of each other, and are subject to orders from different Departments of the Government. The army officer holds a position for life; the agent, one at the will of the President.—The former is personally interested in living in harmony with the Indian and in establishing a permanent peace, to the end that some portion of his life may be spent within the limits of civilized society; the latter has no such personal interest. Another reason is an economic one; and still another, the hold which the Government has upon a life officer to secure a faithful discharge of duties in carrying out a given policy.

The building of railroads, and the access thereby given to all the agricultural and mineral regions of the country, is rapidly bringing civilized settlements into contact with all the tribes of Indians. No matter what ought to be the relations between such settlements and the aborigines, the fact is they do not harmonize well, and one or the other has to give way in the end. A system which looks to the extinction of a race is too horrible for a nation to adopt without entailing upon itself the wrath of all Christendom and engendering in the citizen a disregard for human life and the rights of others, dangerous to society. I see no substitute for such a system, except in placing all the Indians on large reservations, as rapidly as it can be done, and giving them absolute protection there. As soon as they are fitted for it they should be induced to take their lands in severalty and to set up Territorial governments for their own protection. For full details on this subject I call your special attention to the reports of the Secretary of the Interior and the Commissioner of Indian Affairs.

The report of the Secretary of War shows the expenditures of the War Department for the year ending June 30, 1869, to be \$80,644,042, of which \$23,882,310 was disbursed in the payment of debts contracted during the war, and is not chargeable to current army expenses. His estimate of \$34,531,031 for the expenses of the Army for the next fiscal year is as low as it is believed can be relied on. The estimates of bureau officers have been carefully scrutinized, and reduced wherever it has been deemed practicable. If, however, the condition of the country should be such by the beginning of the next fiscal year as to admit of a greater concentration of troops, the appropriation asked for will not be expended.

The appropriations estimated for river and harbor improvements and for fortifications are submitted separately. Whatever amount Congress may deem proper to appropriate for these purposes will be expended.

The recommendation of the General of the Army that appropriations be made for the forts at Boston, Portland, New York, Philadelphia, New

Orleans, and San Francisco, if for no other, is concurred in. I also ask your special attention to the recommendation of the general commanding the Military Division of the Pacific for the sale of the seal islands of St. Paul and St. George, Alaska Territory, and suggest that it either be complied with or that legislation be had for the protection of the seal fisheries from which a revenue should be derived.

The report of the Secretary of War contains a synopsis of the reports of the heads of bureaus, of the commanders of military divisions, and of the districts of Virginia, Mississippi, and Texas, and the report of the General of the Army in full. The recommendations therein contained have been well considered, and are submitted for your action. I, however, call special attention to the recommendation of the Chief of Ordnance for the sale of arsenals and lands no longer of use to the Government; also, to the recommendation of the Secretary of War that the act of 3d March, 1869, prohibiting promotions and appointments in the staff corps of the Army, be repealed. The extent of country to be garrisoned and the number of military posts to be occupied is the same with a reduced Army as with a large one. The number of staff officers required is more dependent upon the latter than the former condition.

The report of the Secretary of the Navy accompanying this shows the condition of the Navy when this Administration came into office and the changes made since. Strenuous efforts have been made to place as many vessels "in commission," or render ~~them~~ fit for service if required, as possible, and to substitute the sail for steam while cruising, thus materially reducing the expenses of the Navy and adding greatly to its efficiency. Looking to our future, I recommend a liberal, though not extravagant, policy toward this branch of the public service.

The report of the Postmaster-General furnishes a clear and comprehensive exhibit of the operations of the postal service and of the financial condition of the Post-Office Department. The ordinary postal revenues for the year ending the 30th of June, 1869, amounted to \$18,344,510, and the expenditures to \$23,698,131, showing an excess of expenditures over receipts of \$5,353,620. The excess of expenditures over receipts for the previous year amounted to \$6,437,992. The increase of revenues for 1869 over those of 1868 was \$2,051,909, and the increase of expenditures was \$967,538. The increased revenue in 1869 exceeded the increased revenue in 1868 by \$996,336, and the increased expenditure in 1869 was \$2,527,570 less than the increased expenditure in 1868, showing by comparison this gratifying feature of improvement, that while the increase of expenditures over the increase of receipts in 1868 was \$2,439,535, the increase of receipts over the increase of expenditures in 1869 was \$1,084,371.

Your attention is respectfully called to the recommendations made by the Postmaster-General for authority to change the rate of compensation to the main trunk railroad lines for their services in carrying the mails;

for having post-route maps executed; for reorganizing and increasing the efficiency of the special-agency service; for increase of the mail service on the Pacific, and for establishing mail service, under the flag of the Union, on the Atlantic; and most especially do I call your attention to his recommendation for the total abolition of the franking privilege. This is an abuse from which no one receives a commensurate advantage; it reduces the receipts for postal service from 25 to 30 per cent and largely increases the service to be performed. The method by which postage should be paid upon public matter is set forth fully in the report of the Postmaster-General.

The report of the Secretary of the Interior shows that the quantity of public lands disposed of during the year ending the 30th of June, 1869, was 7,666,152 acres, exceeding that of the preceding year by 1,010,409 acres. Of this amount 2,899,544 acres were sold for cash and 2,737,365 acres entered under the homestead laws. The remainder was granted to aid in the construction of works of internal improvement, approved to the States as swamp land, and located with warrants and scrip. The cash receipts from all sources were \$4,472,886, exceeding those of the preceding year \$2,840,140.

During the last fiscal year 23,196 names were added to the pension rolls and 4,876 dropped therefrom, leaving at its close 187,963. The amount paid to pensioners, including the compensation of disbursing agents, was \$28,422,884, an increase of \$4,411,902 on that of the previous year. The munificence of Congress has been conspicuously manifested in its legislation for the soldiers and sailors who suffered in the recent struggle to maintain "that unity of government which makes us one people." The additions to the pension rolls of each successive year since the conclusion of hostilities result in a great degree from the repeated amendments of the act of the 14th of July, 1862, which extended its provisions to cases not falling within its original scope. The large outlay which is thus occasioned is further increased by the more liberal allowance bestowed since that date upon those who in the line of duty were wholly or permanently disabled. Public opinion has given an emphatic sanction to these measures of Congress, and it will be conceded that no part of our public burden is more cheerfully borne than that which is imposed by this branch of the service. It necessitates for the next fiscal year, in addition to the amount justly chargeable to the naval pension fund, an appropriation of \$30,000,000.

During the year ending the 30th of September, 1869, the Patent Office issued 13,762 patents, and its receipts were \$686,389, being \$213,926 more than the expenditures.

I would respectfully call your attention to the recommendation of the Secretary of the Interior for uniting the duties of supervising the education of freedmen with the other duties devolving upon the Commissioner of Education.

If it is the desire of Congress to make the census which must be taken during the year 1870 more complete and perfect than heretofore, I would suggest early action upon any plan that may be agreed upon. As Congress at the last session appointed a committee to take into consideration such measures as might be deemed proper in reference to the census and report a plan, I desist from saying more.

I recommend to your favorable consideration the claims of the Agricultural Bureau for liberal appropriations. In a country so diversified in climate and soil as ours, and with a population so largely dependent upon agriculture, the benefits that can be conferred by properly fostering this Bureau are incalculable.

I desire respectfully to call the attention of Congress to the inadequate salaries of a number of the most important offices of the Government. In this message I will not enumerate them, but will specify only the justices of the Supreme Court. No change has been made in their salaries for fifteen years. Within that time the labors of the court have largely increased and the expenses of living have at least doubled. During the same time Congress has twice found it necessary to increase largely the compensation of its own members, and the duty which it owes to another department of the Government deserves, and will undoubtedly receive, its due consideration.

There are many subjects not alluded to in this message which might with propriety be introduced, but I abstain, believing that your patriotism and statesmanship will suggest the topics and the legislation most conducive to the interests of the whole people. On my part I promise a rigid adherence to the laws and their strict enforcement.

U. S. GRANT.

SPECIAL MESSAGES.

WASHINGTON, December 6, 1869.

To the Senate of the United States:

I submit to the Senate, for its consideration with a view to ratification, an additional article to the convention of the 24th of October, 1867, between the United States of America and His Majesty the King of Denmark.

U. S. GRANT.

WASHINGTON, December 6, 1869.

To the Senate of the United States:

I submit to the Senate, for its consideration with a view to ratification, a convention between the United States and His Hawaiian Majesty,

signed in this city on the 8th day of May last, providing for the extension of the term for the exchange of the ratifications of the convention for commercial reciprocity between the same parties, signed on the 21st day of May, 1867.

U. S. GRANT.

WASHINGTON, *December 6, 1869.*

To the Senate of the United States:

I submit to the Senate, for its consideration with a view to ratification, a protocol, signed in this city on the 23d of October last, to the convention upon the subject of claims between the United States and the Mexican Republic, signed the 4th of July, 1868.

U. S. GRANT

WASHINGTON, *December 7, 1869.*

To the Senate of the United States:

I transmit, for the consideration of the Senate, the accompanying copy of a correspondence between the Secretary of State and the minister of the United States at Berlin, in relation to the exchange of the ratifications of the naturalization convention dated July 27, 1868, between the United States and the Government of Wurtemberg, which was not effected within the time named in the convention.

U. S. GRANT.

WASHINGTON, *December 7, 1869.*

To the Senate of the United States:

I transmit, for the consideration of the Senate, the accompanying copy of a correspondence between the Secretary of State and the legation of the United States at Brussels, in relation to the exchange of the ratifications of the consular convention with Belgium signed on the 5th of December, 1868, which was not effected within the time named in the convention.

U. S. GRANT.

WASHINGTON, *December 7, 1869.*

To the Senate of the United States:

I transmit to the Senate a copy of a correspondence, a list of which is hereto annexed, between the Secretary of State and the minister resident of the United States at Constantinople, and invite its consideration of the question as to the correct meaning of the fourth article of the treaty of 1830 between the United States and Turkey.

U. S. GRANT.

WASHINGTON, D. C., December 9, 1869.

To the Senate of the United States:

In compliance with the resolution of the Senate of the 6th instant, requesting reports of the military commander of the district of which Georgia is a part in regard to the political and civil condition of that State, the accompanying papers are submitted.

U. S. GRANT.

WASHINGTON, December 9, 1869.

To the House of Representatives:

I transmit a report from the Secretary of State, in answer to a resolution of the House of Representatives of yesterday, asking to be informed what legislatures have ratified the proposed fifteenth amendment of the Constitution of the United States.

U. S. GRANT.

WASHINGTON, December 15, 1869.

To the House of Representatives:

I transmit a further report from the Secretary of State in answer to the resolution of the House of Representatives of the 9th instant, making known that official notice has been received at the Department of State of the ratification by the legislature of the State of Alabama of the amendment to the Constitution recently proposed by Congress as Article XV.

U. S. GRANT.

WASHINGTON, December 15, 1869.

To the House of Representatives:

In answer to the resolution of the House of Representatives of the 13th instant, requesting a copy of official correspondence on the subject of Cuba, I transmit a report from the Secretary of State, to whom the resolution was referred.

U. S. GRANT.

EXECUTIVE MANSION,
Washington, D. C., December 15, 1869.

To the House of Representatives:

In answer to the resolution of December 9, 1869, requesting a copy of the charges, testimony, findings, and sentence in the trial by court-martial of Passed Assistant Surgeon Charles L. Green, United States Navy, I transmit herewith a report from the Secretary of the Navy, to whom the resolution was referred.

U. S. GRANT.

EXECUTIVE MANSION,
Washington, D. C., December 20, 1869.

To the Senate of the United States:

I hereby request the return of such part of my message of December 9, in response to Senate resolution of December 6, requesting the reports of the military commander of the district of which Georgia is a part, to wit, an anonymous letter purporting to be from "a Georgia woman." By accident the paper got with those called for by the resolution, instead of in the wastebasket, where it was intended it should go.

U. S. GRANT.

WASHINGTON, *December 20, 1869.*

To the Senate of the United States:

I transmit to the Senate, in relation to their resolution of the 8th instant, a report from the Secretary of State, with accompanying documents.*

U. S. GRANT.

To the Senate:

WASHINGTON, *December 22, 1869.*

In answer to the resolution of the Senate of the 20th instant, in relation to correspondence between the United States and Great Britain concerning questions pending between the two countries since the rejection of the claims convention by the Senate, I transmit a report from the Secretary of State upon the subject and the papers by which it was accompanied.

U. S. GRANT.

WASHINGTON, *December 22, 1869.*

To the Senate of the United States:

I transmit to the Senate, in answer to their resolution of the 8th instant, a report† from the Secretary of State.

U. S. GRANT.

WASHINGTON, *January 10, 1870.*

To the Senate of the United States:

I transmit to the Senate, for consideration with a view to its ratification, a convention between the United States and the Dominican Republic for a lease to the former of the bay and peninsula of Samana.

U. S. GRANT.

* Relating to the revolution in Cuba and the political and civil condition of that island.

† Stating that neither correspondence nor negotiation upon the subject of trade and commerce between the United States and Canada had been entered into.

WASHINGTON, January 10, 1870.

To the Senate of the United States:

I transmit to the Senate, for consideration with a view to its ratification, a treaty for the annexation of the Dominican Republic to the United States, signed by the plenipotentiaries of the parties on the 29th of November last.

U. S. GRANT.

EXECUTIVE MANSION,
*Washington, D. C., January 10, 1870.**To the Senate of the United States:*

In response to the resolution of the Senate of December 9, 1869, requesting the information in possession of the President or any of the Departments relating to the action which has been had in the District of Virginia under the act "authorizing the submission of the constitutions of Virginia, Mississippi, and Texas to a vote of the people, and authorizing the election of State officers provided by the said constitutions, and Members of Congress," approved April 10, 1869, I have the honor to transmit herewith the reports of the Secretary of State, the Secretary of War, and the Attorney-General, to whom, severally, the resolution was referred.

U. S. GRANT.

EXECUTIVE MANSION,
*Washington, D. C., January 21, 1870.**To the House of Representatives:*

In answer to the resolution passed by the House of Representatives on the 17th instant, requesting to be informed "under what act of Congress or by other authority appropriations for the Navy are diverted to the survey of the Isthmus of Darien," I transmit a report by the Secretary of the Navy, to whom the resolution was referred.

U. S. GRANT.

EXECUTIVE MANSION,
*Washington, D. C., January 29, 1870.**To the Senate and House of Representatives:*

I herewith transmit to Congress a report, dated 29th instant, with the accompanying papers,* received from the Secretary of State, in compliance with the requirements of the eighteenth section of the act entitled "An act to regulate the diplomatic and consular systems of the United States," approved August 18, 1856.

U. S. GRANT.

* Report of fees collected, etc., by consular officers of the United States for 1868, and tariff of consular fees.

WASHINGTON, February 1, 1870.

To the Senate of the United States:

I transmit to the Senate, in compliance with its resolution of the 31st ultimo, a report from the Secretary of State, communicating information in relation to the action of the legislature of the State of Mississippi on the proposed fifteenth amendment to the Constitution of the United States.

U. S. GRANT.

WASHINGTON, February 2, 1870.

To the Senate of the United States:

In answer to the resolution of the Senate of the 8th ultimo, I transmit a report* from the Secretary of State and the papers which accompanied it.

U. S. GRANT.

EXECUTIVE MANSION, February 4, 1870.

To the Senate of the United States:

I herewith lay before the Senate, for the consideration and action of that body in connection with a treaty of December 4, 1868, with the Seneca Nation of Indians, now pending, amendments to said treaty proposed at a council of said Indians held at their council house on the Cattaraugus Reservation, in New York, on the 26th ultimo.

A letter of the Secretary of the Interior, of the 3d instant, accompanies the papers.

U. S. GRANT.

EXECUTIVE MANSION, February 4, 1870.

To the Senate of the United States:

For the reasons stated in the accompanying communication from the Secretary of the Interior, I respectfully request to withdraw the treaties hereinafter mentioned, which are now pending before the Senate:

First. Treaty concluded with the Great and Little Osages May 27, 1868.

Second. Treaty concluded with the Sacs and Foxes of the Missouri and Iowa tribes of Indians February 11, 1869.

Third. Treaty concluded with the Otoe and Missouria Indians February 13, 1869.

Fourth. Treaty concluded with the Kansas or Kaw Indians March 13, 1869.

U. S. GRANT.

WASHINGTON, February 8, 1870.

To the House of Representatives:

In answer to the resolution of the House of Representatives of the 3d instant, calling for the number of copies of the tributes of the nations to

* Relating to the insurrection in the Red River settlement, in British North America.

Abraham Lincoln now in possession of the Department of State, I transmit a report from the Secretary of State and the paper which accompanied it.

U. S. GRANT.

WASHINGTON, February 11, 1870.

To the House of Representatives:

In compliance with the resolution of the House of Representatives requesting me to furnish any information which may have been received by the Government in relation to the recent assault upon and reported murder of one or more American citizens in Cuba, I communicate a report from the Secretary of State, with the papers accompanying it.

U. S. GRANT.

WASHINGTON CITY, February 11, 1870.

To the Senate of the United States:

The papers in the case of Commander Jonathan Young, of the United States Navy, show—

That when the naval promotions were made in 1866 the name of Commander Jonathan Young was not included among them, and he was passed over, while Commander George W. Young was not passed over; that among other testimonials is one from Vice-Admiral D. D. Porter stating that "Commander Jonathan Young was passed over by mistake; that he was recommended for promotion, while Commander George W. Young was not recommended for promotion, and by some singular mistake the latter was promoted, while the former was passed over."

That eminent officers, formerly *junior* to Commander Young, but promoted over his head, desire his restoration to his former position, because they consider such restoration due to his character, ability, and services.

In view, therefore, of these facts, and of the general good standing of Commander Jonathan Young, and of his gallant and efficient services during the war, and to remedy so far as is now possible what is believed to have been a clerical error of the Department, which has worked to his injury, the Department now recommends that he be restored to his original standing upon the navy list.

For these reasons I nominate Commander Jonathan Young to be restored to his original position, to take rank from the 25th July, 1866, and next after Commander William T. Truxtun.

U. S. GRANT.

WASHINGTON, D. C., February 11, 1870.

To the Senate of the United States:

In reply to the resolution of the Senate of the 4th instant, requesting information in regard to the proceedings had in the State of Georgia in

pursuance of the recent act of Congress entitled "An act to promote the reconstruction of the State of Georgia," and in relation to the organization of the legislature of that State since the passage of that act, I herewith transmit the report of the Secretary of War, to whom the resolution was referred.

U. S. GRANT.

WASHINGTON, February 15, 1870.

To the Senate of the United States:

In reply to a resolution of the Senate of the 9th instant, in relation to the Central Branch, Union Pacific Railroad Company, I transmit a copy of a letter addressed to me on the 27th ultimo by the Secretary of the Interior. It contains all the information in my possession touching the action of any of the Departments on the claim of that company to continue and extend its road and to receive in aid of the construction thereof lands and bonds from the United States.

U. S. GRANT.

WASHINGTON, February 16, 1870.

To the Senate of the United States:

In response to the resolution of the Senate of the 8th instant, asking "how much of the appropriations heretofore made, amounting to \$100,000, to provide for the defense of certain suits now pending in the Court of Claims, known as the cotton cases, has been expended, and to whom the same has been paid; for what services rendered, and the amount paid to each of said persons; and also the number of clerks in the Treasury Department, and other persons, with their names, engaged or occupied in the defense of said suits," I herewith transmit the report of the Secretary of the Treasury, to whom the resolution was referred.

U. S. GRANT.

WASHINGTON, February 16, 1870.

To the House of Representatives:

In answer to the resolution of the House of Representatives of the 10th instant, I transmit a report* from the Secretary of State, with accompanying documents.

U. S. GRANT.

WASHINGTON, February 17, 1870.

To the Senate of the United States:

I transmit to the Senate, in answer to their resolution of the 24th ultimo, the report from the Secretary of State, with accompaniments.†

U. S. GRANT.

* Relating to the payment in currency, instead of coin, of the semiannual installments of interest due to the United States under the convention with Spain concluded February 17, 1834, and opinion of the Attorney-General relative thereto.

† Lists of officers commissioned by the Department of State, their compensation, etc.

WASHINGTON, February 18, 1870.

To the House of Representatives:

I transmit to the House of Representatives, in further answer to their resolution requesting information in relation to the recent assault upon and reported murder of one or more American citizens in Cuba, a report from the Secretary of State, with accompanying papers.

U. S. GRANT.

WASHINGTON, February 19, 1870.

To the Senate of the United States:

In reply to the resolution of the Senate of the 11th instant, requesting "any information which may have been received by the Government of the recently reported engagement of Colonel Baker with the Indians,* with copies of all orders which led to the same," I transmit a report from the Secretary of War, to whom the resolution was referred.

U. S. GRANT.

EXECUTIVE MANSION,

Washington, D. C., February 21, 1870.

To the House of Representatives:

I transmit to the House of Representatives, in answer to their resolution of the 7th instant, a report from the Secretary of State, with accompanying documents.†

U. S. GRANT.

WASHINGTON, February 23, 1870.

To the Senate of the United States:

I transmit to the Senate, in answer to their resolution of the 14th instant, a report from the Secretary of State, with accompanying documents.‡

U. S. GRANT.

WASHINGTON, February 24, 1870.

To the Senate of the United States:

In answer to the resolution of the Senate of the 21st instant, directing the Secretary of State to furnish the Senate with copies of all correspondence relating to the imprisonment of Mr. Davis Hatch by the Dominican Government, I transmit a report of the Secretary of State upon the subject.

U. S. GRANT.

* Piegan in Montana.

† Correspondence relative to affairs connected with Cuba and to the struggle for independence in that island.

‡ Correspondence of the United States minister to Japan relative to American interests in that country.

WASHINGTON, February 28, 1870.

To the Senate of the United States:

In answer to the resolution of the Senate of the 19th instant, requesting to be informed "if any officer of the Government has, contrary to the treaty of July 19, 1866, with the Cherokee Nation, enforced or sought to enforce the payment of taxes by Cherokees on products manufactured in the Cherokee Nation and sold within the Indian Territory," I transmit a report from the Secretary of the Treasury, to whom the resolution was referred.

U. S. GRANT.

WASHINGTON, February 28, 1870.

To the House of Representatives:

In answer to the resolution of the House of Representatives of the 15th instant, I transmit a report from the Secretary of State upon the subject,* and the papers by which it was accompanied.

U. S. GRANT.

WASHINGTON, March 1, 1870.

To the Senate and House of Representatives:

I transmit to Congress a communication from the Secretary of State, with the accompanying documents, relative to the claims of citizens of the United States on the Government of Venezuela which were adjusted by the commission provided for by the convention with that Republic of April 25, 1866.

U. S. GRANT.

EXECUTIVE MANSION,
Washington, D. C., March 3, 1870.

To the House of Representatives:

I transmit herewith, in response to the resolution of the House asking for information in relation to the repairs of Spanish war vessels at the docks of the United States, the report of the Secretary of the Navy, to whom the resolution was referred.

U. S. GRANT.

EXECUTIVE MANSION,
Washington, D. C., March 8, 1870.

To the Senate and House of Representatives:

Herewith I have the honor to transmit a communication from the Secretary of the Interior, relative to the obligation of Congress to make the necessary appropriations to carry out the Indian treaties made by what is known as the Peace Commission of 1867.

*Imprisonment of American citizens in Great Britain for political offenses.

The history of those treaties and the consequences of noncompliance with them by the Government are so clearly set forth in this statement that I deem it better to communicate it in full than to ask the necessary appropriation in a shorter statement of the reasons for it. I earnestly desire that if an Indian war becomes inevitable the Government of the United States at least should not be responsible for it. Pains will be taken, and force used if necessary, to prevent the departure of the expeditions referred to by the Secretary of the Interior.

U. S. GRANT.

WASHINGTON, *March 10, 1870.*

To the Senate of the United States:

In answer to the resolution of the Senate of the 4th instant, in relation to the "Transcontinental, Memphis, El Paso and Pacific Railroad Company," I transmit reports from the Secretary of State and the Secretary of the Interior, with accompanying papers.

U. S. GRANT.

WASHINGTON, *March 10, 1870.*

To the Senate of the United States:

I transmit to the Senate, in answer to their resolution of the 28th ultimo, a report* from the Secretary of State, with accompanying documents.

U. S. GRANT.

EXECUTIVE MANSION,
Washington, D. C., March 14, 1870.

To the Senate of the United States:

In reply to your resolution of the 14th of February, requesting to be informed whether I desire that any of the Indian treaties now pending before you be considered confidentially, I have to inform you that there are none of them which I object to having discussed in open session.

U. S. GRANT.

EXECUTIVE MANSION,
Washington, D. C., March 14, 1870.

To the Senate of the United States:

I would respectfully call your attention to a treaty now before you for the acquisition of the Republic of St. Domingo, entered into between the agents of the two Governments on the 29th of November, 1869, and by its terms to be finally acted upon by the people of St. Domingo and the Senate of the United States within four months from the date of signing

* Relating to legislation necessary to insure the administration of justice and the protection of American interests in China and Japan.

the treaty. The time for action expires on the 29th instant, a fact to which I desire expressly to call your attention. I would also direct your notice to the fact that the Government of St. Domingo has no agent in the United States who is authorized to extend the time for further deliberation upon its merits.

The people of St. Domingo have already, so far as their action can go, ratified the treaty, and I express the earnest wish that you will not permit it to expire by limitation. I also entertain the sincere hope that your action may be favorable to the ratification of the treaty.

U. S. GRANT.

WASHINGTON, March 15, 1870.

To the Senate of the United States:

I transmit a report from the Secretary of State, in answer to a resolution of the Senate of the 3d instant, asking to be informed what States have ratified the amendment known as the fifteenth amendment to the Constitution of the United States, so far as official notice thereof has been transmitted to the Department of State, and that information from time to time may be communicated to that body, as soon as practicable, of such ratification hereafter by any State.

U. S. GRANT.

EXECUTIVE MANSION,
Washington, D. C., March 23, 1870.

To the Senate and House of Representatives:

In the Executive message of December 6, 1869, to Congress the importance of taking steps to revive our drooping merchant marine was urged, and a special message promised at a future day during the present session, recommending more specifically plans to accomplish this result. Now that the committee of the House of Representatives intrusted with the labor of ascertaining "the cause of the decline of American commerce" has completed its work and submitted its report to the legislative branch of the Government, I deem this a fitting time to execute that promise.

The very able, calm, and exhaustive report of the committee points out the grave wrongs which have produced the decline in our commerce. It is a national humiliation that we are now compelled to pay from twenty to thirty million dollars annually (exclusive of passage money, which we should share with vessels of other nations) to foreigners for doing the work which should be done by American vessels, American built, American owned, and American manned. This is a direct drain upon the resources of the country of just so much money, equal to casting it into the sea, so far as this nation is concerned.

A nation of the vast and ever-increasing interior resources of the

United States, extending, as it does, from one to the other of the great oceans of the world, with an industrious, intelligent, energetic population, must one day possess its full share of the commerce of these oceans, no matter what the cost. Delay will only increase this cost and enhance the difficulty of attaining the result.

I therefore put in an earnest plea for early action in this matter, in a way to secure the desired increase of American commerce. The advanced period of the year and the fact that no contracts for shipbuilding will probably be entered into until this question is settled by Congress, and the further fact that if there should be much delay all large vessels contracted for this year will fail of completion before winter sets in, and will therefore be carried over for another year, induces me to request your early consideration of this subject.

I regard it of such grave importance, affecting every interest of the country to so great an extent, that any method which will gain the end will secure a rich national blessing. Building ships and navigating them utilizes vast capital at home; it employs thousands of workmen in their construction and manning; it creates a home market for the products of the farm and the shop; it diminishes the balance of trade against us precisely to the extent of freights and passage money paid to American vessels, and gives us a supremacy upon the seas of inestimable value in case of foreign war.

Our Navy at the commencement of the late war consisted of less than 100 vessels, of about 150,000 tons and a force of about 8,000 men. We drew from the merchant marine, which had cost the Government nothing, but which had been a source of national wealth, 600 vessels, exceeding 1,000,000 tons, and about 70,000 men, to aid in the suppression of the rebellion.

This statement demonstrates the value of the merchant marine as a means of national defense in time of need.

The Committee on the Causes of the Reduction of American Tonnage, after tracing the causes of its decline, submit two bills, which, if adopted, they believe will restore to the nation its maritime power. Their report shows with great minuteness the actual and comparative American tonnage at the time of its greatest prosperity; the actual and comparative decline since, together with the causes; and exhibits all other statistics of material interest in reference to the subject. As the report is before Congress, I will not recapitulate any of its statistics, but refer only to the methods recommended by the committee to give back to us our lost commerce.

As a general rule, when it can be adopted, I believe a direct money subsidy is less liable to abuse than an indirect aid given to the same enterprise. In this case, however, my opinion is that subsidies, while they may be given to specified lines of steamers or other vessels, should not be exclusively adopted, but, in addition to subsidizing very desirable

lines of ocean traffic, a general assistance should be given in an effective way. I therefore commend to your favorable consideration the two bills proposed by the committee and referred to in this message.

U. S. GRANT.

EXECUTIVE MANSION, *March 25, 1870.*

To the Senate of the United States:

In reply to a Senate resolution of the 24th instant, requesting to be furnished with a report, written by Captain Selfridge, upon the resources and condition of things in the Dominican Republic, I have to state that no such report has been received.

U. S. GRANT.

WASHINGTON, *March 25, 1870.*

To the Senate of the United States:

In answer to the resolution of the Senate of the 15th ultimo, I transmit a report, with accompanying paper,* from the Secretary of the Navy, to whom the resolution was referred.

U. S. GRANT.

EXECUTIVE MANSION, *March 29, 1870.*

To the House of Representatives:

In reply to your resolution of December 20, 1869, asking "whether any citizens of the United States are imprisoned or detained in military custody by officers of the Army of the United States, and, if any, to furnish their names, date of arrest, the offenses charged, together with a statement of what measures have been taken for the trial and punishment of the offenders," I transmit herewith the report of the Secretary of War, to whom the resolution was referred.

U. S. GRANT.

EXECUTIVE MANSION, *March 30, 1870.*

To the Senate and House of Representatives:

It is unusual to notify the two Houses of Congress by message of the promulgation, by proclamation of the Secretary of State, of the ratification of a constitutional amendment. In view, however, of the vast importance of the fifteenth amendment to the Constitution, this day declared a part of that revered instrument, I deem a departure from the usual custom justifiable. A measure which makes at once 4,000,000 people voters who were heretofore declared by the highest tribunal in the land not citizens of the United States, nor eligible to become so (with the assertion that "at the time of the Declaration of Independence the opinion

*Statement of the number and character of the ironclad vessels of the Navy, their cost, by whom designed, who recommended their construction, and their creation.

was fixed and universal in the civilized portion of the white race, regarded as an axiom in morals as well as in politics, that black men had no rights which the white man was bound to respect"), is indeed a measure of grander importance than any other one act of the kind from the foundation of our free Government to the present day.

Institutions like ours, in which all power is derived directly from the people, must depend mainly upon their intelligence, patriotism, and industry. I call the attention, therefore, of the newly enfranchised race to the importance of their striving in every honorable manner to make themselves worthy of their new privilege. To the race more favored heretofore by our laws I would say, Withhold no legal privilege of advancement to the new citizen. The framers of our Constitution firmly believed that a republican government could not endure without intelligence and education generally diffused among the people. The Father of his Country, in his Farewell Address, uses this language:

Promote, then, as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it is essential that public opinion should be enlightened.

— In his first annual message to Congress the same views are forcibly presented, and are again urged in his eighth message.

I repeat that the adoption of the fifteenth amendment to the Constitution completes the greatest civil change and constitutes the most important event that has occurred since the nation came into life. The change will be beneficial in proportion to the heed that is given to the urgent recommendations of Washington. If these recommendations were important then, with a population of but a few millions, how much more important now, with a population of 40,000,000, and increasing in a rapid ratio. I would therefore call upon Congress to take all the means within their constitutional powers to promote and encourage popular education throughout the country, and upon the people everywhere to see to it that all who possess and exercise political rights shall have the opportunity to acquire the knowledge which will make their share in the Government a blessing and not a danger. By such means only can the benefits contemplated by this amendment to the Constitution be secured.

U. S. GRANT.

HAMILTON FISH, SECRETARY OF STATE OF THE UNITED STATES.

To all to whom these presents may come, greeting:

Know ye that the Congress of the United States, on or about the 27th day of February, in the year 1869, passed a resolution in the words and figures following, to wit:

A RESOLUTION proposing an amendment to the Constitution of the United States.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of both Houses concurring), That the following article be proposed to the legislatures of the several States as an amendment to the —

Constitution of the United States, which, when ratified by three-fourths of said legislatures, shall be valid as a part of the Constitution, viz:

ARTICLE XV.

SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States, or by any State, on account of race, color, or previous condition of servitude.

SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

And further, that it appears from official documents on file in this Department that the amendment to the Constitution of the United States, proposed as aforesaid, has been ratified by the legislatures of the States of North Carolina, West Virginia, Massachusetts, Wisconsin, Maine, Louisiana, Michigan, South Carolina, Pennsylvania, Arkansas, Connecticut, Florida, Illinois, Indiana, New York, New Hampshire, Nevada, Vermont, Virginia, Alabama, Missouri, Mississippi, Ohio, Iowa, Kansas, Minnesota, Rhode Island, Nebraska, and Texas; in all, twenty-nine States;

And further, that the States whose legislatures have so ratified the said proposed amendment constitute three-fourths of the whole number of States in the United States;

And further, that it appears from an official document on file in this Department that the legislature of the State of New York has since passed resolutions claiming to withdraw the said ratification of the said amendment, which had been made by the legislature of that State, and of which official notice had been filed in this Department;

And further, that it appears from an official document on file in this Department that the legislature of Georgia has by resolution ratified the said proposed amendment:

Now, therefore, be it known that I, Hamilton Fish, Secretary of State of the United States, by virtue and in pursuance of the second section of the act of Congress approved the 20th day of April, in the year 1818, entitled "An act to provide for the publication of the laws of the United States, and for other purposes," do hereby certify that the amendment aforesaid has become valid to all intents and purposes as part of the Constitution of the United States.

In testimony whereof I have hereunto set my hand and caused the seal of the Department of State to be affixed.

[SEAL.] Done at the city of Washington this 30th day of March, A. D. 1870, and of the Independence of the United States the ninety-fourth.

HAMILTON FISH.

WASHINGTON, *March 31, 1870.*

To the Senate of the United States:

I transmit, for consideration with a view to its ratification, a treaty between the United States and the United States of Colombia for the construction of an interoceanic canal across the Isthmus of Panama or Darien, signed at Bogota on the 26th of January last.

A copy of a dispatch of the 1st ultimo to the Secretary of State from General Hurlbut, the United States minister at Bogota, relative to the treaty, is also transmitted for the information of the Senate.

— U. S. GRANT.

WASHINGTON, *March 31, 1870.**To the Senate and House of Representatives:*

I transmit to Congress a further communication from the Secretary of State, with the accompanying documents, relative to the claims of citizens of the United States on the Government of Venezuela which were adjusted by the commission provided for by the convention with that Republic of April 25, 1866.

U. S. GRANT.

WASHINGTON, *March 31, 1870.**To the House of Representatives:*

In answer to the resolution of the House of Representatives of the 7th instant, relating to fisheries in British waters, I transmit a report from the Secretary of State and the papers which accompanied it, and I have to state that the commanding officer of the naval steamer ordered to the fishing grounds will be instructed to give his attention, should circumstances require it, to cases which may arise under any change which may be made in the British laws affecting fisheries within British jurisdiction, with a view to preventing, so far as it may be in his power, infractions by citizens of the United States of the first article of the treaty between the United States and Great Britain of 1818, the laws in force relating to fisheries within British jurisdiction, or any illegal interference with the pursuits of the fishermen of the United States.

U. S. GRANT.

WASHINGTON, *April 5, 1870.**To the House of Representatives:*

In answer to the resolution of the House of Representatives of the 28th ultimo, I transmit a report* from the Secretary of State, to whom the resolution was referred.

U. S. GRANT.

EXECUTIVE MANSION, *April 6, 1870.**To the House of Representatives:*

In answer to your resolution of the 7th ultimo, requesting to be furnished with a copy of orders, correspondence, reports of councils with Indians by military and civil officers of the Government, in possession of the Interior and War Departments, relating to difficulties with the Cheyenne, Comanche, Arapahoe, Apache, and Kiowa tribes of Indians during the year 1867, etc., I herewith transmit the reports received from those Departments.

U. S. GRANT.

* Declining to communicate a copy of the list of privileges accompanying or relating to the San Domingo treaty while the subject is pending before the Senate in executive session.

WASHINGTON, April 14, 1870.

To the Senate and House of Representatives:

I transmit to Congress a report from the Secretary of State, relative to results of the proceedings of the joint commission at Lima under the convention between the United States and Peru of 4th of December, 1868, and recommend that an appropriation be made to discharge the obligation of the United States in the case of the claim of Esteban G. Montano, to which the report refers.

U. S. GRANT.

EXECUTIVE MANSION, April 20, 1870.

To the House of Representatives:

In answer to your resolution of the 21st ultimo, requesting to be informed "whether any portion of the military forces of the United States has been sent into the counties of Bourbon, Crawford, and Cherokee, in the State of Kansas, and, if so, when, what number, for what purpose, and on whose procurement; and also whether they have been required to erect there any winter quarters, forts, fortifications, or earth-works, and, if so, what, for what purpose, and at whose expense, and at what probable expense to the Government have all said acts been done," I transmit herewith a report, dated 18th instant, from the Secretary of War, to whom the resolution was referred.

U. S. GRANT.

WASHINGTON, April 26, 1870.

To the House of Representatives:

In answer to the resolution of the House of Representatives of the 9th instant, I transmit a report from the Secretary of State and the paper* which accompanied it.

U. S. GRANT.

WASHINGTON, May 6, 1870.

To the Senate of the United States:

In answer to the resolution of the Senate of the 26th ultimo, I transmit a report from the Secretary of State and the papers† by which it was accompanied.

U. S. GRANT.

WASHINGTON, May 21, 1870.

To the Senate of the United States:

I transmit to the Senate, in answer to their resolution of the 18th instant, calling for information relative to the passage of any English or

*Supplemental report to the Department of State by Samuel B. Ruggles, United States delegate to the International Monetary Conference at Paris, 1867.

† Dispatches of J. Somers Smith, commercial agent of the United States at San Domingo, relative to the imprisonment of Davis Hatch by the Dominican Government.

Canadian steamer through the canal of Sault Ste. Marie, a report from the Secretary of State, with accompanying papers.

U. S. GRANT.

WASHINGTON, May 23, 1870.

To the Senate of the United States:

In response to your resolution of the 12th instant, requesting information "in relation to an organized band of persons at Cheyenne, in the Territory of Wyoming, or vicinity, the number and designs of such persons," I transmit herewith the reports of the Secretary of War and the Secretary of the Interior, to whom the resolution was referred.

U. S. GRANT.

WASHINGTON, May 23, 1870.

To the House of Representatives:

I transmit to the House of Representatives, in answer to their resolution of the 5th instant, a report from the Secretary of State and its accompanying papers.*

U. S. GRANT.

WASHINGTON, May 26, 1870.

To the Senate of the United States:

I have the satisfaction of transmitting to the Senate, for consideration with a view to its ratification, a convention between the United States and Her Britannic Majesty, relative to naturalization, signed in London on the 13th instant.

The convention is substantially the same as the protocol on the subject signed by Mr. Reverdy Johnson and Lord Stanley on the 9th of October, 1868, and approved by the Senate on the 13th April, 1869.

If the instrument should go into effect, it will relieve the parties from a grievance which has hitherto been a cause of frequent annoyance and sometimes of dangerous irritation.

A copy of Mr. Motley's dispatch on the subject and of the act of Parliament of May 12, 1870, are also transmitted.

U. S. GRANT.

WASHINGTON, May 28, 1870.

To the Senate of the United States:

In answer to the resolution of the Senate of the 24th instant, I transmit a report from the Secretary of State and the document † by which it was accompanied.

U. S. GRANT.

* Relating to the claims of United States citizens against Venezuela.

† Dispatch from Henry T. Blow, United States minister to Brazil, relative to the commercial interests of the United States with South America.

EXECUTIVE MANSION, May 31, 1870.

To the Senate of the United States:

I transmit to the Senate, for consideration with a view to its ratification, an additional article to the treaty of the 29th of November last, for the annexation of the Dominican Republic to the United States, stipulating for an extension of the time for exchanging the ratifications thereof, signed in this city on the 14th instant by the plenipotentiaries of the parties.

It was my intention to have also negotiated with the plenipotentiary of San Domingo amendments to the treaty of annexation to obviate objections which may be urged against the treaty as it is now worded; but on reflection I deem it better to submit to the Senate the propriety of their amending the treaty as follows: First, to specify that the obligations of this Government shall not exceed the \$1,500,000 stipulated in the treaty; secondly, to determine the manner of appointing the agents to receive and disburse the same; thirdly, to determine the class of creditors who shall take precedence in the settlement of their claims; and, finally, to insert such amendments as may suggest themselves to the minds of Senators to carry out in good faith the conditions of the treaty submitted to the Senate of the United States in January last, according to the spirit and intent of that treaty. From the most reliable information I can obtain, the sum specified in the treaty will pay every just claim against the Republic of San Domingo and leave a balance sufficient to carry on a Territorial government until such time as new laws for providing a Territorial revenue can be enacted and put in force.

I feel an unusual anxiety for the ratification of this treaty, because I believe it will redound greatly to the glory of the two countries interested, to civilization, and to the extirpation of the institution of slavery.

The doctrine promulgated by President Monroe has been adhered to by all political parties, and I now deem it proper to assert the equally important principle that hereafter no territory on this continent shall be regarded as subject of transfer to a European power.

The Government of San Domingo has voluntarily sought this annexation. It is a weak power, numbering probably less than 120,000 souls, and yet possessing one of the richest territories under the sun, capable of supporting a population of 10,000,000 people in luxury. The people of San Domingo are not capable of maintaining themselves in their present condition, and must look for outside support.

They yearn for the protection of our free institutions and laws, our progress and civilization. Shall we refuse them?

I have information which I believe reliable that a European power stands ready now to offer \$2,000,000 for the possession of Samana Bay alone. If refused by us, with what grace can we prevent a foreign power from attempting to secure the prize?

The acquisition of San Domingo is desirable because of its geographical position. It commands the entrance to the Caribbean Sea and the Isthmus transit of commerce. It possesses the richest soil, best and most capacious harbors, most salubrious climate, and the most valuable products of the forests, mine, and soil of any of the West India Islands. Its possession by us will in a few years build up a coastwise commerce of immense magnitude, which will go far toward restoring to us our lost merchant marine. It will give to us those articles which we consume so largely and do not produce, thus equalizing our exports and imports.

In case of foreign war it will give us command of all the islands referred to, and thus prevent an enemy from ever again possessing himself of rendezvous upon our very coast.

At present our coast trade between the States bordering on the Atlantic and those bordering on the Gulf of Mexico is cut into by the Bahamas and the Antilles. Twice we must, as it were, pass through foreign countries to get by sea from Georgia to the west coast of Florida.

San Domingo, with a stable government, under which her immense resources can be developed, will give remunerative wages to tens of thousands of laborers not now on the island.

This labor will take advantage of every available means of transportation to abandon the adjacent islands and seek the blessings of freedom and its sequence—each inhabitant receiving the reward of his own labor. Porto Rico and Cuba will have to abolish slavery, as a measure of self-preservation to retain their laborers.

San Domingo will become a large consumer of the products of Northern farms and manufactories. The cheap rate at which her citizens can be furnished with food, tools, and machinery will make it necessary that the contiguous islands should have the same advantages in order to compete in the production of sugar, coffee, tobacco, tropical fruits, etc. This will open to us a still wider market for our products.

The production of our own supply of these articles will cut off more than one hundred millions of our annual imports, besides largely increasing our exports. With such a picture it is easy to see how our large debt abroad is ultimately to be extinguished. With a balance of trade against us (including interest on bonds held by foreigners and money spent by our citizens traveling in foreign lands) equal to the entire yield of the precious metals in this country, it is not so easy to see how this result is to be otherwise accomplished.

The acquisition of San Domingo is an adherence to the "Monroe doctrine;" it is a measure of national protection; it is asserting our just claim to a controlling influence over the great commercial traffic soon to flow from east to west by the way of the Isthmus of Darien; it is to build up our merchant marine; it is to furnish new markets for the products of our farms, shops, and manufactories; it is to make slavery insupportable in Cuba and Porto Rico at once and ultimately so in Brazil; it is to settle

the unhappy condition of Cuba, and end an exterminating conflict; it is to provide honest means of paying our honest debts, without overtaxing the people; it is to furnish our citizens with the necessaries of everyday life at cheaper rates than ever before; and it is, in fine, a rapid stride toward that greatness which the intelligence, industry, and enterprise of the citizens of the United States entitle this country to assume among nations.

U. S. GRANT.

EXECUTIVE MANSION,
Washington, D. C., June 2, 1870.

To the Senate of the United States:

In reply to your resolution of the 1st instant, requesting, "in confidence," any information in possession of the President "touching any proposition, offer, or design of any foreign power to purchase or obtain any part of the territory of San Domingo or any right to the Bay of Samana," I transmit herewith a copy of a letter, dated 27th of April, 1870, addressed to "Colonel J. W. Fabens, Dominican minister, Washington," by "E. Herzberg Hartmount, Dominican consul-general in London."

U. S. GRANT.

WASHINGTON, *June 3, 1870.*

To the Senate of the United States:

I transmit to the Senate, in answer to their resolution of the 18th ultimo, a report from the Secretary of State, with an accompanying paper.*

U. S. GRANT.

WASHINGTON, *June 3, 1870.*

To the Senate of the United States:

I transmit to the Senate, for consideration with a view to its ratification, an additional convention to the treaty of the 7th of April, 1862, for the suppression of the African slave trade, which additional convention was signed on this day in the city of Washington by the plenipotentiaries of the high contracting parties.

U. S. GRANT.

WASHINGTON, *June 6, 1870.*

To the Senate of the United States:

I transmit to the Senate, in answer to their resolution of the 3d instant, the accompanying report † from the Secretary of State.

U. S. GRANT.

* Communication from George Bancroft, United States minister at Berlin, relative to political questions in Germany.

† Stating that he has received no official information relative to a reported persecution and massacre of Israelites in Roumania.

EXECUTIVE MANSION, June 13, 1870.

To the Senate and House of Representatives:

In my annual message to Congress at the beginning of its present session I referred to the contest which had then for more than a year existed in the island of Cuba between a portion of its inhabitants and the Government of Spain, and the feelings and sympathies of the people and Government of the United States for the people of Cuba, as for all peoples struggling for liberty and self-government, and said that "the contest has at no time assumed the conditions which amount to war in the sense of international law, or which would show the existence of a *de facto* political organization of the insurgents sufficient to justify a recognition of belligerency."

During the six months which have passed since the date of that message the condition of the insurgents has not improved, and the insurrection itself, although not subdued, exhibits no signs of advance, but seems to be confined to an irregular system of hostilities, carried on by small and ill-armed bands of men, roaming without concentration through the woods and the sparsely populated regions of the island, attacking from ambush convoys and small bands of troops, burning plantations and the estates of those not sympathizing with their cause.

But if the insurrection has not gained ground, it is equally true that Spain has not suppressed it. Climate, disease, and the occasional bullet have worked destruction among the soldiers of Spain; and although the Spanish authorities have possession of every seaport and every town on the island, they have not been able to subdue the hostile feeling which has driven a considerable number of the native inhabitants of the island to armed resistance against Spain, and still leads them to endure the dangers and the privations of a roaming life of guerrilla warfare.

On either side the contest has been conducted, and is still carried on, with a lamentable disregard of human life and of the rules and practices which modern civilization has prescribed in mitigation of the necessary horrors of war. The torch of Spaniard and of Cuban is alike busy in carrying devastation over fertile regions; murderous and revengeful decrees are issued and executed by both parties. Count Valmaseda and Colonel Boet, on the part of Spain, have each startled humanity and aroused the indignation of the civilized world by the execution, each, of a score of prisoners at a time, while General Quesada, the Cuban chief, coolly and with apparent unconsciousness of aught else than a proper act, has admitted the slaughter, by his own deliberate order, in one day, of upward of 650 prisoners of war.

A summary trial, with few, if any, escapes from conviction, followed by immediate execution, is the fate of those arrested on either side on suspicion of infidelity to the cause of the party making the arrest.

Whatever may be the sympathies of the people or of the Government

of the United States for the cause or objects for which a part of the people of Cuba are understood to have put themselves in armed resistance to the Government of Spain, there can be no just sympathy in a conflict carried on by both parties alike in such barbarous violation of the rules of civilized nations and with such continued outrage upon the plainest principles of humanity.

We can not discriminate in our censure of their mode of conducting their contest between the Spaniards and the Cubans. Each commit the same atrocities and outrage alike the established rules of war.

The properties of many of our citizens have been destroyed or embargoed, the lives of several have been sacrificed, and the liberty of others has been restrained. In every case that has come to the knowledge of the Government an early and earnest demand for reparation and indemnity has been made, and most emphatic remonstrance has been presented against the manner in which the strife is conducted and against the reckless disregard of human life, the wanton destruction of material wealth, and the cruel disregard of the established rules of civilized warfare.

I have, since the beginning of the present session of Congress, communicated to the House of Representatives, upon their request, an account of the steps which I had taken in the hope of bringing this sad conflict to an end and of securing to the people of Cuba the blessings and the right of independent self-government. The efforts thus made failed, but not without an assurance from Spain that the good offices of this Government might still avail for the objects to which they had been addressed.

During the whole contest the remarkable exhibition has been made of large numbers of Cubans escaping from the island and avoiding the risks of war; congregating in this country, at a safe distance from the scene of danger, and endeavoring to make war from our shores, to urge our people into the fight which they avoid, and to embroil this Government in complications and possible hostilities with Spain. It can scarce be doubted that this last result is the real object of these parties, although carefully covered under the deceptive and apparently plausible demand for a mere recognition of belligerency.

It is stated on what I have reason to regard as good authority that Cuban bonds have been prepared to a large amount, whose payment is made dependent upon the recognition by the United States of either Cuban belligerency or independence. The object of making their value thus contingent upon the action of this Government is a subject for serious reflection.

In determining the course to be adopted on the demand thus made for a recognition of belligerency the liberal and peaceful principles adopted by the Father of his Country and the eminent statesmen of his day, and followed by succeeding Chief Magistrates and the men of their day, may furnish a safe guide to those of us now charged with the direction and control of the public safety.

From 1789 to 1815 the dominant thought of our statesmen was to keep the United States out of the wars which were devastating Europe. The discussion of measures of neutrality begins with the State papers of Mr. Jefferson when Secretary of State. He shows that they are measures of national right as well as of national duty; that misguided individual citizens can not be tolerated in making war according to their own caprice, passions, interests, or foreign sympathies; that the agents of foreign governments, recognized or unrecognized, can not be permitted to abuse our hospitality by usurping the functions of enlisting or equipping military or naval forces within our territory. Washington inaugurated the policy of neutrality and of absolute abstinence from all foreign entangling alliances, which resulted, in 1794, in the first municipal enactment for the observance of neutrality.

The duty of opposition to filibustering has been admitted by every President. Washington encountered the efforts of Genêt and of the French revolutionists; John Adams, the projects of Miranda; Jefferson, the schemes of Aaron Burr. Madison and subsequent Presidents had to deal with the question of foreign enlistment or equipment in the United States, and since the days of John Quincy Adams it has been one of the constant cares of Government in the United States to prevent piratical expeditions against the feeble Spanish American Republics from leaving our shores. ~~In no country are men wanting for any enterprise that holds out promise of adventure or of gain.~~

In the early days of our national existence the whole continent of America (outside of the limits of the United States) and all its islands were in colonial dependence upon European powers.

The revolutions which from 1810 spread almost simultaneously through all the Spanish American continental colonies resulted in the establishment of new States, like ourselves, of European origin, and interested in excluding European politics and the questions of dynasty and of balances of power from further influence in the New World.

The American policy of neutrality, important before, became doubly so from the fact that it became applicable to the new Republics as well as to the mother country.

It then devolved upon us to determine the great international question at what time and under what circumstances to recognize a new power as entitled to a place among the family of nations, as well as the preliminary question of the attitude to be observed by this Government toward the insurrectionary party pending the contest.

Mr. Monroe concisely expressed the rule which has controlled the action of this Government with reference to revolting colonies pending their struggle by saying:

As soon as the movement assumed such a steady and consistent form as to make the success of the Provinces probable, the rights to which they were entitled by the laws of nations as equal parties to a civil war were extended to them.

The strict adherence to this rule of public policy has been one of the highest honors of American statesmanship, and has secured to this Government the confidence of the feeble powers on this continent, which induces them to rely upon its friendship and absence of designs of conquest and to look to the United States for example and moral protection. It has given to this Government a position of prominence and of influence which it should not abdicate, but which imposes upon it the most delicate duties of right and of honor regarding American questions, whether those questions affect emancipated colonies or colonies still subject to European dominion.

The question of belligerency is one of fact, not to be decided by sympathies for or prejudices against either party. The relations between the parent state and the insurgents must amount in fact to war in the sense of international law. Fighting, though fierce and protracted, does not alone constitute war. There must be military forces acting in accordance with the rules and customs of war, flags of truce, cartels, exchange of prisoners, etc.; and to justify a recognition of belligerency there must be, above all, a *de facto* political organization of the insurgents sufficient in character and resources to constitute it, if ~~left~~ to itself, a state among nations capable of discharging the duties of a state and of meeting the just responsibilities it may incur as such toward other powers in the discharge of its national duties.

Applying the best information which I have been enabled to gather, whether from official or unofficial sources, including the very exaggerated statements which each party gives to all that may prejudice the opposite or give credit to its own side of the question, I am unable to see in the present condition of the contest in Cuba those elements which are requisite to constitute war in the sense of international law.

The insurgents hold no town or city; have no established seat of government; they have no prize courts; no organization for the receiving and collecting of revenue; no seaport to which a prize may be carried or through which access can be had by a foreign power to the limited interior territory and mountain fastnesses which they occupy. The existence of a legislature representing any popular constituency is more than doubtful.

In the uncertainty that hangs around the entire insurrection there is no palpable evidence of an election, of any delegated authority, or of any government outside the limits of the camps occupied from day to day by the roving companies of insurgent troops; there is no commerce, no trade, either internal or foreign, no manufactures.

The late commander in chief of the insurgents, having recently come to the United States, publicly declared that "all commercial intercourse or trade with the exterior world has been utterly cut off;" and he further added: "To-day we have not 10,000 arms in Cuba."

It is a well-established principle of public law that a recognition by

a foreign state of belligerent rights to insurgents under circumstances such as now exist in Cuba, if not justified by necessity, is a gratuitous demonstration of moral support to the rebellion. Such necessity may yet hereafter arrive, but it has not yet arrived, nor is its probability clearly to be seen.

If it be war between Spain and Cuba, and be so recognized, it is our duty to provide for the consequences which may ensue in the embarrassment to our commerce and the interference with our revenue.

If belligerency be recognized, the commercial marine of the United States becomes liable to search and to seizure by the commissioned cruisers of both parties; they become subject to the adjudication of prize courts.

Our large coastwise trade between the Atlantic and the Gulf States and between both and the Isthmus of Panama and the States of South America (engaging the larger part of our commercial marine) passes of necessity almost in sight of the island of Cuba. Under the treaty with Spain of 1795, as well as by the law of nations, our vessels will be liable to visit on the high seas. In case of belligerency the carrying of contraband, which now is lawful, becomes liable to the risks of seizure and condemnation. The parent Government becomes relieved from responsibility for acts done in the insurgent territory, and acquires the right to exercise against neutral commerce all the powers of a party to a maritime war. To what consequences the exercise of those powers may lead is a question which I desire to commend to the serious consideration of Congress.

In view of the gravity of this question, I have deemed it my duty to invite the attention of the war-making power of the country to all the relations and bearings of the question in connection with the declaration of neutrality and granting of belligerent rights.

There is not a *de facto* government in the island of Cuba sufficient to execute law and maintain just relations with other nations. Spain has not been able to suppress the opposition to Spanish rule on the island, nor to award speedy justice to other nations, or citizens of other nations, when their rights have been invaded.

There are serious complications growing out of the seizure of American vessels upon the high seas, executing American citizens without proper trial, and confiscating or embargoing the property of American citizens. Solemn protests have been made against every infraction of the rights either of individual citizens of the United States or the rights of our flag upon the high seas, and all proper steps have been taken and are being pressed for the proper reparation of every indignity complained of.

The question of belligerency, however, which is to be decided upon definite principles and according to ascertained facts, is entirely different from and unconnected with the other questions of the manner in which

the strife is carried on on both sides and the treatment of our citizens entitled to our protection.

The questions concern our own dignity and responsibility, and they have been made, as I have said, the subjects of repeated communications with Spain and of protests and demands for redress on our part. It is hoped that these will not be disregarded, but should they be these questions will be made the subject of a further communication to Congress.

U. S. GRANT.

EXECUTIVE MANSION, *June 17, 1870.*

To the Senate of the United States:

In answer to the resolution of the Senate of the 8th instant, requesting the President "to communicate, in confidence, the instructions of the Navy Department to the navy officers in command on the coast of Dominica and Hayti, and the reports of such officers to the Navy Department, from the commencement of the negotiation of the treaty with Dominica," I herewith transmit the papers received from the Secretary of the Navy, to whom the resolution was referred.

U. S. GRANT.

EXECUTIVE MANSION, *June 25, 1870.*

To the Senate of the United States:

In answer to the resolution of the 22d instant, requesting to be furnished with "proposals received from any company or citizens of the United States for constructing and placing iron steamships in transatlantic service," I transmit herewith the only proposal of that nature received by me.

U. S. GRANT.

WASHINGTON, *July 9, 1870.*

To the Senate of the United States:

In answer to the resolutions of the Senate of the 26th of May and of the 14th of June last, I transmit a report from the Secretary of State thereupon, and the papers* by which it was accompanied.

U. S. GRANT.

WASHINGTON, *July 12, 1870.*

To the Senate of the United States:

I transmit to the Senate, for consideration with a view to ratification, a convention between the United States and Austria, concerning the

* Lists of American vessels seized by Spanish authorities in Cuba; of American citizens executed and imprisoned in Cuba; of American citizens whose property was confiscated or embargoed in Cuba, and of decrees under which the Spanish authorities acted, and correspondence showing steps taken by the United States Government in reference thereto.

rights, privileges, and immunities of consuls in the two countries, signed at Washington on the 11th instant.

U. S. GRANT.

WASHINGTON, July 13, 1870.

To the Senate of the United States:

I transmit to the Senate, in answer to their resolution of the 8th instant, a report from the Secretary of State and the papers* which accompanied it.

U. S. GRANT.

WASHINGTON, July 13, 1870.

To the Senate of the United States:

In answer to their resolution of the 8th instant, I transmit to the Senate a report from the Secretary of State and the papers† which accompanied it.

U. S. GRANT.

WASHINGTON, July 14, 1870.

To the Senate of the United States:

I transmit to the Senate, in answer to their resolution of the 7th instant, a report from the Secretary of State, with accompanying documents.

U. S. GRANT.

DEPARTMENT OF STATE,
Washington, July 14, 1870.

The Secretary of State, to whom was referred the resolution of the Senate requesting the President "to institute an inquiry, by such means as in his judgment shall be deemed proper, into the present condition of the commercial relations between the United States and the Spanish American States on this continent, and between those countries and other nations, and to communicate to the Senate full and complete statements regarding the same, together with such recommendations as he may think necessary to promote the development and increase of our commerce with those regions and to secure to the United States that proportionate share of the trade of this continent to which their close relations of geographical contiguity and political friendship with all the States of America justly entitle them," has the honor to report:

The resolution justly regards the commercial and the political relations of the United States with the American States of Spanish origin as necessarily dependent upon each other. If the commerce of those countries has been diverted from its natural connection with the United States, the fact may probably be partly traced to political causes, which have been swept away by the great civil convulsion in this country.

For the just comprehension of the position of this Government in the American political system, and for the causes which have failed to give it hitherto the influence

*Instructions to the minister to Spain stating the basis on which the United States offered its good offices for the purpose of terminating the war in Cuba, correspondence relative thereto, etc.

†Correspondence between the United States and Great Britain concerning questions pending between the two countries.

to which it is properly entitled by reason of its democratic system and of the moderation and sense of justice which have distinguished its foreign policy through successive Administrations from the birth of the nation until now, it is necessary to make a brief notice of such measures as affect our present relations to the other parts of this continent.

The United States were the first of the European colonies in America to arrive at maturity as a people and assume the position of an independent republic. Since then important changes have taken place in various nations and in every part of the world. Our own growth in power has been not the least remarkable of all the great events of modern history.

When, at the conclusion of the Revolutionary War, having conquered by arms our right to exist as a sovereign state, that right was at length recognized by treaties, we occupied only a narrow belt of land along the Atlantic coast, hemmed in at the north, the west, and the south by the possessions of European Governments, or by uncultivated wastes beyond the Alleghanies, inhabited only by the aborigines. But in the very infancy of the United States far-sighted statesmen saw and predicted that, weak in population and apparently restricted in available territory as the new Republic then was, it had within it the germs of colossal grandeur, and would at no remote day occupy the continent of America with its institutions, its authority, and its peaceful influence.

That expectation has been thus far signally verified. The United States entered at once into the occupation of their rightful possessions westward to the banks of the Mississippi. Next, by the spontaneous proffer of France, they acquired Louisiana and its territorial extension, or right of extension, north to the line of the ~~treaty~~ demarcation between France and Great Britain, and west to the Pacific Ocean. Next, by amicable arrangement with Spain, they acquired the Floridas, and complete southern maritime frontiers upon the Gulf of Mexico. Then came the union with the independent State of Texas, ~~followed~~ by the acquisitions of California and New Mexico, and then of Arizona. Finally, Russia has ceded to us Alaska, and the continent of North America has become independent of Europe, except so much of it as continues to maintain political relations with Great Britain.

Meanwhile, partly by natural increase and partly by voluntary immigration from Europe, our population has risen from 3,000,000 to nearly 40,000,000; the number of States and Territories united under the Constitution has been augmented from thirteen to forty-seven; the development of internal wealth and power has kept pace with political expansion; we have occupied in part and peopled the vast interior of the continent; we have bound the Pacific to the Atlantic by a chain of intervening States and organized Territories; we have delivered the Republic from the anomaly and the ignominy of domestic servitude; we have constitutionally fixed the equality of all races and of all men before the law; and we have established, at the cost of a great civil war—a cost, however, not beyond the value of such a result—the indissoluble national unity of the United States.

In all these marked stages of national progress, from the Declaration of Independence to the recent amendments of the Constitution, it is impossible not to perceive a providential series and succession of events, intimately attached one to the other, and possessed of definite character as a whole, whatever incidental departures from such uniformity may have marked, or seemed to mark, our foreign policy under the influence of temporary causes or of the conflicting opinions of statesmen.

In the time of Washington, of the first Adams, of Jefferson, and of Madison the condition of Europe, engaged in the gigantic wars of the French Revolution and of the Empire, produced its series of public questions and gave tone and color to our foreign policy. In the time of Monroe, of the second Adams, and of Jackson, and subsequently thereto, the independence of the Spanish and Portuguese colonies of America produced its series of questions and its apparent modification of our public

policy. Domestic questions of territorial organization, of social emancipation, and of national unity have also largely occupied the minds and the attention of the later Administrations.

The treaties of alliance and **guaranty** with France, which contributed so much to our independence, were one source of solicitude to the early Administrations, which were endeavoring to protect our commerce from the depredations and wrongs to which the maritime policy of England and the reaction of that policy on France subjected it. For twenty years we struggled in vain to accomplish this, and at last drifted into war.

The avoidance of entangling alliances, the characteristic feature of the foreign policy of Washington, sprang from this condition of things. But the entangling alliances which then existed were engagements made with France as a part of the general contract under which aid was furnished to us for the achievement of our independence. France was willing to waive the letter of the obligation as to her West India possessions, but demanded in its stead privileges in our ports which the Administration was unwilling to concede. To make its refusal acceptable to a public which sympathized with France, the Cabinet of General Washington exaggerated the principle into a theory tending to national isolation.

The public measures designed to maintain unimpaired the domestic sovereignty and the international neutrality of the United States were independent of this policy, though apparently incidental to it. The municipal laws enacted by Congress then and since have been but declarations of the law of nations. They are essential to the preservation of our national dignity and honor; they have for their object to repress and punish all enterprises of private war, one of the last relics of mediaeval barbarism; and they have descended to us from the fathers of the Republic, supported and enforced by every succeeding President of the United States.

The foreign policy of these early days was not a narrow one. During this period we secured the evacuation by Great Britain of the country wrongfully occupied by her on the Lakes; we acquired Louisiana; we measured forces on the sea with France, and on the land and sea with England; we set the example of resisting and chastising the piracies of the Barbary States; we initiated in negotiations with Prussia the long line of treaties for the liberalization of war and the promotion of international intercourse; and we steadily demanded, and at length obtained, indemnification from various governments for the losses we had suffered by foreign spoliations in the wars of Europe.

To this point in our foreign policy we had arrived when the revolutionary movements in Spanish and Portuguese America compelled a modification of our relations with Europe, in consequence of the rise of new and independent states in America.

The revolution which commenced in 1810, and extended through all the Spanish American continental colonies, after vain efforts of repression on the part of Spain, protracted through twenty years, terminated in the establishment of the independent States of Mexico, Guatemala, San Salvador, Honduras, Nicaragua, Costa Rica, Venezuela, Colombia, Ecuador, Peru, Chile, Bolivia, the Argentine Republic, Uruguay, and Paraguay, to which the Empire of Brazil came in time to be added. These events necessarily enlarged the sphere of action of the United States, and essentially modified our relations with Europe and our attitude to the rest of this continent.

The new States were, like ourselves, revolted colonies. They continued the precedent we had set, of separating from Europe. Their assumption of independence was stimulated by our example. They professedly imitated us, and copied our National Constitution, sometimes even to their inconvenience.

The Spanish American colonies had not the same preparation for independence that we had. Each of the British colonies possessed complete local autonomy. Its formal transition from dependence to independence consisted chiefly in expelling the British governor of the colony and electing a governor of the State, from

which to the organized Union was but a step. All these conditions of success were wanting in Spanish America, and hence many of the difficulties in their career as independent states; and, further, while the revolution in British America was the exclusive result of the march of opinion in the British colonies, the simultaneous action of the separate Spanish colonies, though showing a desire for independence, was principally produced by the accident of the invasion of Spain by France.

The formation of these new sovereignties in America was important to us, not only because of the cessation of colonial monopolies to that extent, but because of the geographical relations to us held by so many new nations, all, like ourselves, created from European stock and interested in excluding European politics, dynastic questions, and balances of power from further influence in the New World.

Thus the United States were forced into new lines of action, which, though apparently in some respects conflicting, were really in harmony with the line marked out by Washington. The avoidance of entangling political alliances and the maintenance of our own independent neutrality became doubly important from the fact that they became applicable to the new Republics as well as to the mother country. The duty of noninterference had been admitted by every President. The question came up in the time of the first Adams, on the occasion of the enlistment projects of Miranda. It appeared again under Jefferson (anterior to the revolt of the Spanish colonies) in the schemes of Aaron Burr. It was an ever-present question in the Administrations of Madison, Monroe, and the younger Adams, in reference to the questions of foreign enlistment or equipment in the United States, and when these new Republics entered the family of nations, many of them very feeble, and all too much subject to internal revolution and civil war, a strict adherence to our previous policy and a strict enforcement of our laws became essential to the preservation of friendly relations with them; for since that time it has been one of the principal cares of those intrusted with the administration of the Government to prevent piratical expeditions against these sister Republics from leaving our ports. And thus the changed condition of the New World made no change in the traditional and peaceful policy of the United States in this respect.

In one respect, however, the advent of these new States in America did compel an apparent change of foreign policy on our part. It devolved upon us the determination of the great international question at what time and under what circumstances to recognize a new power as entitled to a place among the family of nations. There was but little of precedent to guide us, except our own case. Something, indeed, could be inferred from the historical origin of the Netherlands and Switzerland. But our own case, carefully and conscientiously considered, was sufficient to guide us to right conclusions. We maintained our position of international friendship and of treaty obligations toward Spain, but we did not consider that we were bound to wait for its recognition of the new Republics before admitting them into treaty relations with us as sovereign states. We held that it was for us to judge whether or not they had attained to the condition of actual independence, and the consequent right of recognition by us. We considered this question of fact deliberately and coolly. We sent commissioners to Spanish America to ascertain and report for our information concerning their actual circumstances, and in the fullness of time we acknowledged their independence; we exchanged diplomatic ministers, and made treaties of amity with them, the earliest of which, negotiated by Mr. John Quincy Adams, served as the model for the subsequent treaties with the Spanish American Republics. We also, simultaneously therewith, exerted our good offices with Spain to induce her to submit to the inevitable result and herself to accept and acknowledge the independence of her late colonies. We endeavored to induce Russia to join us in these representations. In all this our action was positive, in the direction of promoting the complete political separation of America from Europe.

A vast field was thus opened to the statesmen of the United States for the peaceful

introduction, the spread, and the permanent establishment of the American ideas of republican government, of modification of the laws of war, of liberalization of commerce, of religious freedom and toleration, and of the emancipation of the New World from the dynastic and balance of power controversies of Europe.

Mr. John Quincy Adams, beyond any other statesman of the time in this country, had the knowledge and experience, both European and American, the comprehension of thought and purpose, and the moral convictions which peculiarly fitted him to introduce our country into this new field and to lay the foundation of an American policy. The declaration known as the Monroe doctrine, and the objects and purposes of the congress of Panama, both supposed to have been largely inspired by Mr. Adams, have influenced public events from that day to this as a principle of government for this continent and its adjacent islands.

It was at the period of the congress of Aix-la-Chapelle and of Laybach, when the "Holy Alliance" was combined to arrest all political changes in Europe in the sense of liberty, when they were intervening in southern Europe for the reestablishment of absolutism, and when they were meditating interference to check the progress of free government in America, that Mr. Monroe, in his annual message of December, 1823, declared that the United States would consider any attempt to extend the European system to any portion of this hemisphere as dangerous to our peace and safety. "With the existing colonies or dependencies of any European power," he said, "we have not interfered and shall not interfere; but with the governments who have declared their independence and maintained it, and whose independence we have, on great consideration and on just principles, acknowledged, we could not view any interposition for the purpose of oppressing them, or controlling in any other manner their destiny, by any European power in any other light than as the manifestation of an unfriendly disposition toward the United States."

This declaration resolved the solution of the immediate question of the independence of the Spanish American colonies, and is supposed to have exercised some influence upon the course of the British cabinet in regard to the absolutist schemes in Europe as well as in America.

It has also exercised a permanent influence on this continent. It was at once invoked in consequence of the supposed peril of Cuba on the side of Europe; it was applied to a similar danger threatening Yucatan; it was embodied in the treaty of the United States and Great Britain as to Central America; it produced the successful opposition of the United States to the attempt of Great Britain to exercise dominion in Nicaragua under the cover of the Mosquito Indians; and it operated in like manner to prevent the establishment of a European dynasty in Mexico.

The United States stand solemnly committed by repeated declarations and repeated acts to this doctrine, and its application to the affairs of this continent. In his message to the two Houses of Congress at the commencement of the present session the President, following the teachings of all our history, said that the existing "dependencies are no longer regarded as subject to transfer from one European power to another. When the present relation of colonies ceases, they are to become independent powers, exercising the right of choice and of self-control in the determination of their future condition and relations with other powers."

This policy is not a policy of aggression; but it opposes the creation of European dominion on American soil, or its transfer to other European powers, and it looks hopefully to the time when, by the voluntary departure of European Governments from this continent and the adjacent islands, America shall be wholly American.

It does not contemplate forcible intervention in any legitimate contest, but it protests against permitting such a contest to result in the increase of European power or influence; and it ever impels this Government, as in the late contest between the South American Republics and Spain, to interpose its good offices to secure an honorable peace.

The congress of Panama was planned by Bolivar to secure the union of Spanish America against Spain. It had originally military as well as political purposes. In the military objects the United States could take no part; and, indeed, the necessity for such objects ceased when the full effects of Mr. Monroe's declarations were felt. But the pacific objects of the congress—the establishment of close and cordial relations of amity, the creation of commercial intercourse, of interchange of political thought, and of habits of good understanding between the new Republics and the United States and their respective citizens—might perhaps have been attained had the Administration of that day received the united support of the country. Unhappily, they were lost; the new States were removed from the sympathetic and protecting influence of our example, and their commerce, which we might then have secured, passed into other hands, unfriendly to the United States.

In looking back upon the Panama congress from this length of time it is easy to understand why the earnest and patriotic men who endeavored to crystallize an American system for this continent failed.

Mr. Clay and Mr. Adams were far-sighted statesmen, but, unfortunately, they struck against the rock of African slavery. One of the questions proposed for discussion in the conference was "the consideration of the means to be adopted for the entire abolition of the African slave trade," to which proposition the committee of the United States Senate of that day replied: "The United States have not certainly the right, and ought never to feel the inclination, to dictate to others who may differ with them upon this subject; nor do the committee see the expediency of insulting other states with whom we are maintaining relations of perfect amity by ascending the moral chair and proclaiming from thence mere abstract principles, of the rectitude of which each nation enjoys the perfect right of deciding for itself." The same committee also alluded to the possibility that the condition of the islands of Cuba and Porto Rico, still the possessions of Spain and still slaveholding, might be made the subject of discussion and of contemplated action by the Panama congress. "If ever the United States," they said, "permit themselves to be associated with these nations in any general congress assembled for the discussion of common plans in any way affecting European interests, they will by such act not only deprive themselves of the ability they now possess of rendering useful assistance to the other American States, but also produce other effects prejudicial to their own interests."

Thus the necessity at that day of preserving the great interest of the Southern States in African slavery, and of preventing a change in the character of labor in the islands of Cuba and Porto Rico, lost to the United States the opportunity of giving a permanent direction to the political and commercial connections of the newly enfranchised Spanish American States, and their trade passed into hands unfriendly to the United States, and has remained there ever since.

Events subsequent to that date have tended to place us in a position to retrieve our mistakes, among which events may be particularly named the suppression of the rebellion, the manifestation of our undeveloped and unexpected military power, the retirement of the French from Mexico, and the abolition of slavery in the United States.

There is good reason to believe that the latter fact has had an important influence in our favor in Spanish America. It has caused us to be regarded there with more sympathetic as well as more respectful consideration. It has relieved those Republics from the fear of filibusterism which had been formerly incited against Central America and Mexico in the interest of slave extension, and it has produced an impression of the stability of our institutions and of our public strength sufficient to dissipate the fears of our friends or the hopes of those who wish us ill.

Thus there exists in the Spanish American Republics confidence toward the United States. On our side they find a feeling of cordial amity and friendship, and a desire to cultivate and develop our common interests on this continent. With some of

these States our relations are more intimate than with others, either by reason of closer similarity of constitutional forms, of greater commercial intercourse, of proximity in fact, or of the construction or contemplated construction of lines of transit for our trade and commerce between the Atlantic and the Pacific. With several of them we have peculiar treaty relations. The treaty of 1846 between the United States and New Granada contains stipulations of guaranty for the neutrality of that part of the Isthmus within the present territory of Colombia, and for the protection of the rights of sovereignty and property therein belonging to Colombia. Similar stipulations appear in the treaty of 1867 with Nicaragua, and of July, 1864, with Honduras. Those treaties (like the treaty of alliance made with France in 1778 by Dr. Franklin, Silas Deane, and Arthur Lee) constitute *pro tanto* a true protective alliance between the United States and each of those Republics. Provisions of like effect appear in the treaty of April 19, 1850, between Great Britain and the United States.

Brazil, with her imperial semblance and constitutional reality, has always held relations of amity with us, which have been fortified by the opening of her great rivers to commerce. It needs only that, in emulation of Russia and the United States, she should emancipate her slaves to place her in more complete sympathy with the rest of America.

It will not be presumptuous, after the foregoing sketch, to say, with entire consideration for the sovereignty and national pride of the Spanish American Republics, that the United States, by the priority of their independence, by the stability of their institutions, by the regard of their people for the forms of law, by their resources as a government, by their naval power, by their commercial enterprise, by the attractions which they offer to European immigration, by the prodigious internal development of their resources and wealth, and by the intellectual life of their population, occupy of necessity a prominent position on this continent, which they neither can nor should abdicate, which entitles them to a leading voice, and which imposes upon them duties of right and of honor regarding American questions, whether those questions affect emancipated colonies or colonies still subject to European dominion.

The public questions which existed as to all European colonies prior to and during the revolutions in the continental colonies of Spain and Portugal still exist with reference to the European colonies which remain; and they now return upon us in full force, as we watch events in Cuba and Porto Rico.

Whatever may be the result of the pending contest in Cuba, it appears to be the belief of some of the leading statesmen of Spain that the relations which now exist between the island and the mother country can not be long continued. It is understood that the resources for carrying on the struggle have been supplied mainly from Cuba, by the aid of that portion of the population which does not desire to see its political destinies intrusted to the persons who direct the movements of the insurgents; but it does not follow that its political relations with Spain are to remain unchanged, or that even the party which is now dominant in the island will wish to forever continue colonists.

These facts give reason to think that when the contest shall close, Cuba, with her resources strained, but unexhausted (whatever may be her political relations), will resume and continue her old commercial relations with the United States; and it is not impossible that at some day, not far distant when measured by the course of history, she will be called upon to elect her position in the family of nations.

Although the resolution of the Senate does not in terms apply to the islands of the Antilles, it is impossible to answer it without speaking of them. They outlie the southern coast of the United States and guard the approaches to the ports of Mexico, Venezuela, and the Isthmus, by which we reach from the east the western coasts of Mexico and of the Spanish States. The people of the Spanish islands speak the language and share the traditions, customs, ideas, and religion of the Spanish American States of the continent, and will probably, like them, become at some time independent of the mother country. It would, therefore, be unwise, while shaping a commercial policy for the continent, to disregard the islands which lie so much nearer to our seaports.

With the Spanish islands of Cuba and Porto Rico we maintain, in spite of their adverse legislation, a large commerce by reason of our necessities and of their proximity. In the year ending June 30, 1869, we imported from them merchandise valued at \$65,609,274. During the same time we sent them goods to the value only of \$15,313,919.

The prohibitory duties forced upon them by the policy of Spain shut out much that we might supply. Their tropical productions, for instance, are too valuable to allow their lands to be given up to the growth of breadstuffs; yet, instead of taking these articles from the superabundant fields of their nearest neighbors, they are forced to go to the distant plains of Spain. It will be for the interest of the United States to shape its general policy so that this relation of imports and exports shall be altered in Cuba when peace is restored and its political condition is satisfactorily established.

With none of the other Spanish American States in North and South America are our commercial relations what they should be. Our total imports in the year ending June 30, 1869, from these countries were less than \$25,000,000 (or not one-half the amount from Cuba alone), and our exports for the same time to them were only \$17,850,313; and yet these countries have an aggregate population nearly or quite as great as that of the United States; they have republican forms of government, and they profess to be, and probably really are, in political sympathy with us.

This Department is not able to give with entire accuracy the imports and exports of Great Britain with the same countries during the corresponding period. It is believed, however, the following figures will be found to be not far from correct: Imports to Great Britain, \$42,820,942; exports from Great Britain, \$40,682,102.

It thus appears that notwithstanding the greater distance which the commerce has to travel in coming to and from Great Britain, notwithstanding the political sympathy which ought naturally to exist between republics, notwithstanding the American idea which has been so prominently and so constantly put forward by the Government of the United States, notwithstanding the acknowledged skill of American manufacturers, notwithstanding the ready markets which the great cities of the United States afford for the consumption of tropical productions, the inhabitants of the Spanish American continent consume of the products of Great Britain more than twice the quantity they take of the products of the United States, and that they sell to us only three-fifths of the amount they sell to Great Britain.

The Secretary of State appends to this report the tables on which these statements are founded. That their commerce with the United States is not large may be partially explained by the fact that these States have been subject to many successive revolutions since the failure of the congress of Panama. These revolutions not only exhaust their resources and burden them with debt, but they check emigration, prevent the flow of foreign capital into the country, and stop the enterprise which needs a stable government for its development.

These suggestions are, however, applicable to the British commerce as well as to our own, and they do not explain why we, with the natural advantages in our favor, fall so far behind. The Isthmus of Panama is the common point where the commerce of the western coasts of Mexico and South America meets. When it arrives there, why should it seek Liverpool and London rather than New York?

The political causes which have operated to divert this commerce from us the Secretary of State has endeavored to explain. A favorable time has now come for removing them—for laying the foundation of an American policy which shall bind in closer union the American Republics. Let them understand that the United States do not covet their territories; that our only desire is to see them peaceful, with free and stable governments, increasing in wealth and population, and developing in the lines in which their own traditions, customs, habits, laws, and modes of thought will naturally take them. Let them feel that, as in 1826, so now, this Government is ready to aid them to the full extent of its constitutional power in any steps which they may take for their better protection against anarchy. Let them be convinced that the United States is prepared, in good faith and without ulterior purposes, to join them in the development of a peaceful American commercial policy that may in time

include this continent and the West Indian Islands. Let this be comprehended, and there will be no political reason why we may not "secure to the United States that proportionate share of the trade of this continent to which their close relations of geographical contiguity and political friendship with all the States of America justly entitle them."

It may not be enough to remove the political obstacles only. The financial policy which the war made necessary may have operated injuriously upon our commerce with these States. The resolution of the Senate calls, on these points, for detailed information which is not within the control of the Secretary of State, and for recommendations for the future which he is not prepared to give without that information. To fully answer the Senate's call, it would probably be necessary to employ some competent agent, familiar with the Spanish American States, to collate and arrange the information asked for. For this there is no appropriation by Congress.

Respectfully submitted.

HAMILTON FISH.

Commerce of the United States with the countries on this continent and adjacent islands for the year ended June 30, 1869.

[Compiled from the Annual Report on Commerce and Navigation.]

Countries.	Imports.	Exports.	Reexports.	Total exports.	Total commerce.
Dominion of Canada.....	\$30,353,010	\$18,188,613	\$2,858,782	\$21,047,395	\$51,400,405
All other British possessions in North America.....	1,737,304	2,703,173	446,664	3,149,837	4,887,141
British West Indies	6,682,391	9,142,344	101,760	9,244,104	15,926,495
Total	38,772,705	30,034,130	3,407,206	33,441,336	72,214,041
Cuba	58,201,374	12,643,955	7,064,787	19,708,742	77,910,116
Porto Rico	7,407,900	2,669,964	114,037	2,784,001	10,191,901
Total	65,609,274	15,313,919	7,178,824	22,492,743	88,102,017
French possessions in America.....	696,952	1,174,056	45,514	1,219,570	1,916,522
Danish West Indies.....	638,550	1,500,000	39,121	1,539,121	2,177,671
Dutch West Indies and Guiana	999,099	926,051	29,595	955,646	1,954,745
Hayti and San Domingo.....	729,632	1,349,438	129,462	1,478,900	2,208,532
Sandwich Islands.....	1,298,065	700,962	86,665	787,627	2,085,712
Total	4,362,318	5,650,507	330,357	5,980,864	10,343,182
Mexico.....	7,232,006	3,836,699	1,047,408	4,884,107	12,116,113
Central American States.....	733,296	1,344,336	52,146	1,376,482	2,109,778
Colombia.....	5,291,706	4,900,075	180,267	5,080,342	10,372,048
Peru	1,386,310	1,556,434	116,911	1,673,445	3,059,755
Chile	1,186,982	1,969,580	115,905	2,085,485	3,272,467
Argentine Republic	5,162,966	2,235,089	272,425	2,507,514	7,670,480
Uruguay	1,472,608	835,112	58,270	894,382	2,366,990
Brazil	24,912,450	5,910,565	158,514	6,069,079	30,981,529
Venezuela.....	2,431,760	1,191,888	29,176	1,221,064	3,652,824
Total	49,810,084	23,760,878	2,031,022	25,791,900	75,601,984
Grand total	158,554,381	74,759,434	12,947,409	87,706,843	246,261,224
Total commerce of United States	437,314,255	413,954,615	25,173,414	439,128,029	876,442,284

Imports and exports of Great Britain with Spanish America and some of the West India Islands for parts of the years 1868 and 1869.

	Year.	Imports.	Exports.
Cuba and Porto Rico.....	1869	£3,228,292	£1,374,242
French possessions in America.....	1868	4,252	3,002
Danish West Indies.....	1868	295,102	9,211
Dutch West Indies and Guiana.....	1868	148,882	4,444
Hayti and San Domingo.....	1868	220,806	6,043
Sandwich Islands.....	1868	33,336	917
Mexico.....	1868	350,664	92,077
Central American States.....	1868	939,827	173,611
Colombia.....	1869	971,396	2,500,039
Peru.....	1869	2,734,784	1,180,931
Chile.....	1869	3,211,174	1,596,905
Argentine Republic.....	1869	1,034,445	1,841,953
Uruguay.....	1869	535,015	1,009,425
Brazil.....	1869	7,754,526	5,477,439
Venezuela.....	1868	69,997	10,452



WASHINGTON, July 14, 1870.

To the Senate of the United States:

I transmit, for the consideration of the Senate with a view to ratification, a convention between the United States and His Majesty the King of Sweden and Norway, relative to the citizenship of natives of the one country who may emigrate to the other. A protocol on the subject is also herewith transmitted.

U. S. GRANT.

WASHINGTON, July 14, 1870.

To the Senate of the United States:

I transmit, for consideration with a view to its ratification, a convention between the United States and the Republic of Salvador for the surrender of fugitive criminals, signed at San Salvador on the 23d day of May last.

U. S. GRANT.

WASHINGTON, D. C., July 15, 1870.

To the Senate and House of Representatives:

Your attention is respectfully called to the necessity of passing an Indian appropriation bill before the members of Congress separate. Without such appropriation Indian hostilities are sure to ensue, and with them suffering, loss of life, and expenditures vast as compared with the amount asked for.

The latest intelligence from Europe indicates the imminence of a war between France and North Germany. In view of this a sound policy indicates the importance of some legislation tending to enlarge the commercial marine of this country. The vessels of this country at the present

time are insufficient to meet the demand which the existence of a war in Europe will impose upon the commerce of the United States, and I submit to the consideration of Congress that the interests of the country will be advanced by the opportunity afforded to our citizens to purchase vessels of foreign construction for the foreign trade of the country. An act to this effect may be limited in its duration to meet the immediate exigency.

The foreign-mail service of the United States is in a large degree dependent upon the Bremen and Hamburg lines of steamers. The Post-Office Department has entered into contracts in writing with the two companies above named, and with the Williams and Guion lines, respectively, for a regular and continuous service of two years. The only arrangement that could be made with the Inman and Cunard lines is temporary, and may be broken off at any time.

The North German lines are first class in point of speed and equipment, their steamers usually making the trip across the Atlantic in from twenty-four to thirty-six hours in advance of the Williams and Guion lines.

Should the North German steamers be blockaded or impeded by France, our postal intercourse with foreign nations will be greatly embarrassed unless Congress shall interpose for its relief.

I suggest to Congress the propriety of further postponing the time for adjournment, with the view of considering the questions herein communicated.

U. S. GRANT.

WASHINGTON, July 15, 1870.

To the Senate of the United States:

In answer to their resolution of the 9th instant, I transmit a report* from the Secretary of State and the papers which accompanied it.

U. S. GRANT.

VETO MESSAGES.

EXECUTIVE MANSION,
Washington, D. C., January 11, 1870.

To the Senate of the United States:

I return herewith without my approval Senate bill No. 273, entitled "An act for the relief of Rollin White," for the reasons set forth in the accompanying communication, dated December 11, 1869, from the Chief of Ordnance.

U. S. GRANT.

* Relating to the importation of Chinese coolies into the United States.

ORDNANCE OFFICE, WAR DEPARTMENT,

Washington, December 11, 1869.

Hon. W. W. BELKNAP,

Secretary of War.

SIR: In the year 1855 Rollin White obtained letters patent for improvements in repeating pistols, in (among other things) extending the chambers of the rotating cylinder through to the rear, so as to enable the chambers to be charged at the rear by hand or by a self-acting charger.

Some time afterwards, and prior to the breaking out of the rebellion, he assigned this patent to Smith & Wesson, of Springfield, Mass., for the sum of \$500 in cash and their obligation to pay him 25 cents royalty on each pistol manufactured under the patent, binding himself to apply for and to use his influence to procure a renewal of the patent. He afterwards surrendered this original patent and obtained a reissue in three divisions. Two years before the expiration of the latter he applied to the Commissioner of Patents for an extension, upon the ground of insufficiency of compensation. The Commissioner rejected the application for an extension, without assigning any reason, and the patents expired by limitation on the 3d of April, 1869, and the invention became public property.

On the 9th of April, 1869, a bill authorizing the Commissioner of Patents to reconsider the application of Rollin White for extension of his patents was introduced in the Senate and passed without debate. It passed the House without debate on the 10th of April, but failed to receive the signature of the Vice-President before Congress adjourned. It is understood that it has now been signed by that officer, and only awaits the approval of the President to become a law.

Unless the ends of justice require the extension of this patent, it should not be renewed. So far as I have been able to ascertain, justice to the Government and to the public forbids this patent from being renewed.

The validity of the patent has been questioned for many years, and it is understood that it was only affirmed by the Supreme Court by a tie vote, four of the justices voting affirmatively and an equal number negatively.

Its renewal is urged by Rollin White upon the ground that he has not been sufficiently compensated for his invention. Rollin White has received nearly \$71,000 as royalty. Smith & Wesson, for the years 1862, 1863, 1864, 1865, 1866, 1867, and 1868, returned incomes amounting in the aggregate to about \$1,000,000. This was derived chiefly from the manufacture of firearms under Rollin White's patent, that firm holding the exclusive right to manufacture under it and being engaged almost exclusively in their manufacture.

It is believed that the Government suffered inconvenience and embarrassment enough during the war in consequence of the inability of manufacturers to use this patent, and that its further extension will operate prejudicially to its interest by compelling it to pay to parties already well paid a large royalty for altering its revolvers to use metallic cartridges.

For these reasons I respectfully request that you will call the attention of the President of the United States to this subject before he acts upon the bill which is now before him.

Respectfully, your obedient servant,

A. B. DYER,

Brevet Major-General, Chief of Ordnance.

EXECUTIVE MANSION, July 14, 1870.

To the Senate of the United States:

I herewith return without my approval Senate bill No. 476, "An act to fix the status of certain Federal soldiers enlisting in the Union Army

from the States of Alabama and Florida," for the reasons embodied in the following facts, which have been obtained from the office of the Second Comptroller:

The First Regiment of Florida Cavalry, composed of six companies, was organized from December, 1862, to August, 1864, to serve three years. It was mustered out of service November 17, 1865, by reason of general order from the War Department discharging all cavalry organizations east of the Mississippi.

The men of this regiment enlisting prior to July 18, 1864, received \$25 advance bounty at muster-in, and the discharged soldiers and heirs of those deceased have been paid the same bounty under act of July 22, 1861, joint resolution of January 13, 1864, an act of July 28, 1866, as men enlisted at the same time in other volunteer organizations.

The Second Regiment of Florida Cavalry, composed of seven companies, was organized from December, 1863, to June, 1864, to serve three years. It was mustered out November 29, 1865, by reason of the order discharging cavalry organizations east of the Mississippi. Most of the men received the \$25 advance bounty at muster-in, and the discharged men and heirs of deceased men have received bounty under the several acts of Congress cited above, subject to the same conditions which apply to men who enlisted at the same time in other volunteer organizations.

The First Alabama Cavalry was originally organized as a one-year regiment from December, 1862, to September, 1863, and two companies of three-years men (Companies I and K) were added to complete its organization. These companies were formerly Companies D and E of the First Middle Tennessee Cavalry. Prior to the expiration of the term of the one-year men, the Adjutant-General of the Army, of date May 15, 1863, authorized General Dodge to fill up this command, and in accordance therewith the places of the companies discharged by reason of expiration of term were filled by companies of men enlisted for three years. The original companies, A, B, C, D, E, F, G, H, and I, were organized from December, 1862, to September 25, 1863, and were discharged by companies from December 22, 1863, to September 28, 1864, in order as the term (one year) of each company expired. Companies I and K, mustered in August, 1862, to serve three years, were discharged in July, 1865, by reason of expiration of term of service. As reorganized under the order above mentioned, the regiment consisted of Companies A, B, C, D, E, and G, organized from February 5, 1864, to October, 1864, to serve three years; Companies F, I, and M, organized from December 28, 1863, to October 31, 1864, to serve one and three years; Company H, organized in March and April, 1865, to serve three years, and Companies I and K, of the old organization described above. The men of the First Alabama Cavalry who enlisted for three years have been paid bounty under the several acts of Congress upon the same principles which apply to other three-years volunteers. The one-year men enlisted prior to July 18, 1864, received

no bounty, but \$100 bounty has been paid the proper heirs of the one-year men of this organization who died in the service, in accordance with the act of July 22, 1861, under which the regiment was originally organized.

Some of the men of these organizations were erroneously paid by the Pay Department at the time of their muster out of service, they having been paid but \$100, when they should have been allowed \$300 under the joint resolution of January 13, 1864. The balance of bounty due these men is being paid by the proper accounting officers. It will be seen by comparing the above statement with the act under consideration that the effect of the act will be to give the one-year men of the First Alabama Cavalry, nearly all of whom enlisted in 1862 and 1863, a bounty of \$100 each, or a proportionate part, according to the time served. It would give each man of Companies I and K of the First Alabama Cavalry \$100 more bounty. The bounty of the other three-years men of the First Alabama Cavalry, First Florida Cavalry, and Second Florida Cavalry, who enlisted prior to December 25, 1863, and from April 1, 1864, to July 17, 1864, inclusive, and who were discharged by reason of orders from the War Department, will not be affected.

The men enlisting in these organizations under joint resolution of January 13, 1864, receive under existing laws \$100 more bounty than they would be entitled to receive if the act under consideration becomes a law.

In case of deceased men the working of the act is still more perplexing, as the prescribed order of inheritance under the act of July 4, 1864, is entirely different from that under all other acts.

A large proportion of the claims in case of the deceased men have been settled, and the bounties have been paid fathers, mothers, brothers, and sisters, the proper heirs under existing laws, which under this act would go only to the widow, children, and widowed mother. Bounty has also been paid to parents under act of July 28, 1866, which this act would require to be paid to the widow, although she may have remarried.

Under the act of July 28, 1866, children of age are not entitled, but this act makes them joint heirs with the minor children.

In case of the deceased one-year men, and the three-years men enlisted under joint resolution of January 13, 1864, the effect of this act would only be to change the prescribed order of inheritance.

In case of the three-years men enlisted under act of July 22, 1861, the order of inheritance is changed by this act, and the heirs entitled (widow, children, and widowed mother) will receive \$100 more bounty than they are now entitled to receive.

It may be well to state that November 14, 1864, the War Department gave authority to enlist men who had deserted from the rebel army as recruits for the First Alabama Cavalry, with the distinct understanding that they were to receive no bounty. Such recruits have not been paid bounty, and it may be a question whether the act under consideration would entitle them to any.

PROCLAMATIONS.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, pursuant to the first section of the act of Congress approved the 11th day of June, 1864, entitled "An act to provide for the execution of treaties between the United States and foreign nations respecting consular jurisdiction over the crews of vessels of such foreign nations in the waters and ports of the United States," it is provided that before that act shall take effect as to the ships and vessels of any particular nation having such treaty with the United States the President of the United States shall have been satisfied that similar provisions have been made for the execution of such treaty by the other contracting party, and shall have issued his proclamation to that effect, declaring that act to be in force as to such nation; and

Whereas due inquiry having been made and satisfactory answers having been received that similar provisions are in force in France, Prussia and the other States of the North German Union, and Italy:

Now, therefore, be it known that I, Ulysses S. Grant, President of the United States of America, do hereby proclaim the same accordingly.

Done at the city of Washington, this 10th day of February, A. D. [SEAL.] 1870, and of the Independence of the United States of America the ninety-fourth.

U. S. GRANT.

By the President:

HAMILTON FISH,
Secretary of State.

ULYSSES S. GRANT, PRESIDENT OF THE UNITED STATES OF AMERICA.

To all whom it may concern:

An exequatur, bearing date the 17th day of June, 1865, having been issued to Joaquin de Palma, recognizing him as vice-consul of Portugal at Savannah, Ga., and declaring him free to exercise and enjoy such functions, powers, and privileges as are allowed to vice-consuls by the law of nations or by the laws of the United States and existing treaty stipulations between the Government of Portugal and the United States; but for satisfactory reasons it is deemed advisable that the said Joaquin de Palma should no longer be permitted to continue in the exercise of said functions, powers, and privileges:

These are therefore to declare that I no longer recognize the said Joaquin de Palma as vice-consul of Portugal at Savannah, Ga., and will not permit him to exercise or enjoy any of the functions, powers, or privileges

allowed to a consular officer of that nation; and that I do hereby wholly revoke and annul the said exequatur heretofore given, and do declare the same to be absolutely null and void from this day forward.

In testimony whereof I have caused these letters to be made patent and the seal of the United States of America to be hereunto affixed.

[SEAL.] Given under my hand, at Washington, this 12th day of May, A. D. 1870, and of the Independence of the United States of America the ninety-fourth.

U. S. GRANT.

By the President:

HAMILTON FISH,
Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas it has come to my knowledge that sundry illegal military enterprises and expeditions are being set on foot within the territory and jurisdiction of the United States with a view to carry on the same from such territory and jurisdiction against the people and district of the Dominion of Canada, within the dominions of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, with whom the United States are at peace:

Now, therefore, I, Ulysses S. Grant, President of the United States, do hereby admonish all good citizens of the United States and all persons within the territory and jurisdiction of the United States against aiding, countenancing, abetting, or taking part in such unlawful proceedings; and I do hereby warn all persons that by committing such illegal acts they will forfeit all right to the protection of the Government or to its interference in their behalf to rescue them from the consequences of their own acts; and I do hereby enjoin all officers in the service of the United States to employ all their lawful authority and power to prevent and defeat the aforesaid unlawful proceedings and to arrest and bring to justice all persons who may be engaged therein.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 24th day of May, A. D. 1870, and of the Independence of the United States the ninety-fourth.

U. S. GRANT.

By the President:

HAMILTON FISH,
Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas a state of war unhappily exists between France on the one side and the North German Confederation and its allies on the other side; and

Whereas the United States are on terms of friendship and amity with all the contending powers and with the persons inhabiting their several dominions; and

Whereas great numbers of the citizens of the United States reside within the territories or dominions of each of the said belligerents and carry on commerce, trade, or other business or pursuits therein, protected by the faith of treaties; and

Whereas great numbers of the subjects or citizens of each of the said belligerents reside within the territory or jurisdiction of the United States and carry on commerce, trade, or other business or pursuits therein; and

Whereas the laws of the United States, without interfering with the free expression of opinion and sympathy, or with the open manufacture or sale of arms or munitions of war, nevertheless impose upon all persons who may be within their territory and jurisdiction the duty of an impartial neutrality during the existence of the contest:

Now, therefore, I, Ulysses S. Grant, President of the United States, in order to preserve the neutrality of the United States and of their citizens and of persons within their territory and jurisdiction, and to enforce their laws, and in order that all persons, being warned of the general tenor of the laws and treaties of the United States in this behalf and of the law of nations, may thus be prevented from an unintentional violation of the same, do hereby declare and proclaim that by the act passed on the 20th day of April, A. D. 1818, commonly known as the "neutrality law," the following acts are forbidden to be done, under severe penalties, within the territory and jurisdiction of the United States, to wit:

1. Accepting and exercising a commission to serve either of the said belligerents, by land or by sea, against the other belligerent.
2. Enlisting or entering into the service of either of the said belligerents as a soldier or as a marine or seaman on board of any vessel of war, letter of marque, or privateer.
3. Hiring or retaining another person to enlist or enter himself in the service of either of the said belligerents as a soldier or as a marine or seaman on board of any vessel of war, letter of marque, or privateer.
4. Hiring another person to go beyond the limits or jurisdiction of the United States with intent to be enlisted as aforesaid.
5. Hiring another person to go beyond the limits of the United States with intent to be entered into service as aforesaid.
6. Retaining another person to go beyond the limits of the United States with intent to be enlisted as aforesaid.

7. Retaining another person to go beyond the limits of the United States with intent to be entered into service as aforesaid. (But the said act is not to be construed to extend to a citizen or subject of either belligerent who, being transiently within the United States, shall, on board of any vessel of war which at the time of its arrival within the United States was fitted and equipped as such vessel of war, enlist or enter himself, or hire or retain another subject or citizen of the same belligerent who is transiently within the United States to enlist or enter himself, to serve such belligerent on board such vessel of war, if the United States shall then be at peace with such belligerent.)

8. Fitting out and arming, or attempting to fit out and arm, or procuring to be fitted out and armed, or knowingly being concerned in the furnishing, fitting out, or arming of any ship or vessel with intent that such ship or vessel shall be employed in the service of either of the said belligerents.

9. Issuing or delivering a commission within the territory or jurisdiction of the United States for any ship or vessel to the intent that she may be employed as aforesaid.

10. Increasing or augmenting, or procuring to be increased or augmented, or knowingly being concerned in increasing or augmenting, the force of any ship of war, cruiser, or other armed vessel which at the time of her arrival within the United States was a ship of war, cruiser, or armed vessel in the service of either of the said belligerents, or belonging to the subjects or citizens of either, by adding to the number of guns of such vessel, or by changing those on board of her for guns of a larger caliber, or by the addition thereto of any equipment solely applicable to war.

11. Beginning or setting on foot or providing or preparing the means for any military expedition or enterprise to be carried on from the territory or jurisdiction of the United States against the territories or dominions of either of the said belligerents.

And I do further declare and proclaim that by the nineteenth article of the treaty of amity and commerce which was concluded between His Majesty the King of Prussia and the United States of America on the 11th day of July, A. D. 1799, which article was revived by the treaty of May 1, A. D. 1828, between the same parties, and is still in force, it was agreed that "the vessels of war, public and private, of both parties shall carry freely, wheresoever they please, the vessels and effects taken from their enemies, without being obliged to pay any duties, charges, or fees to officers of admiralty, of the customs, or any others; nor shall such prizes be arrested, searched, or put under legal process when they come to and enter the ports of the other party, but may freely be carried out again at any time by their captors to the places expressed in their commissions, which the commanding officer of such vessel shall be obliged to show."

And I do further declare and proclaim that it has been officially

communicated to the Government of the United States by the envoy extraordinary and minister plenipotentiary of the North German Confederation at Washington that private property on the high seas will be exempted from seizure by the ships of His Majesty the King of Prussia, without regard to reciprocity.

And I do further declare and proclaim that it has been officially communicated to the Government of the United States by the envoy extraordinary and minister plenipotentiary of His Majesty the Emperor of the French at Washington that orders have been given that in the conduct of the war the commanders of the French forces on land and on the seas shall scrupulously observe toward neutral powers the rules of international law and that they shall strictly adhere to the principles set forth in the declaration of the congress of Paris of the 16th of April, 1856; that is to say:

First. That privateering is and remains abolished.

Second. That the neutral flag covers enemy's goods, with the exception of contraband of war.

Third. That neutral goods, with the exception of contraband of war, are not liable to capture under the enemy's flag.

Fourth. That blockades, in order to be binding, must be effective—that is to say, maintained by a force sufficient really to prevent access to the coast of the enemy; and that, although the United States have not adhered to the declaration of 1856, the vessels of His Majesty will not seize enemy's property found on board of a vessel of the United States, provided that property is not contraband of war.

And I do further declare and proclaim that the statutes of the United States and the law of nations alike require that no person within the territory and jurisdiction of the United States shall take part, directly or indirectly, in the said war, but shall remain at peace with each of the said belligerents and shall maintain a strict and impartial neutrality, and that whatever privileges shall be accorded to one belligerent within the ports of the United States shall be in like manner accorded to the other.

And I do hereby enjoin all the good citizens of the United States and all persons residing or being within the territory or jurisdiction of the United States to observe the laws thereof and to commit no act contrary to the provisions of the said statutes or in violation of the law of nations in that behalf.

And I do hereby warn all citizens of the United States and all persons residing or being within their territory or jurisdiction that while the free and full expression of sympathies in public and private is not restricted by the laws of the United States, military forces in aid of either belligerent can not lawfully be originated or organized within their jurisdiction; and that while all persons may lawfully and without restriction, by reason of the aforesaid state of war, manufacture and sell within the United States arms and munitions of war and other articles ordinarily known

as "contraband of war," yet they can not carry such articles upon the high seas for the use or service of either belligerent, nor can they transport soldiers and officers of either, or attempt to break any blockade which may be lawfully established and maintained during the war, without incurring the risk of hostile capture and the penalties denounced by the law of nations in that behalf.

And I do hereby give notice that all citizens of the United States and others who may claim the protection of this Government who may misconduct themselves in the premises will do so at their peril, and that they can in no wise obtain any protection from the Government of the United States against the consequences of their misconduct.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 22d day of August, A. D. 1870, and of the Independence of the United States of America the ninety-fifth.

U. S. GRANT.

By the President:

HAMILTON FISH,
Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas on the 22d day of August, 1870, my proclamation was issued enjoining neutrality in the present war between France and the North German Confederation and its allies, and declaring, so far as then seemed to be necessary, the respective rights and obligations of the belligerent parties and of the citizens of the United States; and

Whereas subsequent information gives reason to apprehend that armed cruisers of the belligerents may be tempted to abuse the hospitality accorded to them in the ports, harbors, roadsteads, and other waters of the United States, by making such waters subservient to the purposes of war:

Now, therefore, I, Ulysses S. Grant, President of the United States of America, do hereby proclaim and declare that any frequenting and use of the waters within the territorial jurisdiction of the United States by the armed vessels of either belligerent, whether public ships or privateers, for the purpose of preparing for hostile operations or as posts of observation upon the ships of war or privateers or merchant vessels of the other belligerent lying within or being about to enter the jurisdiction of the United States, must be regarded as unfriendly and offensive and in violation of that neutrality which it is the determination of this Government to observe; and to the end that the hazard and inconvenience of such apprehended practices may be avoided, I further proclaim and declare that from and after the 12th day of October instant, and during

the continuance of the present hostilities between France and the North German Confederation and its allies, no ship of war or privateer of either belligerent shall be permitted to make use of any port, harbor, roadstead, or other waters within the jurisdiction of the United States as a station or place of resort for any warlike purpose or for the purpose of obtaining any facilities of warlike equipment; and no ship of war or privateer of either belligerent shall be permitted to sail out of or leave any port, harbor, roadstead, or waters subject to the jurisdiction of the United States from which a vessel of the other belligerent (whether the same shall be a ship of war, a privateer, or a merchant ship) shall have previously departed until after the expiration of at least twenty-four hours from the departure of such last-mentioned vessel beyond the jurisdiction of the United States. If any ship of war or privateer of either belligerent shall, after the time this notification takes effect, enter any port, harbor, roadstead, or waters of the United States, such vessel shall be required to depart and to put to sea within twenty-four hours after her entrance into such port, harbor, roadstead, or waters, except in case of stress of weather or of her requiring provisions or things necessary for the subsistence of her crew or for repairs, in either of which cases the authorities of the port or of the nearest port (as the case may be) shall require her to put to sea as soon as possible after the expiration of such period of twenty-four hours, without permitting her to take in supplies beyond what may be necessary for her immediate use; and no such vessel which may have been permitted to remain within the waters of the United States for the purpose of repair shall continue within such port, harbor, roadstead, or waters for a longer period than twenty-four hours after her necessary repairs shall have been completed, unless within such twenty-four hours a vessel, whether ship of war, privateer, or merchant ship, of the other belligerent shall have departed therefrom, in which case the time limited for the departure of such ship of war or privateer shall be extended so far as may be necessary to secure an interval of not less than twenty-four hours between such departure and that of any ship of war, privateer, or merchant ship of the other belligerent which may have previously quit the same port, harbor, roadstead, or waters. No ship of war or privateer of either belligerent shall be detained in any port, harbor, roadstead, or waters of the United States more than twenty-four hours by reason of the successive departures from such port, harbor, roadstead, or waters of more than one vessel of the other belligerent. But if there be several vessels of each or either of the two belligerents in the same port, harbor, roadstead, or waters, the order of their departure therefrom shall be so arranged as to afford the opportunity of leaving alternately to the vessels of the respective belligerents and to cause the least detention consistent with the objects of this proclamation. No ship of war or privateer of either belligerent shall be permitted, while in any port, harbor, roadstead, or waters within the jurisdiction of the United

States, to take in any supplies except provisions and such other things as may be requisite for the subsistence of her crew, and except so much coal only as may be sufficient to carry such vessel, if without sail power, to the nearest European port of her own country, or, in case the vessel is rigged to go under sail and may also be propelled by steam power, then with half the quantity of coal which she would be entitled to receive if dependent upon steam alone; and no coal shall be again supplied to any such ship of war or privateer in the same or any other port, harbor, roadstead, or waters of the United States, without special permission, until after the expiration of three months from the time when such coal may have been last supplied to her within the waters of the United States, unless such ship of war or privateer shall, since last thus supplied, have entered a European port of the Government to which she belongs.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 8th day of October, A. D. 1870, and of the Independence of the United States of America the ninety-fifth.

U. S. GRANT.

By the President:

HAMILTON FISH,
Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas divers evil-disposed persons have at sundry times within the territory or jurisdiction of the United States begun or set on foot, or provided or prepared the means for, military expeditions or enterprises to be carried on thence against the territories or dominions of powers with whom the United States are at peace, by organizing bodies pretending to have powers of government over portions of the territories or dominions of powers with whom the United States are at peace, or, by being or assuming to be members of such bodies, by levying or collecting money for the purpose or for the alleged purpose of using the same in carrying on military enterprises against such territories or dominions by enlisting and organizing armed forces to be used against such powers, and by fitting out, equipping, and arming vessels to transport such organized armed forces to be employed in hostilities against such powers; and

Whereas it is alleged and there is reason to apprehend that such evil-disposed persons have also at sundry times within the territory and jurisdiction of the United States violated the laws thereof by accepting and exercising commissions to serve by land or by sea against powers with whom the United States are at peace by enlisting themselves or other persons to carry on war against such powers by fitting out and arming

vessels with intent that the same shall be employed to cruise or commit hostilities against such powers, or by delivering commissions within the territory or jurisdiction of the United States for such vessels to the intent that they might be employed as aforesaid; and

Whereas such acts are in violation of the laws of the United States in such case made and provided, and are done in disregard of the duties and obligations which all persons residing or being within the territory or jurisdiction of the United States owe thereto, and are condemned by all right-minded and law-abiding citizens:

Now, therefore, I, Ulysses S. Grant, President of the United States of America, do hereby declare and proclaim that all persons hereafter found within the territory or jurisdiction of the United States committing any of the aforesaid violations of law or any similar violations of the sovereignty of the United States for which punishment is provided by law will be rigorously prosecuted therefor, and, upon conviction and sentence to punishment, will not be entitled to expect or receive the clemency of the Executive to save them from the consequences of their guilt; and I enjoin upon every officer of this Government, civil or military or naval, to use all efforts in his power to arrest for trial and punishment every such offender against the laws providing for the performance of our sacred obligations to friendly powers.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 12th day of October, A. D. 1870, and of the Independence of the United States of America the ninety-fifth.

U. S. GRANT.

By the President:

HAMILTON FISH, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas it behooves a people sensible of their dependence on the Almighty publicly and collectively to acknowledge their gratitude for his favors and mercies and humbly to beseech for their continuance; and

Whereas the people of the United States during the year now about to end have special cause to be thankful for general prosperity, abundant harvests, exemption from pestilence, foreign war, and civil strife:

Now, therefore, be it known that I, Ulysses S. Grant, President of the United States, concurring in any similar recommendations from chief magistrates of States, do hereby recommend to all citizens to meet in their respective places of worship on Thursday, the 24th day of November next, there to give thanks for the bounty of God during the year about to close and to supplicate for its continuance hereafter.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 21st day of October, A. D. 1870, and of the Independence of the United States the ninety-fifth.

U. S. GRANT.

By the President:

HAMILTON FISH,
Secretary of State.

EXECUTIVE ORDERS.

GENERAL ORDERS, NO. 83.

HEADQUARTERS OF THE ARMY,
ADJUTANT-GENERAL'S OFFICE,
Washington, December 24, 1869.

Brevet Major-General A. H. Terry, in addition to his duties as commander of the Department of the South, is, by order of the President of the United States, appointed to exercise the duties of commanding general of the District of Georgia, as defined by the act of Congress approved December 22, 1869.

By command of General Sherman:

E. D. TOWNSEND,
Adjutant-General.

EXECUTIVE MANSION,
Washington, D. C., December 24, 1869.

The painful duty devolves upon the President of announcing to the people of the United States the death of one of her most distinguished citizens and faithful public servants, the Hon. Edwin M. Stanton, which occurred in this city at an early hour this morning.

He was distinguished in the councils of the nation during the entire period of its recent struggle for national existence—first as Attorney-General, then as Secretary of War. He was unceasing in his labors, earnest and fearless in the assumption of responsibilities necessary to his country's success, respected by all good men, and feared by wrongdoers. In his death the bar, the bench, and the nation sustain a great loss, which will be mourned by all.

As a mark of respect to his memory it is ordered that the Executive Mansion and the several Departments at Washington be draped in mourning, and that all business be suspended on the day of the funeral.

U. S. GRANT.

GENERAL ORDERS, NO. I.

HEADQUARTERS OF THE ARMY,
ADJUTANT-GENERAL'S OFFICE,
Washington, January 4, 1870.

By direction of the President of the United States, so much of General Orders, No. 103, dated Headquarters Third Military District (Department of Georgia, Florida, and Alabama), Atlanta, Ga., July 22, 1868, and so much of General Orders, No. 55, dated Headquarters of the Army, Adjutant-General's Office, Washington, July 28, 1868, as refers to the State of Georgia is hereby countermanded. Brevet Major-General Terry will until further orders exercise within that State the powers of the commander of a military district, as provided by the act of March 2, 1867, and the acts supplementary thereto, under his assignment by General Orders, No. 83, dated Headquarters of the Army, Adjutant-General's Office, Washington, December 24, 1869.

By command of General Sherman:

E. D. TOWNSEND,
Adjutant-General.

GENERAL ORDERS, NO. II.

HEADQUARTERS OF THE ARMY,
ADJUTANT-GENERAL'S OFFICE,
Washington, January 29, 1870.

I. The Senators and Representatives from the State of Virginia having been admitted to their respective Houses of Congress, the command known as the First Military District has ceased to exist.

II. By direction of the President, the States of Maryland, Virginia, West Virginia, and North Carolina will compose the Department of Virginia, under the command of Brevet Major-General E. R. S. Canby, headquarters at Richmond, Va., and will form a part of the Military Division of the Atlantic.

III. Commanding officers of all posts and detachments now serving in the limits of the new department will report to General Canby for instructions. The companies of the Eighth Infantry now serving in the State of North Carolina will be relieved as early as possible, and report to Brevet Major-General A. H. Terry, commanding Department of the South, for orders.

By command of General Sherman:

E. D. TOWNSEND,
Adjutant-General.

GENERAL ORDERS, NO. 25.

HEADQUARTERS OF THE ARMY,
ADJUTANT-GENERAL'S OFFICE,
Washington, February 26, 1870.

I. The Senators and Representatives from the State of Mississippi having been admitted to their respective Houses of Congress, the command known as the Fourth Military District has ceased to exist.

II. By direction of the President, the State of Mississippi is attached to the Department of the Cumberland, and the officers and troops within the late Fourth Military District will accordingly report to Brevet Major-General Cooke, commanding the department.

III. The general commanding the late Fourth Military District will complete the records of that district as soon as practicable and send them to the Adjutant-General of the Army, except such military records as should properly be retained at the headquarters of the department, which he will send there.

By command of General Sherman:

E. D. TOWNSEND,
Adjutant-General.

GENERAL ORDERS, NO. 35.

HEADQUARTERS OF THE ARMY,
ADJUTANT-GENERAL'S OFFICE,
Washington, March 31, 1870.

I. By order of the President of the United States, the State of Texas having been admitted to representation in Congress, the command heretofore known as the Fifth Military District will cease to exist, and will hereafter constitute a separate military department, headquarters Austin, Tex., Brevet Major-General J. J. Reynolds commanding.

II. The department known as the Department of Louisiana will be broken up; the State of Louisiana is hereby added to the Department of Texas, and the State of Arkansas to the Department of the Missouri. The commanding general Department of the Missouri will, as soon as convenient, relieve the garrison at Little Rock by a detachment from the Sixth Infantry, and the commanding officer of the troops now in Arkansas will report to General J. J. Reynolds for orders, to take effect as soon as replaced.

III. The new Department of Texas will form a part of the Military Division of the South.

By command of General Sherman:

E. D. TOWNSEND,
Adjutant-General.

SECOND ANNUAL MESSAGE.

EXECUTIVE MANSION, *December 5, 1870.**To the Senate and House of Representatives:*

A year of peace and general prosperity to this nation has passed since the last assembling of Congress. We have, through a kind Providence, been blessed with abundant crops, and have been spared from complications and war with foreign nations. In our midst comparative ~~harmony~~ has been restored. It is to be regretted, however, that a free exercise of the elective franchise has by violence and intimidation been denied to citizens in exceptional cases in several of the States lately in rebellion, and the verdict of the people has thereby been reversed. The States of Virginia, Mississippi, and Texas have been restored to representation in our national councils. Georgia, the only State now without representation, may confidently be expected to take her place there also at the beginning of the new year, and then, let us hope, will be completed the work of reconstruction. With an acquiescence on the part of the whole people in the national obligation to pay the public debt created as the price of our Union, the pensions to our disabled soldiers and sailors and their widows and orphans, and in the changes to the Constitution which have been made necessary by a great rebellion, there is no reason why we should not advance in material prosperity and happiness as no other nation ever did after so protracted and devastating a war.

Soon after the existing war broke out in Europe the protection of the United States minister in Paris was invoked in favor of North Germans domiciled in French territory. Instructions were issued to grant the protection. This has been followed by an extension of American protection to citizens of Saxony, Hesse and Saxe-Coburg, Gotha, Colombia, Portugal, Uruguay, the Dominican Republic, Ecuador, Chile, Paraguay, and Venezuela in Paris. The charge was an onerous one, requiring constant and severe labor, as well as the exercise of patience, prudence, and good judgment. It has been performed to the entire satisfaction of this Government, and, as I am officially informed, equally so to the satisfaction of the Government of North Germany.

As soon as I learned that a republic had been proclaimed at Paris and that the people of France had acquiesced in the change, the minister of the United States was directed by telegraph to recognize it and to tender my congratulations and those of the people of the United States. The reestablishment in France of a system of government disconnected with the dynastic traditions of Europe appeared to be a proper subject for the felicitations of Americans. Should the present struggle result in attaching the hearts of the French to our simpler forms of representative government, it will be a subject of still further satisfaction to our people.

While we make no effort to impose our institutions upon the inhabitants of other countries, and while we adhere to our traditional neutrality in civil contests elsewhere, we can not be indifferent to the spread of American political ideas in a great and highly civilized country like France.

We were asked by the new Government to use our good offices, jointly with those of European powers, in the interests of peace. Answer was made that the established policy and the true interests of the United States forbade them to interfere in European questions jointly with European powers. I ascertained, informally and unofficially, that the Government of North Germany was not then disposed to listen to such representations from any power, and though earnestly wishing to see the blessings of peace restored to the belligerents, with all of whom the United States are on terms of friendship, I declined on the part of this Government to take a step which could only result in injury to our true interests, without advancing the object for which our intervention was invoked. Should the time come when the action of the United States can hasten the return of peace by a single hour, that action will be heartily taken. I deemed it prudent, in view of the number of persons of German and French birth living in the United States, to issue, soon after official notice of a state of war had been received from both belligerents, a proclamation* defining the duties of the United States as a neutral and the obligations of persons residing within their territory to observe their laws and the laws of nations. This proclamation was followed by others,† as circumstances seemed to call for them. The people, thus acquainted in advance of their duties and obligations, have assisted in preventing violations of the neutrality of the United States.

It is not understood that the condition of the insurrection in Cuba has materially changed since the close of the last session of Congress. In an early stage of the contest the authorities of Spain inaugurated a system of arbitrary arrests, of close confinement, and of military trial and execution of persons suspected of complicity with the insurgents, and of summary embargo of their properties, and sequestration of their revenues by executive warrant. Such proceedings, so far as they affected the persons or property of citizens of the United States, were in violation of the provisions of the treaty of 1795 between the United States and Spain.

Representations of injuries resulting to several persons claiming to be citizens of the United States by reason of such violations were made to the Spanish Government. From April, 1869, to June last the Spanish minister at Washington had been clothed with a limited power to aid in redressing such wrongs. That power was found to be withdrawn, "in view," as it was said, "of the favorable situation in which the island of Cuba" then "was," which, however, did not lead to a revocation or suspension of the extraordinary and arbitrary functions exercised by the executive power in Cuba, and we were obliged to make our complaints

* See pp. 86-89.

† See pp. 89-92.

at Madrid. In the negotiations thus opened, and still pending there, the United States only claimed that for the future the rights secured to their citizens by treaty should be respected in Cuba, and that as to the past a joint tribunal should be established in the United States with full jurisdiction over all such claims. Before such an impartial tribunal each claimant would be required to prove his case. On the other hand, Spain would be at liberty to traverse every material fact, and thus complete equity would be done. A case which at one time threatened seriously to affect the relations between the United States and Spain has already been disposed of in this way. The claim of the owners of the *Colonel Lloyd Aspinwall* for the illegal seizure and detention of that vessel was referred to arbitration by mutual consent, and has resulted in an award to the United States, for the owners, of the sum of \$19,702.50 in gold. Another and long-pending claim of like nature, that of the whaleship *Canada*, has been disposed of by friendly arbitrament during the present year. It was referred, by the joint consent of Brazil and the United States, to the decision of Sir Edward Thornton, Her Britannic Majesty's minister at Washington, who kindly undertook the laborious task of examining the voluminous mass of correspondence and testimony submitted by the two Governments, and awarded to the United States the sum of \$100,740.09 in gold, which has since been paid by the Imperial Government. These recent examples show that the mode which the United States have proposed to Spain for adjusting the pending claims is just and feasible, and that it may be agreed to by either nation without dishonor. It is to be hoped that this moderate demand may be acceded to by Spain without further delay. Should the pending negotiations, unfortunately and unexpectedly, be without result, it will then become my duty to communicate that fact to Congress and invite its action on the subject.

The long-deferred peace conference between Spain and the allied South American Republics has been inaugurated in Washington under the auspices of the United States. Pursuant to the recommendation contained in the resolution of the House of Representatives of the 17th of December, 1866, the executive department of the Government offered its friendly offices for the promotion of peace and harmony between Spain and the allied Republics. Hesitations and obstacles occurred to the acceptance of the offer. Ultimately, however, a conference was arranged, and was opened in this city on the 29th of October last, at which I authorized the Secretary of State to preside. It was attended by the ministers of Spain, Peru, Chile, and Ecuador. In consequence of the absence of a representative from Bolivia, the conference was adjourned until the attendance of a plenipotentiary from that Republic could be secured or other measures could be adopted toward compassing its objects.

The allied and other Republics of Spanish origin on this continent

may see in this fact a new proof of our sincere interest in their welfare, of our desire to see them blessed with good governments, capable of maintaining order and of preserving their respective territorial integrity, and of our sincere wish to extend our own commercial and social relations with them. The time is not probably far distant when, in the natural course of events, the European political connection with this continent will cease. Our policy should be shaped, in view of this probability, so as to ally the commercial interests of the Spanish American States more closely to our own, and thus give the United States all the preeminence and all the advantage which Mr. Monroe, Mr. Adams, and Mr. Clay contemplated when they proposed to join in the congress of Panama.

During the last session of Congress a treaty for the annexation of the Republic of San Domingo to the United States failed to receive the requisite two-thirds vote of the Senate. I was thoroughly convinced then that the best interests of this country, commercially and materially, demanded its ratification. Time has only confirmed me in this view. I now firmly believe that the moment it is known that the United States have entirely abandoned the project of accepting as a part of its territory the island of San Domingo a free port will be negotiated for by European nations in the Bay of Samana. A large commercial city will spring up, to which we will be tributary without receiving corresponding benefits, and then will be seen the folly of our rejecting so great a prize. The Government of San Domingo has voluntarily sought this annexation. It is a weak power, numbering probably less than 120,000 souls, and yet possessing one of the richest territories under the sun, capable of supporting a population of 10,000,000 people in luxury. The people of San Domingo are not capable of maintaining themselves in their present condition, and must look for outside support. They yearn for the protection of our free institutions and laws, our progress and civilization. Shall we refuse them?

The acquisition of San Domingo is desirable because of its geographical position. It commands the entrance to the Caribbean Sea and the Isthmus transit of commerce. It possesses the richest soil, best and most capacious harbors, most salubrious climate, and the most valuable products of the forests, mine, and soil of any of the West India Islands. Its possession by us will in a few years build up a coastwise commerce of immense magnitude, which will go far toward restoring to us our lost merchant marine. It will give to us those articles which we consume so largely and do not produce, thus equalizing our exports and imports. In case of foreign war it will give us command of all the islands referred to, and thus prevent an enemy from ever again possessing himself of rendezvous upon our very coast. At present our coast trade between the States bordering on the Atlantic and those bordering on the Gulf of Mexico is cut into by the Bahamas and the Antilles. Twice we must,

as it were, pass through foreign countries to get by sea from Georgia to the west coast of Florida.

San Domingo, with a stable government, under which her immense resources can be developed, will give remunerative wages to tens of thousands of laborers not now upon the island. This labor will take advantage of every available means of transportation to abandon the adjacent islands and seek the blessings of freedom and its sequence—each inhabitant receiving the reward of his own labor. Porto Rico and Cuba will have to abolish slavery, as a measure of self-preservation, to retain their laborers.

San Domingo will become a large consumer of the products of Northern farms and manufactories. The cheap rate at which her citizens can be furnished with food, tools, and machinery will make it necessary that contiguous islands should have the same advantages in order to compete in the production of sugar, coffee, tobacco, tropical fruits, etc. This will open to us a still wider market for our products. The production of our own supply of these articles will cut off more than one hundred millions of our annual imports, besides largely increasing our exports. With ~~such a~~ picture it is easy to see how our large debt abroad is ultimately to be extinguished. With a balance of trade against us (including interest on bonds held by foreigners and money spent by our citizens traveling in foreign lands) equal to the entire yield of the precious metals in this country, it is not so easy to see how this result is to be otherwise accomplished.

The acquisition of San Domingo is an adherence to the "Monroe doctrine;" it is a measure of national protection; it is asserting our just claim to a controlling influence over the great commercial traffic soon to flow from west to east by way of the Isthmus of Darien; it is to build up our merchant marine; it is to furnish new markets for the products of our farms, shops, and manufactories; it is to make slavery insupportable in Cuba and Porto Rico at once, and ultimately so in Brazil; it is to settle the unhappy condition of Cuba and end an exterminating conflict; it is to provide honest means of paying our honest debts without overtaxing the people; it is to furnish our citizens with the necessities of everyday life at cheaper rates than ever before; and it is, in fine, a rapid stride toward that greatness which the intelligence, industry, and enterprise of the citizens of the United States entitle this country to assume among nations.

In view of the importance of this question, I earnestly urge upon Congress early action expressive of its views as to the best means of acquiring San Domingo. My suggestion is that by joint resolution of the two Houses of Congress the Executive be authorized to appoint a commission to negotiate a treaty with the authorities of San Domingo for the acquisition of that island, and that an appropriation be made to defray the expenses of such a commission. The question may then be determined, either by the action of the Senate upon the treaty or the joint action of

the two Houses of Congress upon a resolution of annexation, as in the case of the acquisition of Texas. So convinced am I of the advantages to flow from the acquisition of San Domingo, and of the great disadvantages—I might almost say calamities—to flow from nonacquisition, that I believe the subject has only to be investigated to be approved.

It is to be regretted that our representations in regard to the injurious effects, especially upon the revenue of the United States, of the policy of the Mexican Government in exempting from impost duties a large tract of its territory on our borders have not only been fruitless, but that it is even proposed in that country to extend the limits within which the privilege adverted to has hitherto been enjoyed. The expediency of taking into your serious consideration proper measures for countervailing the policy referred to will, it is presumed, engage your earnest attention.

It is the obvious interest, especially of neighboring nations, to provide against impunity to those who may have committed high crimes within their borders and who may have sought refuge abroad. For this purpose extradition treaties have been concluded with several of the Central American Republics, and others are in progress.

The sense of Congress is desired, as early as may be convenient, upon the proceedings of the commission on claims against Venezuela, as communicated in my messages of March 16, 1869, March 1, 1870, and March 31, 1870. It has not been deemed advisable to distribute any of the money which has been received from that Government until Congress shall have acted on the subject.

The massacres of French and Russian residents at Tien-Tsin, under circumstances of great barbarity, was supposed by some to have been premeditated, and to indicate a purpose among the populace to exterminate foreigners in the Chinese Empire. The evidence fails to establish such a supposition, but shows a complicity between the local authorities and the mob. The Government at Peking, however, seems to have been disposed to fulfill its treaty obligations so far as it was able to do so. Unfortunately, the news of the war between the German States and France reached China soon after the massacre. It would appear that the popular mind became possessed with the idea that this contest, extending to Chinese waters, would neutralize the Christian influence and power, and that the time was coming when the superstitious masses might expel all foreigners and restore mandarin influence. Anticipating trouble from this cause, I invited France and North Germany to make an authorized suspension of hostilities in the East (where they were temporarily suspended by act of the commanders), and to act together for the future protection in China of the lives and properties of Americans and Europeans.

Since the adjournment of Congress the ratifications of the treaty with Great Britain for abolishing the mixed courts for the suppression of the slave trade have been exchanged. It is believed that the slave trade is

now confined to the eastern coast of Africa, whence the slaves are taken to Arabian markets.

The ratifications of the naturalization convention between Great Britain and the United States have also been exchanged during the recess, and thus a long-standing dispute between the two Governments has been settled in accordance with the principles always contended for by the United States.

In April last, while engaged in locating a military reservation near Pembina, a corps of engineers discovered that the commonly received boundary line between the United States and the British possessions at that place is about 4,700 feet south of the true position of the forty-ninth parallel, and that the line, when run on what is now supposed to be the true position of that parallel, would leave the fort of the Hudsons Bay Company at Pembina within the territory of the United States. This information being communicated to the British Government, I was requested to consent, and did consent, that the British occupation of the fort of the Hudsons Bay Company should continue for the present. I deem it important, however, that this part of the boundary line should be definitely fixed by a joint commission of the two Governments, and I submit herewith estimates of the expense of such a commission on the part of the United States and recommend that an appropriation be made for that purpose. The land boundary has already been fixed and marked from the summit of the Rocky Mountains to the Georgian Bay. It should now be in like manner marked from the Lake of the Woods to the summit of the Rocky Mountains.

I regret to say that no conclusion has been reached for the adjustment of the claims against Great Britain growing out of the course adopted by that Government during the rebellion. The cabinet of London, so far as its views have been expressed, does not appear to be willing to concede that Her Majesty's Government was guilty of any negligence, or did or permitted any act during the war by which the United States has just cause of complaint. Our firm and unalterable convictions are directly the reverse. I therefore recommend to Congress to authorize the appointment of a commission to take proof of the amount and the ownership of these several claims, on notice to the representative of Her Majesty at Washington, and that authority be given for the settlement of these claims by the United States, so that the Government shall have the ownership of the private claims, as well as the responsible control of all the demands against Great Britain. It can not be necessary to add that whenever Her Majesty's Government shall entertain a desire for a full and friendly adjustment of these claims the United States will enter upon their consideration with an earnest desire for a conclusion consistent with the honor and dignity of both nations.

The course pursued by the Canadian authorities toward the fishermen of the United States during the past season has not been marked by a

friendly feeling. By the first article of the convention of 1818 between Great Britain and the United States it was agreed that the inhabitants of the United States should have forever, in common with British subjects, the right of taking fish in certain waters therein defined. In the waters not included in the limits named in the convention (within 3 miles of parts of the British coast) it has been the custom for many years to give to intruding fishermen of the United States a reasonable warning of their violation of the technical rights of Great Britain. The Imperial Government is understood to have delegated the whole or a share of its jurisdiction or control of these inshore fishing grounds to the colonial authority known as the Dominion of Canada, and this semi-independent but irresponsible agent has exercised its delegated powers in an unfriendly way. Vessels have been seized without notice or warning, in violation of the custom previously prevailing, and have been taken into the colonial ports, their voyages broken up, and the vessels condemned. There is reason to believe that this unfriendly and vexatious treatment was designed to bear harshly upon the hardy fishermen of the United States, with a view to political effect upon this Government. The statutes of the Dominion of Canada assume a still broader and more untenable jurisdiction over the vessels of the United States. They authorize officers or persons to bring vessels hovering within 3 marine miles of any of the coasts, bays, creeks, or harbors of Canada into port, to search the cargo, to examine the master on oath touching the cargo and voyage, and to inflict upon him a heavy pecuniary penalty if true answers are not given; and if such a vessel is found "preparing to fish" within 3 marine miles of any of such coasts, bays, creeks, or harbors without a license, or after the expiration of the period named in the last license granted to it, they provide that the vessel, with her tackle, etc., shall be forfeited. It is not known that any condemnations have been made under this statute. Should the authorities of Canada attempt to enforce it, it will become my duty to take such steps as may be necessary to protect the rights of the citizens of the United States.

It has been claimed by Her Majesty's officers that the fishing vessels of the United States have no right to enter the open ports of the British possessions in North America, except for the purposes of shelter and repairing damages, of purchasing wood and obtaining water; that they have no right to enter at the British custom-houses or to trade there except in the purchase of wood and water, and that they must depart within twenty-four hours after notice to leave. It is not known that any seizure of a fishing vessel carrying the flag of the United States has been made under this claim. So far as the claim is founded on an alleged construction of the convention of 1818, it can not be acquiesced in by the United States. It is hoped that it will not be insisted on by Her Majesty's Government.

During the conferences which preceded the negotiation of the convention of 1818 the British commissioners proposed to expressly exclude the

fishermen of the United States from "the privilege of carrying on trade with any of His Britannic Majesty's subjects residing within the limits assigned for their use;" and also that it should not be "lawful for the vessels of the United States engaged in said fishery to have on board any goods, wares, or merchandise whatever, except such as may be necessary for the prosecution of their voyages to and from the said fishing grounds; and any vessel of the United States which shall contravene this regulation may be seized, condemned, and confiscated, with her cargo."

This proposition, which is identical with the construction now put upon the language of the convention, was emphatically rejected by the American commissioners, and thereupon was abandoned by the British plenipotentiaries, and Article I, as it stands in the convention, was substituted.

If, however, it be said that this claim is founded on provincial or colonial statutes, and not upon the convention, this Government can not but regard them as unfriendly, and in contravention of the spirit, if not of the letter, of the treaty, for the faithful execution of which the Imperial Government is alone responsible.

Anticipating that an attempt may possibly be made by the Canadian authorities in the coming season to repeat their unneighborly acts toward our fishermen, I recommend you to confer upon the Executive the power to suspend by proclamation the operation of the laws authorizing the transit of goods, wares, and merchandise in bond across the territory of the United States to Canada, and, further, should such an extreme measure become necessary, to suspend the operation of any laws whereby the vessels of the Dominion of Canada are permitted to enter the waters of the United States.

A like unfriendly disposition has been manifested on the part of Canada in the maintenance of a claim of right to exclude the citizens of the United States from the navigation of the St. Lawrence. This river constitutes a natural outlet to the ocean for eight States, with an aggregate population of about 17,600,000 inhabitants, and with an aggregate tonnage of 661,367 tons upon the waters which discharge into it. The foreign commerce of our ports on these waters is open to British competition, and the major part of it is done in British bottoms.

If the American seamen be excluded from this natural avenue to the ocean, the monopoly of the direct commerce of the lake ports with the Atlantic would be in foreign hands, their vessels on transatlantic voyages having an access to our lake ports which would be denied to American vessels on similar voyages. To state such a proposition is to refute its justice.

During the Administration of Mr. John Quincy Adams Mr. Clay unanswerably demonstrated the natural right of the citizens of the United States to the navigation of this river, claiming that the act of the congress of Vienna in opening the Rhine and other rivers to all nations showed the judgment of European jurists and statesmen that the inhab-

itants of a country through which a navigable river passes have a natural right to enjoy the navigation of that river to and into the sea, even though passing through the territories of another power. This right does not exclude the coequal right of the sovereign possessing the territory through which the river debouches into the sea to make such regulations relative to the police of the navigation as may be reasonably necessary; but those regulations should be framed in a liberal spirit of comity, and should not impose needless burdens upon the commerce which has the right of transit. It has been found in practice more advantageous to arrange these regulations by mutual agreement. The United States are ready to make any reasonable arrangement as to the police of the St. Lawrence which may be suggested by Great Britain.

If the claim made by Mr. Clay was just when the population of States bordering on the shores of the Lakes was only 3,400,000, it now derives greater force and equity from the increased population, wealth, production, and tonnage of the States on the Canadian frontier. Since Mr. Clay advanced his argument in behalf of our right the principle for which he contended has been frequently, and by various nations, recognized by law or by treaty, and has been extended to several other great rivers. By the treaty concluded at Mayence in 1831 the Rhine was declared free from the point where it is first navigable into the sea. By the convention between Spain and Portugal concluded in 1835 the navigation of the Douro throughout its whole extent was made free for the subjects of both Crowns. In 1853 the Argentine Confederation by treaty threw open the free navigation of the Parana and the Uruguay to the merchant vessels of all nations. In 1856 the Crimean War was closed by a treaty which provided for the free navigation of the Danube. In 1858 Bolivia by treaty declared that it regarded the rivers Amazon and La Plata, in accordance with fixed principles of national law, as highways or channels opened by nature for the commerce of all nations. In 1859 the Paraguay was made free by treaty, and in December, 1866, the Emperor of Brazil by imperial decree declared the Amazon to be open to the frontier of Brazil to the merchant ships of all nations. The greatest living British authority on this subject, while asserting the abstract right of the British claim, says:

It seems difficult to deny that Great Britain may ground her refusal upon strict law, but it is equally difficult to deny, first, that in so doing she exercises harshly an extreme and hard law; secondly, that her conduct with respect to the navigation of the St. Lawrence is in glaring and discreditable inconsistency with her conduct with respect to the navigation of the Mississippi. On the ground that she possessed a small domain in which the Mississippi took its rise, she insisted on the right to navigate the entire volume of its waters. On the ground that she possesses both banks of the St. Lawrence, where it disembogues itself into the sea, she denies to the United States the right of navigation, though about one-half of the waters of Lakes Ontario, Erie, Huron, and Superior, and the whole of Lake Michigan, through which the river flows, are the property of the United States.

The whole nation is interested in securing cheap transportation from the agricultural States of the West to the Atlantic Seaboard. To the citizens of those States it secures a greater return for their labor; to the inhabitants of the seaboard it affords cheaper food; to the nation, an increase in the annual surplus of wealth. It is hoped that the Government of Great Britain will see the justice of abandoning the narrow and inconsistent claim to which her Canadian Provinces have urged her adherence.

Our depressed commerce is a subject to which I called your special attention at the last session, and suggested that we will in the future have to look more to the countries south of us, and to China and Japan, for its revival. Our representatives to all these Governments have exerted their influence to encourage trade between the United States and the countries to which they are accredited. But the fact exists that the carrying is done almost entirely in foreign bottoms, and while this state of affairs exists we can not control our due share of the commerce of the world; that between the Pacific States and China and Japan is about all the carrying trade now conducted in American vessels. I would recommend a liberal policy toward that line of American steamers—one that will insure its success, and even increased usefulness.

The cost of building iron vessels, the only ones that can compete with foreign ships in the carrying trade, is so much greater in the United States than in foreign countries that without some assistance from the Government they can not be successfully built here. There will be several propositions laid before Congress in the course of the present session looking to a remedy for this evil. Even if it should be at some cost to the National Treasury, I hope such encouragement will be given as will secure American shipping on the high seas and American shipbuilding at home.

The condition of the archives at the Department of State calls for the early action of Congress. The building now rented by that Department is a frail structure, at an inconvenient distance from the Executive Mansion and from the other Departments, is ill adapted to the purpose for which it is used, has not capacity to accommodate the archives, and is not fireproof. Its remote situation, its slender construction, and the absence of a supply of water in the neighborhood leave but little hope of safety for either the building or its contents in case of the accident of a fire. Its destruction would involve the loss of the rolls containing the original acts and resolutions of Congress, of the historic records of the Revolution and of the Confederation, of the whole series of diplomatic and consular archives since the adoption of the Constitution, and of the many other valuable records and papers left with that Department when it was the principal depository of the governmental archives. I recommend an appropriation for the construction of a building for the Department of State.

I recommend to your consideration the propriety of transferring to the Department of the Interior, to which they seem more appropriately

to belong, all powers and duties in relation to the Territories with which the Department of State is now charged by law or usage; and from the Interior Department to the War Department the Pension Bureau, so far as it regulates the payment of soldiers' pensions. I would further recommend that the payment of naval pensions be transferred to one of the bureaus of the Navy Department.

The estimates for the expenses of the Government for the next fiscal year are \$18,244,346.01 less than for the current one, but exceed the appropriations for the present year for the same items \$8,972,127.56. In this estimate, however, is included \$22,338,278.37 for public works heretofore begun under Congressional provision, and of which only so much is asked as Congress may choose to give. The appropriation for the same works for the present fiscal year was \$11,984,518.08.

The average value of gold, as compared with national currency, for the whole of the year 1869 was about 134, and for eleven months of 1870 the same relative value has been about 115. The approach to a specie basis is very gratifying, but the fact can not be denied that the instability of the value of our currency is prejudicial to our prosperity, and tends to keep up prices, to the detriment of trade. The evils of a depreciated and fluctuating currency are so great that now, when the premium on gold has fallen so much, it would seem that the time has arrived when by wise and prudent legislation Congress should look to a policy which would place our currency at par with gold at no distant day.

The tax collected from the people has been reduced more than \$80,000,000 per annum. By steadiness in our present course there is no reason why in a few short years the national taxgatherer may not disappear from the door of the citizen almost entirely. With the revenue stamp dispensed by postmasters in every community, a tax upon liquors of all sorts and tobacco in all its forms, and by a wise adjustment of the tariff, which will put a duty only upon those articles which we could dispense with, known as luxuries, and on those which we use more of than we produce, revenue enough may be raised after a few years of peace and consequent reduction of indebtedness to fulfill all our obligations. A further reduction of expenses, in addition to a reduction of interest account, may be relied on to make this practicable. Revenue reform, if it means this, has my hearty support. If it implies a collection of all the revenue for the support of the Government, for the payment of principal and interest of the public debt, pensions, etc., by directly taxing the people, then I am against revenue reform, and confidently believe the people are with me. If it means failure to provide the necessary means to defray all the expenses of Government, and thereby repudiation of the public debt and pensions, then I am still more opposed to such kind of revenue reform. Revenue reform has not been defined by any of its advocates to my knowledge, but seems to be accepted as something which is to supply every man's wants without any cost or effort on his part.

A true revenue reform can not be made in a day, but must be the work of national legislation and of time. As soon as the revenue can be dispensed with, all duty should be removed from coffee, tea, and other articles of universal use not produced by ourselves. The necessities of the country compel us to collect revenue from our imports. An army of assessors and collectors is not a pleasant sight to the citizen, but that or a tariff for revenue is necessary. Such a tariff, so far as it acts as an encouragement to home production, affords employment to labor at living wages, in contrast to the pauper labor of the Old World, and also in the development of home resources.

Under the act of Congress of the 15th day of July, 1870, the Army has gradually been reduced, so that on the 1st day of January, 1871, the number of commissioned officers and men will not exceed the number contemplated by that law.

The War Department building is an old structure, not fireproof, and entirely inadequate in dimensions to our present wants. Many thousands of dollars are now paid annually for rent of private buildings to accommodate the various bureaus of the Department. I recommend an appropriation for a new War Department building, suited to the present and growing wants of the nation.

The report of the Secretary of War shows a very satisfactory reduction in the expenses of the Army for the last fiscal year. For details you are referred to his accompanying report.

The expenses of the Navy for the whole of the last year—*i. e.*, from December 1, 1869, the date of the last report—are less than \$19,000,000, or about \$1,000,000 less than they were the previous year. The expenses since the commencement of this fiscal year—*i. e.*, since July 1—show for the five months a decrease of over \$2,400,000 from those of the corresponding months last year. The estimates for the current year were \$28,205,671.37. Those for next year are \$20,683,317, with \$955,100 additional for necessary permanent improvements. These estimates are made closely for the mere maintenance of the naval establishment as it now is, without much in the nature of permanent improvement. The appropriations made for the last and current years were evidently intended by Congress, and are sufficient only, to keep the Navy on its present footing by the repairing and refitting of our old ships.

This policy must, of course, gradually but surely destroy the Navy, and it is in itself far from economical, as each year that it is pursued the necessity for mere repairs in ships and navy-yards becomes more imperative and more costly, and our current expenses are annually increased for the mere repair of ships, many of which must soon become unsafe and useless. I hope during the present session of Congress to be able to submit to it a plan by which naval vessels can be built and repairs made with great saving upon the present cost.

It can hardly be wise statesmanship in a Government which represents

a country with over 5,000 miles of coast line on both oceans, exclusive of Alaska, and containing 40,000,000 progressive people, with relations of every nature with almost every foreign country, to rest with such inadequate means of enforcing any foreign policy, either of protection or redress. Separated by the ocean from the nations of the Eastern Continent, our Navy is our only means of direct protection to our citizens abroad or for the enforcement of any foreign policy.

The accompanying report of the Postmaster-General shows a most satisfactory working of that Department. With the adoption of the recommendations contained therein, particularly those relating to a reform in the franking privilege and the adoption of the "correspondence cards," a self-sustaining postal system may speedily be looked for, and at no distant day a further reduction of the rate of postage be attained.

I recommend authorization by Congress to the Postmaster-General and Attorney-General to issue all commissions to officials appointed through their respective Departments. At present these commissions, where appointments are Presidential, are issued by the State Department. The law in all the Departments of Government, except those of the Post-Office and of Justice, authorizes each to issue its own commissions.

Always favoring practical reforms, I respectfully call your attention to one abuse of long standing which I would like to see remedied by this Congress. It is a reform in the civil service of the country. I would have it go beyond the mere fixing of the tenure of office of clerks and employees who do not require "the advice and consent of the Senate" to make their appointments complete. I would have it govern, not the tenure, but the manner of making all appointments. There is no duty which so much embarrasses the Executive and heads of Departments as that of appointments, nor is there any such arduous and thankless labor imposed on Senators and Representatives as that of finding places for constituents. The present system does not secure the best men, and often not even fit men, for public place. The elevation and purification of the civil service of the Government will be hailed with approval by the whole people of the United States.

Reform in the management of Indian affairs has received the special attention of the Administration from its inauguration to the present day. The experiment of making it a missionary work was tried with a few agencies given to the denomination of Friends, and has been found to work most advantageously. All agencies and superintendencies not so disposed of were given to officers of the Army. The act of Congress reducing the Army renders army officers ineligible for civil positions. Indian agencies being civil offices, I determined to give all the agencies to such religious denominations as had heretofore established missionaries among the Indians, and perhaps to some other denominations who would undertake the work on the same terms—*i. e.*, as a missionary work. The societies selected are allowed to name their own agents, subject to the

approval of the Executive, and are expected to watch over them and aid them as missionaries, to Christianize and civilize the Indian, and to train him in the arts of peace. The Government watches over the official acts of these agents, and requires of them as strict an accountability as if they were appointed in any other manner. I entertain the confident hope that the policy now pursued will in a few years bring all the Indians upon reservations, where they will live in houses, and have schoolhouses and churches, and will be pursuing peaceful and self-sustaining avocations, and where they may be visited by the law-abiding white man with the same impunity that he now visits the civilized white settlements. I call your special attention to the report of the Commissioner of Indian Affairs for full information on this subject.

During the last fiscal year 8,095,413 acres of public land were disposed of. Of this quantity 3,698,910.05 acres were taken under the homestead law and 2,159,515.81 acres sold for cash. The remainder was located with military warrants, college or Indian scrip, or applied in satisfaction of grants to railroads or for other public uses. The entries under the homestead law during the last year covered 961,545 acres more than those during the preceding year. Surveys have been vigorously prosecuted to the full extent of the means applicable to the purpose. The quantity of land in market will amply supply the present demand. The claim of the settler under the homestead or the preemption laws is not, however, limited to lands subject to sale at private entry. Any unappropriated surveyed public land may, to a limited amount, be acquired under the former laws if the party entitled to enter under them will comply with the requirements they prescribe in regard to the residence and cultivation. The actual settler's preference right of purchase is even broader, and extends to lands which were unsurveyed at the time of his settlement. His right was formerly confined within much narrower limits, and at one period of our history was conferred only by special statutes. They were enacted from time to time to legalize what was then regarded as an unauthorized intrusion upon the national domain. The opinion that the public lands should be regarded chiefly as a source of revenue is no longer maintained. The rapid settlement and successful cultivation of them are now justly considered of more importance to our well-being than is the fund which the sale of them would produce. The remarkable growth and prosperity of our new States and Territories attest the wisdom of the legislation which invites the tiller of the soil to secure a permanent home on terms within the reach of all. The pioneer who incurs the dangers and privations of a frontier life, and thus aids in laying the foundation of new commonwealths, renders a signal service to his country, and is entitled to its special favor and protection. These laws secure that object and largely promote the general welfare. They should therefore be cherished as a permanent feature of our land system.

Good faith requires us to give full effect to existing grants. The time-honored and beneficent policy of setting apart certain sections of public land for educational purposes in the new States should be continued. When ample provision shall have been made for these objects, I submit as a question worthy of serious consideration whether the residue of our national domain should not be wholly disposed of under the provisions of the homestead and preemption laws.

In addition to the swamp and overflowed lands granted to the States in which they are situated, the lands taken under the agricultural-college acts and for internal-improvement purposes under the act of September, 1841, and the acts supplemental thereto, there had been conveyed up to the close of the last fiscal year, by patent or other equivalent title, to States and corporations 27,836,257.63 acres for railways, canals, and wagon roads. It is estimated that an additional quantity of 174,735,523 acres is still due under grants for like uses. The policy of thus aiding the States in building works of internal improvement was inaugurated more than forty years since in the grants to Indiana and Illinois, to aid those States in opening canals to connect the waters of the Wabash with those of Lake Erie and the waters of the Illinois with those of Lake Michigan. It was followed, with some modifications, in the grant to Illinois of alternate sections of public land within certain limits of the Illinois Central Railway. Fourteen States and sundry corporations have received similar subsidies in connection with railways completed or in process of construction. As the reserved sections are rated at the double minimum, the sale of them at the enhanced price has thus in many instances indemnified the Treasury for the granted lands. The construction of some of these thoroughfares has undoubtedly given a vigorous impulse to the development of our resources and the settlement of the more distant portions of the country. It may, however, be well insisted that much of our legislation in this regard has been characterized by indiscriminate and profuse liberality. The United States should not loan their credit in aid of any enterprise undertaken by States or corporations, nor grant lands in any instance, unless the projected work is of acknowledged national importance. I am strongly inclined to the opinion that it is inexpedient and unnecessary to bestow subsidies of either description; but should Congress determine otherwise I earnestly recommend that the right of settlers and of the public be more effectually secured and protected by appropriate legislation.

During the year ending September 30, 1870, there were filed in the Patent Office 19,411 applications for patents, 3,374 caveats, and 160 applications for the extension of patents. Thirteen thousand six hundred and twenty-two patents, including reissues and designs, were issued, 1,010 extended, and 1,089 allowed, but not issued by reason of the non-payment of the final fees. The receipts of the office during the fiscal year were \$136,304.29 in excess of its expenditures.

The work of the Census Bureau has been energetically prosecuted. The preliminary report, containing much information of special value and interest, will be ready for delivery during the present session. The remaining volumes will be completed with all the dispatch consistent with perfect accuracy in arranging and classifying the returns. We shall thus at no distant day be furnished with an authentic record of our condition and resources. It will, I doubt not, attest the growing prosperity of the country, although during the decade which has just closed it was so severely tried by the great war waged to maintain its integrity and to secure and perpetuate our free institutions.

During the last fiscal year the sum paid to pensioners, including the cost of disbursement, was \$27,780,811.11, and 1,758 bounty-land warrants were issued. At its close 198,686 names were on the pension rolls.

The labors of the Pension Office have been directed to the severe scrutiny of the evidence submitted in favor of new claims and to the discovery of fictitious claims which have been heretofore allowed. The appropriation for the employment of special agents for the investigation of frauds has been judiciously used, and the results obtained have been of unquestionable benefit to the service.

The subjects of education and agriculture are of great interest to the success of our republican institutions, happiness, and grandeur as a nation. In the interest of one a bureau has been established in the Interior Department—the Bureau of Education; and in the interest of the other, a separate Department, that of Agriculture. I believe great general good is to flow from the operations of both these Bureaus if properly fostered. I can not commend to your careful consideration too highly the reports of the Commissioners of Education and of Agriculture, nor urge too strongly such liberal legislation as to secure their efficiency.

In conclusion I would sum up the policy of the Administration to be a thorough enforcement of every law; a faithful collection of every tax provided for; economy in the disbursement of the same; a prompt payment of every debt of the nation; a reduction of taxes as rapidly as the requirements of the country will admit; reductions of taxation and tariff, to be so arranged as to afford the greatest relief to the greatest number; honest and fair dealings with all other peoples, to the end that war, with all its blighting consequences, may be avoided, but without surrendering any right or obligation due to us; a reform in the treatment of Indians and in the whole civil service of the country; and, finally, in securing a pure, untrammeled ballot, where every man entitled to cast a vote may do so, just once at each election, without fear of molestation or proscription on account of his political faith, nativity, or color.

U. S. GRANT.

SPECIAL MESSAGES.

DECEMBER 6, 1870.

To the Senate and House of Representatives:

In pursuance of the provisions of the second section of an act approved June 20, 1864, entitled "An act making appropriations for the consular and diplomatic expenses of the Government for the year ending June 30, 1865, and for other purposes," I inform Congress that Louis W. Viollier, a consular clerk, was, on the 26th day of September last, removed from office for the following causes, namely: For disobedience of orders and continued absence from duty after orders to proceed to his post.

U. S. GRANT.

WASHINGTON, *December 6, 1870.**To the Senate and House of Representatives:*

I herewith transmit to Congress a report, dated the 5th instant, with the accompanying papers,* received from the Secretary of State, in compliance with the requirements of the eighteenth section of the act entitled "An act to regulate the diplomatic and consular systems of the United States," approved August 18, 1856.

U. S. GRANT.

WASHINGTON, *December 6, 1870.**To the Senate of the United States:*

I transmit to the Senate, for its consideration with a view to ratification, a convention for the surrender of criminals between the United States of America and the Republic of Guatemala, signed on the 11th day of October last, together with correspondence on the subject, a list of which is given.

U. S. GRANT.

WASHINGTON, *December 6, 1870.**To the Senate of the United States:*

I transmit to the Senate, for its consideration with a view to ratification, a convention for the extradition of criminals fugitives from justice between the United States of America and the Republic of Nicaragua, signed at the city of Nicaragua on the 5th day of June last, together with correspondence upon the subject, of which a list is annexed.

U. S. GRANT.

* Report of fees collected, etc., by consular officers of the United States for 1868, and tariff of consular fees prescribed by the President October 1, 1870.

WASHINGTON, December 6, 1870.

To the Senate of the United States:

I transmit to the Senate, for its consideration with a view to ratification, a treaty for the extradition of criminals fugitives from justice between the United States and the Republic of Peru, signed at Lima on the 12th day of September last. As this treaty contains some stipulations of an unusual character, the special attention of the Senate is called to them.

U. S. GRANT.

WASHINGTON, December 6, 1870.

To the Senate of the United States:

I transmit to the Senate, for its consideration with a view to ratification, a treaty of friendship, commerce, and navigation between the United States of America and the Republic of Peru, signed at the city of Lima on the 6th day of September last, together with the correspondence in relation thereto, a list of which is annexed.

U. S. GRANT.

WASHINGTON, December 6, 1870.

To the Senate of the United States:

Referring to my message of the 1st of February last, transmitting to the Senate, for its consideration with a view to ratification, a treaty between the United States and the United States of Colombia for the construction of an interoceanic canal across the Isthmus of Panama or Darien, signed at Bogota on the 26th of January last, I herewith submit correspondence upon the subject between the Secretary of State and the minister of the United States at Bogota, a list of which is hereto appended.

U. S. GRANT.

WASHINGTON, December 8, 1870.

To the House of Representatives of the United States:

In answer to its resolution of the 1st of July, 1870, I transmit to the House of Representatives a report* from the Secretary of State.

U. S. GRANT.

WASHINGTON, December 8, 1870.

To the Senate of the United States:

In answer to a resolution of the 5th instant, I transmit to the Senate a report † from the Secretary of State.

U. S. GRANT.

* Stating that the correspondence relative to the arrest and detention of American fishing vessels in the Straits of Canso by armed vessels flying the British flag had been communicated to Congress with the President's annual message on the 5th instant.

† Stating that the correspondence with the United States minister at Paris relative to the Franco-Prussian war had been communicated with the President's annual message on the 5th instant.

WASHINGTON, December 12, 1870.

To the Senate of the United States:

I submit to the Senate, for their consideration with a view to ratification, a convention relating to naturalization between the United States and the Austro-Hungarian Empire, signed at Vienna on the 20th of September, 1870, which is accompanied by the papers mentioned in the subjoined list.

U. S. GRANT.

WASHINGTON, December 13, 1870.

To the Senate of the United States:

I transmit, in answer to the resolution of the Senate of June 14, 1870, a report from the Secretary of State and the papers* by which it was accompanied.

U. S. GRANT.

WASHINGTON, December 15, 1870.

To the House of Representatives:

In answer to the resolution of the House of Representatives of the 9th of April, 1869, I herewith transmit a report† from the Secretary of State.

U. S. GRANT.

WASHINGTON, December 15, 1870.

To the House of Representatives:

In answer to the resolution of the House of Representatives of the 20th of January last, I herewith transmit a report‡ from the Secretary of State, with accompanying documents.

U. S. GRANT.

EXECUTIVE MANSION, December 19, 1870.

To the Senate and House of Representatives of the United States:

I transmit herewith a report§ of the Secretary of the Treasury, made in compliance with section 2 of the act approved July 11, 1870, "making appropriations for the consular and diplomatic expenses of the Government for the year ending June 30, 1871, and for other purposes."

U. S. GRANT.

* Relating to charges for messages made by the International Ocean Telegraph Company.

† Stating that all the correspondence relative to the condition of affairs in Paraguay believed to be required by the public interest had been made public.

‡ Stating that the claim for indemnity in the case of the ship *Canada*, wrecked on the coast of Brazil in 1865, had been referred to the British minister as arbiter, and submitting a summary of the case, correspondence connected with it, and a copy of the award of the arbiter.

§ Transmitting reports of consular agents.

WASHINGTON, December 19, 1870.

To the House of Representatives:

I transmit to the House of Representatives a report of the Secretary of State and the papers* by which it was accompanied, in answer to its resolution of the 7th instant.

U. S. GRANT.

EXECUTIVE MANSION, January 4, 1871.

To the House of Representatives:

I transmit to the House of Representatives, in answer to their resolution of the 12th of December, 1870, a report from the Secretary of State, with accompanying documents.†

U. S. GRANT.

WASHINGTON, January 9, 1871.

To the Senate of the United States:

I transmit to the Senate, in answer to their resolution of the 5th instant, a report from the Secretary of State, with accompanying documents.‡

U. S. GRANT.

WASHINGTON, January 9, 1871.

To the House of Representatives:

I transmit to the House of Representatives, in answer to their resolution of the 5th instant, a report from the Secretary of State, with the accompanying documents.§

U. S. GRANT.

WASHINGTON, D. C.,

January 9, 1871.

To the Senate of the United States:

I transmit, for consideration with a view to its ratification, a treaty of amity, commerce, and consular privileges between the United States and the Republic of Salvador, signed at the city of San Salvador on the 6th of December last.

A copy of the official correspondence relating to the instrument is also herewith transmitted.

U. S. GRANT.

* Relating to the seizure at Port Hood, Nova Scotia, by a Canadian revenue cutter, of the schooner *Granada*, of Provincetown, Mass.

† Correspondence relative to public documents or libraries in the care of legations of the United States.

‡ The last correspondence with Mr. Motley, including telegraphic dispatches, etc., relative to his recall as minister to the Court of St. James.

§ Correspondence, etc., in 1844 and 1845 relative to the resources and condition of the Dominican Republic.

EXECUTIVE MANSION, *January 11, 1871.**To the Senate of the United States:*

In view of a proclamation having been published in newspapers of the United States purporting to emanate from Cabral, a chieftain who opposed the constitutional authorities of the Republic of San Domingo, I deem it but just to communicate to the Senate of the United States the views of that chieftain and his followers, as voluntarily communicated by him through the United States minister to the Republic of Hayti in June last. It will be observed by the letter of Minister Bassett that Cabral did not wish his views to be made public before the question of annexation was disposed of, in a way to work prejudice to his interest. But as the object which Cabral had already in view was to declare to the treaty-making power of the United States his views and those of his followers upon the subject of annexation of the Republic of San Domingo, and as the Senate is a branch of that power, I deem it no breach of confidence to communicate this letter to the Senate. I ask, however, that it may be read in executive session and that the request of Cabral be observed, so that in no case they shall be made public or used against him until the question of annexation is disposed of.

U. S. GRANT.

EXECUTIVE MANSION, *January 11, 1871.**To the House of Representatives:*

I transmit herewith, in reply to the resolution of the House of Representatives of the 5th instant, copies of the reports of Captain George B. McClellan upon the Dominican Republic, made in the year 1854.

U. S. GRANT.

EXECUTIVE MANSION, *January 13, 1871.**To the Senate of the United States:*

In reply to the resolution of the Senate of the 16th of December, 1870, requesting to be furnished with information relative to the organization of disloyal persons in North Carolina having in view resistance of the United States laws, denial of protection, and the enjoyment of the rights and liberties secured under the United States, etc., I transmit herewith abstracts of reports and other papers on file in the War Department relative to outrages in North Carolina, and also, for the information of the Senate, those relative to outrages in the other Southern States. The original reports and papers are too voluminous to be copied in season to be used by the present Congress, but are easily accessible for reference, and copies of such papers can be furnished as the Senate may deem necessary.

U. S. GRANT.

WASHINGTON, January 16, 1871.

To the Senate of the United States:

I transmit to the Senate, in answer to their resolution of 4th instant, a report from the Secretary of State, with accompanying documents, relating to the proposed annexation of the Dominican portion of the island of San Domingo.

U. S. GRANT.

EXECUTIVE MANSION, January 17, 1871.

To the Senate of the United States:

In answer to their resolution of the 16th of December, 1870, I herewith transmit copies of certain reports received at the War Department relative to disloyal organizations in the State of North Carolina, intended to resist the laws or to deprive the citizens of the United States of the protection of law or the enjoyment of their rights under the Constitution of the United States. These reports are in addition to the abstracts of those sent to the Senate on the 13th instant.

U. S. GRANT.

EXECUTIVE MANSION, January 24, 1871.

To the Senate of the United States:

In answer to your resolution of the 21st December, 1870, requesting the President "to furnish the Senate with the amount of money expended by the United States for freight and passage to the Pacific Coast by the way of the Isthmus and Cape Horn during the twelve months now last past," I herewith transmit reports from the Secretary of the Treasury, of War, and of the Navy, to whom, respectively, the resolution was referred.

U. S. GRANT.

WASHINGTON, January 27, 1871.

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a report of the Secretary of State and the papers which accompanied it, concerning regulations for the consular courts of the United States in Japan.

U. S. GRANT.

WASHINGTON, January 27, 1871.

To the Senate of the United States:

I transmit, for consideration with a view to its ratification, a treaty of friendship, commerce, and navigation between the United States and the Oriental Republic of Uruguay, which was signed at Montevideo, it is presumed, in the course of last month, though the precise date has inadvertently been omitted.

A copy of the correspondence relating to the instrument is also herewith transmitted. From this it will be seen that the treaty is substantially the same as one between the same parties which has already been approved by the Senate and ratified by the President of the United States, but the ratifications of which have never been exchanged. If the Senate should approve the new treaty, it is suggested that their resolution to that effect should include authority to insert the precise date when that shall have been ascertained.

U. S. GRANT.

EXECUTIVE MANSION, *January 30, 1871.*

To the Senate and House of Representatives:

I transmit herewith an official copy of the proceedings of the council of Indian tribes held at Ocmulgee in December last, which resulted in the adoption of a declaration of rights and a constitution for their government, together with a copy of the report of the Commissioner of Indian Affairs and the views of the Secretary of the Interior thereon.

It would seem highly desirable that the civilized Indians of the country should be encouraged in establishing for themselves forms of Territorial government compatible with the Constitution of the United States and with the previous customs toward communities lying outside of State limits.

I concur in the views expressed by the Secretary of the Interior, that it would not be advisable to receive the new Territory with the constitution precisely as it is now framed. As long as a Territorial form of government is preserved, Congress should hold the power of approving or disapproving of all legislative action of the Territory, and the Executive should, with "the advice and consent of the Senate," have the power to appoint the governor and judicial officers (and possibly some others) of the Territory.

This is the first indication of the aborigines desiring to adopt our form of government, and it is highly desirable that they become self-sustaining, self-relying, Christianized, and civilized. If successful in this their first attempt at Territorial government, we may hope for a gradual concentration of other Indians in the new Territory. I therefore recommend as close an adherence to their wishes as is consistent with safety.

It might be well to limit the appointment of all Territorial officials appointed by the Executive to native citizens of the Territory. If any exception is made to this rule, I would recommend that it should be limited to the judiciary.

It is confidently hoped that the policy now being pursued toward the Indian will fit him for self-government and make him desire to settle among people of his own race where he can enjoy the full privileges of civil and enlightened government.

U. S. GRANT.

EXECUTIVE MANSION, February 7, 1871.

To the Senate and House of Representatives:

The union of the States of Germany into a form of government similar in many respects to that of the American Union is an event that can not fail to touch deeply the sympathies of the people of the United States.

This union has been brought about by the long-continued, persistent efforts of the people, with the deliberate approval of the governments and people of twenty-four of the German States, through their regularly constituted representatives.

In it the American people see an attempt to reproduce in Europe some of the best features of our own Constitution, with such modifications as the history and condition of Germany seem to require. The local governments of the several members of the union are preserved, while the power conferred upon the chief imparts strength for the purposes of self-defense, without authority to enter upon wars of conquest and ambition.

The cherished aspiration for national unity which for ages has inspired the many millions of people speaking the same language, inhabiting a contiguous and compact territory, but unnaturally separated and divided by dynastic jealousies and the ambition of short-sighted rulers, has been attained, and Germany now contains a population of about 34,000,000, united, like our own, under one Government for its relations with other powers, but retaining in its several members the right and power of control of their local interests, habits, and institutions.

The bringing of great masses of thoughtful and free people under a single government must tend to make governments what alone they should be—the representatives of the will and the organization of the power of the people.

The adoption in Europe of the American system of union under the control and direction of a free people, educated to self-restraint, can not fail to extend popular institutions and to enlarge the peaceful influence of American ideas.

The relations of the United States with Germany are intimate and cordial. The commercial intercourse between the two countries is extensive and is increasing from year to year; and the large number of citizens and residents in the United States of German extraction and the continued flow of emigration thence to this country have produced an intimacy of personal and political intercourse approaching, if not equal to, that with the country from which the founders of our Government derived their origin.

The extent of these interests and the greatness of the German Union seem to require that in the classification of the representatives of this Government to foreign powers there should no longer be an apparent undervaluation of the importance of the German mission, such as is made in the difference between the compensation allowed by law to the minister to

Germany and those to Great Britain and France. There would seem to be a great propriety in placing the representative of this Government at Berlin on the same footing with that of its representatives at London and Paris. The union of the several States of Germany under one Government and the increasing commercial and personal intercourse between the two countries will also add to the labors and the responsibilities of the legation.

I therefore recommend that the salaries of the minister and of the secretary of legation at Berlin be respectively increased to the same amounts as are allowed to those at London and Paris.

U. S. GRANT.

EXECUTIVE MANSION, *February 7, 1871.*

To the Senate of the United States:

In answer to that part of your resolution of the 4th of January last requesting copies of "instructions to the commander of our naval squadron in the waters of the island [of San Domingo] since the commencement of the late negotiations, with the reports and correspondence of such commander," I herewith transmit a report, with accompanying papers, received from the Secretary of the Navy.

U. S. GRANT.

EXECUTIVE MANSION, *February 8, 1871.*

To the Senate and House of Representatives:

I transmit herewith an extract of a paper addressed to the President, the Secretary of the Interior, and the Commissioner of Indian Affairs by the committee of Friends on Indian affairs having charge of the northern superintendency, in relation to a desire of certain Indian tribes to sell a portion of the lands owned by them, with a view of locating on other lands that they may be able to purchase, together with the report of the Commissioner of Indian Affairs thereon and a letter of the Secretary of the Interior Department approving the report of the Commissioner.

I submit the draft of a bill which has been prepared, and which it is believed will effect the object desired by the committee, and request the consideration thereof by Congress.

U. S. GRANT.

To the Senate:

WASHINGTON, *February 9, 1871.*

The British minister accredited to this Government recently, in compliance with instructions from his Government, submitted a proposal for the appointment of a "joint high commission," to be composed of members to be named by each Government, to hold its session at Washington, and to treat and discuss the mode of settling the different questions which

have arisen out of the fisheries, as well as those which affect the relations of the United States toward the British possessions in North America.

I did not deem it expedient to agree to the proposal unless the consideration of the questions growing out of the acts committed by the vessels which have given rise to the claims known as the "Alabama claims" were to be within the subject of discussion and settlement by the commission. The British Government having assented to this, the commission is expected shortly to meet. I therefore nominate as such commissioners, jointly and separately, on the part of the United States:

Hamilton Fish, Secretary of State.

Robert C. Schenck, envoy extraordinary and minister plenipotentiary to Great Britain.

Samuel Nelson, an associate justice of the Supreme Court of the United States.

Ebenezer R. Hoar, of Massachusetts.

George H. Williams, of Oregon.

I communicate herewith the correspondence which has passed on this subject between the Secretary of State and the British minister.

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U. S. GRANT.

EXECUTIVE MANSION, February 10, 1871.

To the Senate and House of Representatives:

I submit herewith, for the information of Congress, the second annual report of the Board of Indian Commissioners to the Secretary of the Interior.

U. S. GRANT.

EXECUTIVE MANSION, February 13, 1871.

To the House of Representatives:

I transmit herewith, in answer to the resolution of the House of the 6th instant, copies of the correspondence between the governor of the State of California and the President of the United States in the month of October, 1868, relative to the use of the military forces of the National Government in preserving the peace at the approaching State election.

U. S. GRANT.

EXECUTIVE MANSION, February 15, 1871.

To the Senate and House of Representatives:

I have this day transmitted to the Senate the announcement that Senate bill No. 218, "An act prescribing an oath of office to be taken by persons who participated in the late rebellion, but who are not disqualified from holding office by the fourteenth amendment to the Constitution

of the United States," has become a law in the manner prescribed by the Constitution, without the signature of the President.

If this were a bill for the repeal of the "test oath" required of persons "elected or appointed to offices of honor or trust," it would meet my approval. The effect of the law, however, is to relieve from taking a prescribed oath all those persons whom it was intended to exclude from such offices and to require it from all others. By this law the soldier who fought and bled for his country is to swear to his loyalty before assuming official functions, while the general who commanded hosts for the overthrow of his Government is admitted to place without it. I can not affix my name to a law which discriminates against the upholder of his Government.

I believe, however, that it is not wise policy to keep from office by an oath those who are not disqualified by the Constitution, and who are the choice of legal voters; but while relieving them from an oath which they can not take, I recommend the release also of those to whom the oath has no application.

U. S. GRANT.

EXECUTIVE MANSION, *February 17, 1871.*

To the Senate of the United States:

In answer to your resolution of the 19th of December last, requesting the President "to furnish the Senate with the entire cost of transportation of mails and freights of every description to the Pacific Coast, also to all intermediate points west of the Missouri River, from the annexation of California to July 1, 1864; and also the expenses of the War Department and Indian Bureau during the same period in guarding the overland route from the Missouri River to California against Indians and Mormons, and the cost of the Indian service on the same line, including in all cases freights and all other expenditures," I transmit herewith reports received from the Secretary of the Interior, the Secretary of War, and the Postmaster-General.

U. S. GRANT.

WASHINGTON, *February 27, 1871.*

To the Senate of the United States:

I transmit to the Senate, for its consideration with a view to ratification, a convention between the United States and Great Britain, concluded at Washington on the 23d instant, supplemental to the convention between the two countries concluded May 13, 1870, concerning the citizenship of citizens or subjects of either country emigrating to the other.

The conclusion of the supplemental convention now submitted was found to be expedient in view of the stipulation contained in Article II

of the before-named convention of May 13, 1870, that the two Governments should agree upon the manner in which the renunciation within the periods specified, by naturalized citizens and subjects of either country, of their naturalization should be effected.

U. S. GRANT.

WASHINGTON, *March 3, 1871.*

To the Senate of the United States:

I transmit to the Senate, in answer to their resolution of the 2d instant, a report of the Secretary of State, with accompanying documents.*

U. S. GRANT.

WASHINGTON, *March 3, 1871.*

To the Senate of the United States:

I transmit to the Senate, in answer to their resolution of February 1, 1871, a report from the Secretary of State, with accompanying documents.†

U. S. GRANT.

VETO MESSAGES.

EXECUTIVE MANSION, *January 4, 1871.*

To the House of Representatives:

I herewith return without my approval House bill No. 1395, entitled "An act for the relief of Charles Cooper, Goshorn A. Jones, Jerome Rowley, William Hannegan, and John Hannegan," for the following reasons:

The act directs the discontinuance of an action at law said to be now pending in the United States district court for the northern district of Ohio for the enforcement of the bond executed by said parties to the United States, whereas in fact no such suit is pending in the district court, but such a suit is now pending in the circuit court of the United States for the sixth circuit and northern district of Ohio.

Neither the body of said act nor the proviso requires the obligors in said bond, who are released from all liability to the United States on account thereof, to abandon or release their pretended claim against the Government.

Since these parties have gone to Congress to ask relief from liability for a large sum of money on account of the failure of the principals in

* Correspondence from the United States legation at Constantinople relative to restrictions on the passage of the straits of the Dardanelles and the Bosphorus by the ships of other nations.

† Dispatches, etc., from the United States minister to the Court of Brazil relative to the Paraguayan war, the culture of cotton in Brazil, trade with Brazil, etc.

the bond to execute their contract, it is but just and proper that they at the same time should abandon the claim heretofore asserted by them against the Government growing out of the same transaction.

U. S. GRANT.

EXECUTIVE MANSION, *February 7, 1871.*

To the Senate of the United States:

I hereby return without my approval Senate resolution No. 92, entitled "A resolution for the relief of certain contractors for the construction of vessels of war and steam machinery," for the following reasons:

The act of March 2, 1867 (14 U. S. Statutes at Large, p. 424), directs the Secretary of the Navy—

to investigate the claims of all contractors for building vessels of war and steam machinery for the same under contracts made after the 1st day of May, 1861, and prior to the 1st day of January, 1864; and said investigation to be made upon the following basis: He shall ascertain the additional cost which was necessarily incurred by each contractor in the completion of his work by reason of any changes or alterations in the plans and specifications required, and delays in the prosecution of the work occasioned by the Government, which were not provided for in the original contract; but no allowance for any advance in the price of labor or material shall be considered unless such advance occurred during the prolonged time for completing the work rendered necessary by the delay resulting from the action of the Government aforesaid, and then only when such advance could not have been avoided by the exercise of ordinary prudence and diligence on the part of the contractor. * * *

The present joint resolution transfers the investigation to the Court of Claims, and repeals "so much of said act as provides against considering any allowance in favor of any such parties for any advance in the price of labor or material, unless such advance could have been avoided by the exercise of ordinary diligence and prudence on the part of the contractor." It seems to me that the provision thus repealed is a very reasonable one. It prevents the contractor from receiving any allowance for an advance in the price of labor and material when he could have avoided that advance by the exercise of ordinary prudence and diligence. The effect of the repeal will be to relieve contractors from the consequences of their own imprudence and negligence. I see no good reason for thus relieving contractors who have not exercised ordinary prudence and diligence in their business transactions.

U. S. GRANT.

EXECUTIVE MANSION, *February 28, 1871.*

To the House of Representatives:

I herewith return without my approval House bill No. 2566, entitled "An act for the relief of Henry Willman, late a private in the Third Regiment of Indiana Cavalry," for the following reasons:

The records of the War Department show that Henry Willman was mustered into the military service April 4, 1862, and that he was mounted

on a private horse. It appears from evidence presented by himself that his horse died May 18, 1862; that he remounted himself on June 8, 1862, and so continued mounted till October 1, 1862, when his horse was killed by the enemy, and that he was not afterwards mounted upon a private horse.

Upon presenting a claim against the United States for the legal value of the two horses lost by him in the public service, the claim, after investigation, was allowed; but it being discovered that he had erroneously been paid for the use and risk of a private horse from May 18 to June 8, 1862, and from October 1, 1862, to April 30, 1864, during which periods he had no horse in the public service, the amount so overpaid was offset against his claim, leaving the latter fully liquidated and the claimant indebted to the United States in an amount not yet refunded.

The person named in the act is not, in law or equity, entitled to the relief therein provided, and has no unsatisfied demands against the United States.

U. S. GRANT.

PROCLAMATION.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas satisfactory evidence was given to me on the 17th day of this month by the Government of Portugal that the discriminating duties heretofore levied in the ports of Portugal on merchandise imported in vessels of the United States into said ports from other countries than those of which said merchandise was the growth, production, or manufacture have been abolished:

Now, therefore, I, Ulysses S. Grant, President of the United States of America, by virtue of the authority vested in me by an act of Congress of January 7, 1824, and by an act in addition thereto of May 24, 1828, do hereby declare and proclaim that the discriminating duties heretofore levied in ports of the United States upon merchandise imported in Portuguese vessels from countries other than those of which such merchandise is the growth, produce, or manufacture shall be, and are hereby, suspended and discontinued, this suspension or discontinuance to take effect on and after the said 17th day of this month and to continue so long as the reciprocal exemption of merchandise belonging to citizens of the United States from such discriminating duties shall be granted in the ports of Portugal.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 25th day of February, A. D. 1871, and of the Independence of the United States of America the ninety-fifth.

U. S. GRANT.

By the President:

HAMILTON FISH,
Secretary of State.

[NOTE.—The Forty-second Congress, first session, met March 4, 1871, in accordance with the act of January 22, 1867.]

SPECIAL MESSAGES.

WASHINGTON, *March 17, 1871.*

To the Senate of the United States:

I transmit to the Senate, in compliance with its resolution of the 14th instant, a report from the Secretary of State, making known that official notice has been received at the Department of State of the ratification by the legislature of one, and only one, additional State—to wit, that of New Jersey—of the fifteenth amendment to the Constitution of the United States since the 30th of March, 1870, the date of his certificate that three-fourths of the whole number of States in the United States had ratified that amendment and that it had become valid to all intents and purposes as part of the Constitution of the United States.

U. S. GRANT.

WASHINGTON, D. C., *March 23, 1871.*

To the Senate and House of Representatives:

A condition of affairs now exists in some of the States of the Union rendering life and property insecure and the carrying of the mails and the collection of the revenue dangerous. The proof that such a condition of affairs exists in some localities is now before the Senate. That the power to correct these evils is beyond the control of the State authorities I do not doubt; that the power of the Executive of the United States, acting within the limits of existing laws, is sufficient for present emergencies is not clear.

Therefore I urgently recommend such legislation as in the judgment of Congress shall effectually secure life, liberty, and property and the enforcement of law in all parts of the United States.

It may be expedient to provide that such law as shall be passed in

pursuance of this recommendation shall expire at the end of the next session of Congress.

There is no other subject upon which I would recommend legislation during the present session.

U. S. GRANT.

WASHINGTON, *March 28, 1871.*

To the Senate of the United States:

In answer to the resolution of the Senate of the 16th instant, I transmit a report from the Secretary of State and the papers* which accompanied it.

U. S. GRANT.

WASHINGTON, *March 30, 1871.*

To the Senate of the United States:

I transmit, for consideration with a view to its ratification, a treaty of commerce and navigation between the United States and the Kingdom of Italy, signed at Florence on the 26th of last month.

U. S. GRANT.

EXECUTIVE MANSION, *March 31, 1871.*

To the Senate of the United States:

In answer to your resolution of the 17th instant, requesting, "if not incompatible with the public service, the report recently made by a board of officers of the Engineer Department on the condition of the Mississippi River near Vicksburg, Miss., with such remarks, suggestions, or recommendations as may be made by the Chief Engineer of the Army," I herewith transmit a report, dated 28th instant, with accompanying papers, received from the Secretary of War.

U. S. GRANT.

EXECUTIVE MANSION, *April 5, 1871.*

To the Senate and House of Representatives:

I have the honor to submit herewith to the two Houses of Congress the report of the commissioners appointed in pursuance of joint resolution approved January 12, 1871.

It will be observed that this report more than sustains all that I have heretofore said in regard to the productiveness and healthfulness of the Republic of San Domingo, of the unanimity of the people for annexation to the United States, and of their peaceable character.

It is due to the public, as it certainly is to myself, that I should here give all the circumstances which first led to the negotiation of a treaty for the annexation of the Republic of San Domingo to the United States.

* Reports, communications, etc., relative to the International Statistical Congress held at The Hague in 1869.

When I accepted the arduous and responsible position which I now hold, I did not dream of instituting any steps for the acquisition of insular possessions. I believed, however, that our institutions were broad enough to extend over the entire continent as rapidly as other peoples might desire to bring themselves under our protection. I believed further that we should not permit any independent government within the limits of North America to pass from a condition of independence to one of ownership or protection under a European power.

Soon after my inauguration as President I was waited upon by an agent of President Baez with a proposition to annex the Republic of San Domingo to the United States. This gentleman represented the capacity of the island, the desire of the people, and their character and habits about as they have been described by the commissioners whose report accompanies this message. He stated further that, being weak in numbers and poor in purse, they were not capable of developing their great resources; that the people had no incentive to industry on account of lack of protection for their accumulations, and that if not accepted by the United States—with institutions which they loved above those of any other nation—they would be compelled to seek protection elsewhere. To these statements I made no reply and gave no indication of what I thought of the proposition. In the course of time I was waited upon by a second gentleman from San Domingo, who made the same representations, and who was received in like manner.

In view of the facts which had been laid before me, and with an earnest desire to maintain the "Monroe doctrine," I believed that I would be derelict in my duty if I did not take measures to ascertain the exact wish of the Government and inhabitants of the Republic of San Domingo in regard to annexation and communicate the information to the people of the United States. Under the attending circumstances I felt that if I turned a deaf ear to this appeal I might in the future be justly charged with a flagrant neglect of the public interests and an utter disregard of the welfare of a downtrodden race praying for the blessings of a free and strong government and for protection in the enjoyment of the fruits of their own industry.

Those opponents of annexation who have heretofore professed to be preeminently the friends of the rights of man I believed would be my most violent assailants if I neglected so clear a duty. Accordingly, after having appointed a commissioner to visit the island, who declined on account of sickness, I selected a second gentleman, in whose capacity, judgment, and integrity I had, and have yet, the most unbounded confidence.

He visited San Domingo, not to secure or hasten annexation, but, unprejudiced and unbiased, to learn all the facts about the Government, the people, and the resources of that Republic. He went certainly as well prepared to make an unfavorable report as a favorable one, if the facts warranted it. His report fully corroborated the views of previous

commissioners, and upon its receipt I felt that a sense of duty and a due regard for our great national interests required me to negotiate a treaty for the acquisition of the Republic of San Domingo.

As soon as it became publicly known that such a treaty had been negotiated, the attention of the country was occupied with allegations calculated to prejudice the merits of the case and with aspersions upon those whose duty had connected them with it. Amid the public excitement thus created the treaty failed to receive the requisite two-thirds vote of the Senate, and was rejected; but whether the action of that body was based wholly upon the merits of the treaty, or might not have been in some degree influenced by such unfounded allegations, could not be known by the people, because the debates of the Senate in secret session are not published.

Under these circumstances I deemed it due to the office which I hold and due to the character of the agents who had been charged with the investigation that such proceedings should be had as would enable the people to know the truth. A commission was therefore constituted, under authority of Congress, consisting of gentlemen selected with special reference to their high character and capacity for the laborious work intrusted to them, who were instructed to visit the spot and report upon the facts. Other eminent citizens were requested to accompany the commission, in order that the people might have the benefit of their views. Students of science and correspondents of the press, without regard to political opinions, were invited to join the expedition, and their numbers were limited only by the capacity of the vessel.

The mere rejection by the Senate of a treaty negotiated by the President only indicates a difference of opinion between two coordinate departments of the Government, without touching the character or wounding the pride of either. But when such rejection takes place simultaneously with charges openly made of corruption on the part of the President or those employed by him the case is different. Indeed, in such case the honor of the nation demands investigation. This has been accomplished by the report of the commissioners herewith transmitted, and which fully vindicates the purity of the motives and action of those who represented the United States in the negotiation.

And now my task is finished, and with it ends all personal solicitude upon the subject. My duty being done, yours begins; and I gladly hand over the whole matter to the judgment of the American people and of their representatives in Congress assembled. The facts will now be spread before the country, and a decision rendered by that tribunal whose convictions so seldom err, and against whose will I have no policy to enforce. My opinion remains unchanged; indeed, it is confirmed by the report that the interests of our country and of San Domingo alike invite the annexation of that Republic.

In view of the difference of opinion upon this subject, I suggest that

no action be taken at the present session beyond the printing and general dissemination of the report. Before the next session of Congress the people will have considered the subject and formed an intelligent opinion concerning it, to which opinion, deliberately made up, it will be the duty of every department of the Government to give heed; and no one will more cheerfully conform to it than myself. It is not only the theory of our Constitution that the will of the people, constitutionally expressed, is the supreme law, but I have ever believed that "all men are wiser than any one man;" and if the people, upon a full presentation of the facts, shall decide that the annexation of the Republic is not desirable, every department of the Government ought to acquiesce in that decision.

In again submitting to Congress a subject upon which public sentiment has been divided, and which has been made the occasion of acrimonious debates in Congress, as well as of unjust aspersions elsewhere, I may, I trust, be indulged in a single remark.

No man could hope to perform duties so delicate and responsible as pertain to the Presidential office without sometimes incurring the hostility of those who deem their opinions and wishes treated with insufficient consideration; and he who undertakes to conduct the affairs of a great government as a faithful public servant, if sustained by the approval of his own conscience, may rely with confidence upon the candor and intelligence of a free people whose best interests he has striven to subserve, and can bear with patience the censure of disappointed men.

U. S. GRANT.

WASHINGTON, April 5, 1871.

To the Senate of the United States:

I transmit confidentially, for the information and consideration of the Senate, a copy of a dispatch of the 25th of February last relative to the annexation of the Hawaiian Islands, addressed to the Department of State by Henry A. Pierce, minister resident of the United States at Honolulu. Although I do not deem it advisable to express any opinion or to make any recommendation in regard to the subject at this juncture, the views of the Senate, if it should be deemed proper to express them, would be very acceptable with reference to any future course which there might be a disposition to adopt.

U. S. GRANT.

WASHINGTON, April 11, 1871.

To the House of Representatives:

I transmit to the House of Representatives, in answer to their resolution of March 31, 1871, a report from the Secretary of State, with accompanying documents.*

U. S. GRANT.

* Dispatches from the United States minister at Florence relative to the occupation of Rome by the King of Italy.

[The following messages were sent to the special session of the Senate convened by proclamation (see pp. 133-134) of April 20, 1871.]

WASHINGTON, *May 10, 1871.*

To the Senate of the United States:

I transmit to the Senate, for consideration with a view to ratification, a treaty between the United States and Great Britain for the settlement of pending questions between the two countries, signed at Washington on the 8th instant by the commissioners of the United States and Great Britain, respectively.

Copies of the powers and instructions to the commissioners on the part of the United States and the protocols of the conferences are also transmitted.

U. S. GRANT.

WASHINGTON, *May 15, 1871.*

To the Senate of the United States:

I transmit to the Senate, in answer to their resolution of the 10th instant, a report* from the Secretary of State and the papers which accompanied it.

U. S. GRANT.

WASHINGTON, *May 17, 1871.*

To the Senate of the United States:

In answer to a resolution of the Senate of the 15th instant, I transmit herewith a report † from the Secretary of State.

U. S. GRANT.

PROCLAMATIONS.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas it is provided in the Constitution of the United States that the United States shall protect every State in this Union, on application of the legislature, or of the executive (when the legislature can not be convened), against domestic violence; and

Whereas it is provided in the laws of the United States that in all cases of insurrection in any State or of obstruction to the laws thereof it shall be lawful for the President of the United States, on application of the legislature of such State, or of the executive (when the legislature can not be convened), to call forth the militia of any other State or States,

* Relating to claims of the subjects of foreign nations growing out of the War of the Rebellion,

† Relating to claims under the treaty of Washington of May 8 1871.

or to employ such part of the land and naval force as shall be judged necessary for the purpose of suppressing such insurrection or of causing the laws to be duly executed; and

Whereas I have received information that combinations of armed men, unauthorized by law, are now disturbing the peace and safety of the citizens of the State of South Carolina and committing acts of violence in said State of a character and to an extent which render the power of the State and its officers unequal to the task of protecting life and property and securing public order therein; and

Whereas the legislature of said State is not now in session and can not be convened in time to meet the present emergency, and the executive of said State has therefore made application to me for such part of the military force of the United States as may be necessary and adequate to protect said State and the citizens thereof against the domestic violence hereinbefore mentioned and to enforce the due execution of the laws; and

Whereas the laws of the United States require that whenever it may be necessary, in the judgment of the President, to use the military force for the purpose aforesaid, he shall forthwith, by proclamation, command such insurgents to disperse and retire peaceably to their respective abodes within a limited time:

Now, therefore, I, Ulysses S. Grant, President of the United States, do hereby command the persons ~~composing~~ the unlawful combinations aforesaid to disperse and retire peaceably to their respective abodes within twenty days from this date.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 24th day of March, A. D. 1871, and of the Independence of the United States the ninety-fifth.

U. S. GRANT.

By the President:

HAMILTON FISH,
Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas objects of interest to the United States require that the Senate should be convened at 12 o'clock on Wednesday, the 10th day of May next, to receive and act upon such communications as may be made to it on the part of the Executive:

Now, therefore, I, Ulysses S. Grant, President of the United States, have considered it to be my duty to issue this my proclamation, declaring that an extraordinary occasion requires the Senate of the United States

to convene for the transaction of business at the Capitol, in the city of Washington, on Wednesday, the 10th day of May next, at 12 o'clock on that day, of which all who shall at that time be entitled to act as members of that body are hereby required to take notice.

Given under my hand and the seal of the United States, at Washington, [SEAL.] the 20th day of April, A. D. 1871, and of the Independence of the United States of America the ninety-fifth.

U. S. GRANT.

By the President:

HAMILTON FISH,
Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

The act of Congress entitled "An act to enforce the provisions of the fourteenth amendment to the Constitution of the United States, and for other purposes," approved April 20, A. D. 1871, being a law of extraordinary public importance, I consider it my duty to issue this my proclamation, calling the attention of the people of the United States thereto, enjoining upon all good citizens, and especially upon all public officers, to be zealous in the enforcement thereof, and warning all persons to abstain from committing any of the acts thereby prohibited.

This law of Congress applies to all parts of the United States and will be enforced everywhere to the extent of the powers vested in the Executive. But inasmuch as the necessity therefor is well known to have been caused chiefly by persistent violations of the rights of citizens of the United States by combinations of lawless and disaffected persons in certain localities lately the theater of insurrection and military conflict, I do particularly exhort the people of those parts of the country to suppress all such combinations by their own voluntary efforts through the agency of local laws and to maintain the rights of all citizens of the United States and to secure to all such citizens the equal protection of the laws.

Fully sensible of the responsibility imposed upon the Executive by the act of Congress to which public attention is now called, and reluctant to call into exercise any of the extraordinary powers thereby conferred upon me except in cases of imperative necessity, I do, nevertheless, deem it my duty to make known that I will not hesitate to exhaust the powers thus vested in the Executive whenever and wherever it shall become necessary to do so for the purpose of securing to all citizens of the United States the peaceful enjoyment of the rights guaranteed to them by the Constitution and laws.

It is my earnest wish that peace and cheerful obedience to law may prevail throughout the land and that all traces of our late unhappy civil

strife may be speedily removed. These ends can be easily reached by acquiescence in the results of the conflict, now written in our Constitution, and by the due and proper enforcement of equal, just, and impartial laws in every part of our country.

The failure of local communities to furnish such means for the attainment of results so earnestly desired imposes upon the National Government the duty of putting forth all its energies for the protection of its citizens of every race and color and for the restoration of peace and order throughout the entire country.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 3d day of May, A. D. 1871, and of the Independence of the United States the ninety-fifth.

U. S. GRANT.

By the President:

HAMILTON FISH, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas unlawful combinations and conspiracies have long existed and do still exist in the State of South Carolina for the purpose of depriving certain portions and classes of the people of that State of the rights, privileges, immunities, and protection named in the Constitution of the United States and secured by the act of Congress approved April 20, 1871, entitled "An act to enforce the provisions of the fourteenth amendment to the Constitution of the United States;" and

Whereas in certain parts of said State, to wit, in the counties of Spartanburg, York, Marion, Chester, Laurens, Newberry, Fairfield, Lancaster, and Chesterfield, such combinations and conspiracies do so obstruct and hinder the execution of the laws of said State and of the United States as to deprive the people aforesaid of the rights, privileges, immunities, and protection aforesaid and do oppose and obstruct the laws of the United States and their due execution and impede and obstruct the due course of justice under the same; and

Whereas the constituted authorities of said State are unable to protect the people aforesaid in such rights within the said counties; and

Whereas the combinations and conspiracies aforesaid, within the counties aforesaid, are organized and armed and are so numerous and powerful as to be able to defy the constituted authorities of said State and of the United States within the said State, and by reason of said causes the conviction of such offenders and the preservation of the public peace and safety have become impracticable in said counties:

Now, therefore, I, Ulysses S. Grant, President of the United States of

America, do hereby command all persons composing the unlawful combinations and conspiracies aforesaid to disperse and to retire peaceably to their homes within five days of the date hereof, and to deliver either to the marshal of the United States for the district of South Carolina, or to any of his deputies, or to any military officer of the United States, within said counties, all arms, ammunition, uniforms, disguises, and other means and implements used, kept, possessed, or controlled by them for carrying out the unlawful purposes for which the combinations and conspiracies are organized.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 12th day of October, A. D. 1871, and of the Independence of the United States of America the ninety-sixth.

U. S. GRANT.

By the President:

HAMILTON FISH,
Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas by an act of Congress entitled "An act to enforce the provisions of the fourteenth amendment to the Constitution of the United States, and for other purposes," approved the 20th day of April, A. D. 1871, power is given to the President of the United States, when in his judgment the public safety shall require it, to suspend the privileges of the writ of *habeas corpus* in any State or part of a State whenever combinations and conspiracies exist in such State or part of a State for the purpose of depriving any portion or class of the people of such State of the rights, privileges, immunities, and protection named in the Constitution of the United States and secured by the act of Congress aforesaid; and whenever such combinations and conspiracies do so obstruct and hinder the execution of the laws of any such State and of the United States as to deprive the people aforesaid of the rights, privileges, immunities, and protection aforesaid, and do oppose and obstruct the laws of the United States and their due execution, and impede and obstruct the due course of justice under the same; and whenever such combinations shall be organized and armed, and so numerous and powerful as to be able by violence either to overthrow or to set at defiance the constituted authorities of said State and of the United States within such State; and whenever by reason of said causes the conviction of such offenders and the preservation of the public peace shall become in such State or part of a State impracticable; and

Whereas such unlawful combinations and conspiracies for the purposes

aforesaid are declared by the act of Congress aforesaid to be rebellion against the Government of the United States; and

Whereas by said act of Congress it is provided that before the President shall suspend the privileges of the writ of *habeas corpus* he shall first have made proclamation commanding such insurgents to disperse; and

Whereas on the 12th day of the present month of October the President of the United States did issue his proclamation, reciting therein, among other things, that such combinations and conspiracies did then exist in the counties of Spartanburg, York, Marion, Chester, Laurens, Newberry, Fairfield, Lancaster, and Chesterfield, in the State of South Carolina, and commanding thereby all persons composing such unlawful combinations and conspiracies to disperse and retire peaceably to their homes within five days from the date thereof, and to deliver either to the marshal of the United States for the district of South Carolina, or to any of his deputies, or to any military officer of the United States within said counties, all arms, ammunition, uniforms, disguises, and other means and implements used, kept, possessed, or controlled by them for carrying out the unlawful purposes for which the said combinations and conspiracies are organized; and

Whereas the insurgents engaged in such unlawful combinations and conspiracies within the counties aforesaid have not dispersed and retired peaceably to their respective homes, and have not delivered to the marshal of the United States, or to any of his deputies, or to any military officer of the United States within said counties, all arms, ammunition, uniforms, disguises, and other means and implements used, kept, possessed, or controlled by them for carrying out the unlawful purposes for which the combinations and conspiracies are organized, as commanded by said proclamation, but do still persist in the unlawful combinations and conspiracies aforesaid:

Now, therefore, I, Ulysses S. Grant, President of the United States of America, by virtue of the authority vested in me by the Constitution of the United States and the act of Congress aforesaid, do hereby declare that in my judgment the public safety especially requires that the privileges of the writ of *habeas corpus* be suspended, to the end that such rebellion may be overthrown, and do hereby suspend the privileges of the writ of *habeas corpus* within the counties of Spartanburg, York, Marion, Chester, Laurens, Newberry, Fairfield, Lancaster, and Chesterfield, in said State of South Carolina, in respect to all persons arrested by the marshal of the United States for the said district of South Carolina, or by any of his deputies, or by any military officer of the United States, or by any soldier or citizen acting under the orders of said marshal, deputy, or such military officer within any one of said counties, charged with any violation of the act of Congress aforesaid, during the continuance of such rebellion.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 17th day of October, A. D. 1871, and of the Independence of the United States of America the ninety-sixth.

U. S. GRANT.

By the President:

J. C. BANCROFT DAVIS,
Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

The process of the seasons has again enabled the husbandman to garner the fruits of successful toil. Industry has been generally well rewarded. We are at peace with all nations, and tranquillity, with few exceptions, prevails at home. Within the past year we have in the main been free from ills which elsewhere have afflicted our kind. If some of us have had calamities, these should be an occasion for sympathy with the sufferers, of resignation on their part to the will of the Most High, and of rejoicing to the many who have been more favored.

I therefore recommend that on Thursday, the 30th day of November next, the people meet in their respective places of worship and there make the usual annual acknowledgments to Almighty God for the blessings He has conferred upon them, for their merciful exemption from evils, and invoke His protection and kindness for their less fortunate brethren, whom in His wisdom He has deemed it best to chastise.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 28th day of October, A. D. 1871, and of the Independence of the United States the ninety-sixth.

U. S. GRANT.

By the President:

HAMILTON FISH, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas in my proclamation of the 12th day of October, in the year 1871, it was recited that certain unlawful combinations and conspiracies existed in certain counties in the State of South Carolina for the purpose of depriving certain portions and classes of the people of that State of the rights, privileges, and immunities and protection named in the Constitution of the United States and secured by the act of Congress approved April 20, 1871, entitled "An act to enforce the provisions of the four-

teenth amendment to the Constitution of the United States," and the persons composing such combinations and conspiracies were commanded to disperse and to retire peaceably to their homes within five days from said date; and

Whereas by my proclamation of the 17th day of October, in the year 1871, the privileges of the writ of *habeas corpus* were suspended in the counties named in said proclamation; and

Whereas the county of Marion was named in said proclamations as one of the counties in which said unlawful combinations and conspiracies for the purposes aforesaid existed, and in which the privileges of the writ of *habeas corpus* were suspended; and

Whereas it has been ascertained that in said county of Marion said combinations and conspiracies do not exist to the extent recited in said proclamations; and

Whereas it has been ascertained that unlawful combinations and conspiracies of the character and to the extent and for the purposes described in said proclamations do exist in the county of Union in said State:

Now, therefore, I, Ulysses S. Grant, President of the United States of America, do hereby revoke, as to the said county of Marion, the suspension of the privileges of the writ of *habeas corpus* directed in my said proclamation of the 17th day of October, 1871.

And I do hereby command all persons in the said county of Union composing the unlawful combinations and conspiracies aforesaid to disperse and to retire peaceably to their homes within five days of the date hereof, and to deliver either to the marshal of the United States for the district of South Carolina, or to any of his deputies, or to any military officer of the United States within said county, all arms, ammunition, uniforms, disguises, and other means and implements used, kept, possessed, or controlled by them for carrying out the unlawful purposes for which the combinations and conspiracies are organized.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 3d day of November, A. D. 1871, and of the Independence of the United States of America the ninety-sixth.

U. S. GRANT.

By the President:

HAMILTON FISH, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas by an act of Congress entitled "An act to enforce the provisions of the fourteenth amendment to the Constitution of the United States, and for other purposes," approved the 20th day of April, A. D.

1871, power is given to the President of the United States, when in his judgment the public safety shall require it, to suspend the privileges of the writ of *habeas corpus* in any State or part of a State whenever combinations and conspiracies exist in such State or part of a State for the purpose of depriving any portion or class of the people of such State of the rights, privileges, immunities, and protection named in the Constitution of the United States and secured by the act of Congress aforesaid; and whenever such combinations and conspiracies do so obstruct and hinder the execution of the laws of any such State and of the United States as to deprive the people aforesaid of the rights, privileges, immunities, and protection aforesaid, and do oppose and obstruct the laws of the United States and their due execution, and impede and obstruct the due course of justice under the same; and whenever such combinations shall be organized and armed and so numerous and powerful as to be able by violence either to overthrow or to set at defiance the constituted authorities of said State and of the United States within such State; and whenever by reason of said causes the conviction of such offenders and the preservation of the public peace shall become in such State or part of a State impracticable; and

Whereas such unlawful combinations and conspiracies for the purposes aforesaid are declared by the act of Congress aforesaid to be rebellion against the Government of the United States; and

Whereas by said act of Congress it is provided that before the President shall suspend the privileges of the writ of *habeas corpus* he shall first have made proclamation commanding such insurgents to disperse; and

Whereas on the 3d day of the present month of November the President of the United States did issue his proclamation, reciting therein, among other things, that such combinations and conspiracies did then exist in the county of Union, in the State of South Carolina, and commanding thereby all persons composing such unlawful combinations and conspiracies to disperse and retire peaceably to their homes within five days from the date thereof, and to deliver either to the marshal of the United States for the district of South Carolina, or to any of his deputies, or to any military officer of the United States within said county, all arms, ammunition, uniforms, disguises, and other means and implements used, kept, possessed, or controlled by them for carrying out the unlawful purposes for which the said combinations and conspiracies are organized; and

Whereas the insurgents engaged in such unlawful combinations and conspiracies within the county aforesaid have not dispersed and retired peaceably to their respective homes, and have not delivered to the marshal of the United States, or to any of his deputies, or to any military officer of the United States within said county, all arms, ammunition, uniforms, disguises, and other means and implements used, kept, possessed, or controlled by them for carrying out the unlawful purposes for

which the combinations and conspiracies are organized, as commanded by said proclamation, but do still persist in the unlawful combinations and conspiracies aforesaid:

Now, therefore, I, Ulysses S. Grant, President of the United States of America, by virtue of the authority vested in me by the Constitution of the United States and the act of Congress aforesaid, do hereby declare that in my judgment the public safety especially requires that the privileges of the writ of *habeas corpus* be suspended, to the end that such rebellion may be overthrown, and do hereby suspend the privileges of the writ of *habeas corpus* within the county of Union, in said State of South Carolina, in respect to all persons arrested by the marshal of the United States for the said district of South Carolina, or by any of his deputies, or by any military officer of the United States, or by any soldier or citizen acting under the orders of said marshal, deputy, or such military officer within said county, charged with any violation of the act of Congress aforesaid, during the continuance of such rebellion.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 10th day of November, A. D. 1871, and of the Independence of the United States of America the ninety-sixth.

U. S. GRANT.

By the President:

HAMILTON FISH,
Secretary of State.

EXECUTIVE ORDER.

BY THE PRESIDENT OF THE UNITED STATES.

EXECUTIVE ORDER.

WASHINGTON, *March 31, 1871.*

The act of June 15, 1852, section 1 (10 U. S. Statutes at Large, p. 10), provides:

That whenever any officer of either of the Territories of the United States shall be absent therefrom and from the duties of his office no salary shall be paid him during the year in which such absence shall occur, unless good cause therefor shall be shown to the President of the United States, who shall officially certify his opinion of such cause to the proper accounting officer of the Treasury, to be filed in his office.

It has been the practice under this law for the Territorial officers who have desired to be absent from their respective Territories to apply for leaves to the head of the proper Department at Washington, and when such leave has been given the required certificate of the President has been granted as a matter of course.

The unusual number of applications for leave of absence which have been lately made by Territorial officers has induced the President to announce that he expects the gentlemen who hold those offices to stay in their respective Territories and to attend strictly to their official duties. They have been appointed for service in the Territory and for the benefit and convenience of the Territorial population. He expects them by their personal presence to identify themselves with the people and acquire local information, without which their duties can not be well performed. Frequent or long absence makes them in some degree strangers, and therefore less acceptable to the people. Their absence, no matter with what substitution, must often put the people to inconvenience. Executive officers may be required for emergencies which could not be foreseen. Judges should be at hand, not only when the courts are in session, but for matters of bail, *habeas corpus*, orders in equity, examination of persons charged with crime, and other similar business, which often arises in vacation.

These and similar considerations no doubt induced Congress to pass the law above quoted.

It is therefore directed that in future the heads of Departments shall grant leaves of absence to Territorial officers only for reasons of the most urgent character, and then only for the shortest possible time.

By order of the President:

HAMILTON FISH,
Secretary of State.

THIRD ANNUAL MESSAGE.

EXECUTIVE MANSION, December 4, 1871.

To the Senate and House of Representatives:

In addressing my third annual message to the law-making branch of the Government it is gratifying to be able to state that during the past year success has generally attended the effort to execute all laws found upon the statute books. The policy has been not to inquire into the wisdom of laws already enacted, but to learn their spirit and intent and to enforce them accordingly.

The past year has, under a wise Providence, been one of general prosperity to the nation. It has, however, been attended with more than usual chastisements in the loss of life and property by storm and fire. These disasters have served to call forth the best elements of human nature in our country and to develop a friendship for us on the part of foreign nations which goes far toward alleviating the distresses occasioned by these calamities. The benevolent, who have so generously shared their means with the victims of these misfortunes, will reap their reward in the

consciousness of having performed a noble act and in receiving the grateful thanks of men, women, and children whose sufferings they have relieved.

The relations of the United States with foreign powers continue to be friendly. The year has been an eventful one in witnessing two great nations, speaking one language and having one lineage, settling by peaceful arbitration disputes of long standing and liable at any time to bring those nations into bloody and costly conflict. An example has thus been set which, if successful in its final issue, may be followed by other civilized nations, and finally be the means of returning to productive industry millions of men now maintained to settle the disputes of nations by the bayonet and the broadside.

I transmit herewith a copy of the treaty alluded to, which has been concluded since the adjournment of Congress with Her Britannic Majesty, and a copy of the protocols of the conferences of the commissioners by whom it was negotiated. This treaty provides methods for adjusting the questions pending between the two nations.

Various questions are to be adjusted by arbitration. I recommend Congress at an early day to make the necessary provision for the tribunal at Geneva and for the several commissioners on the part of the United States called for by the treaty.

His Majesty the King of Italy, the President of the Swiss Confederation, and His Majesty the Emperor of Brazil have each consented, on the joint request of the two powers, to name an arbiter for the tribunal at Geneva. I have caused my thanks to be suitably expressed for the readiness with which the joint request has been complied with, by the appointment of gentlemen of eminence and learning to these important positions.

His Majesty the Emperor of Germany has been pleased to comply with the joint request of the two Governments, and has consented to act as the arbitrator of the disputed water boundary between the United States and Great Britain.

The contracting parties in the treaty have undertaken to regard as between themselves certain principles of public law, for which the United States have contended from the commencement of their history. They have also agreed to bring those principles to the knowledge of the other maritime powers and to invite them to accede to them. Negotiations are going on as to the form of the note by which the invitation is to be extended to the other powers.

I recommend the legislation necessary on the part of the United States to bring into operation the articles of the treaty relating to the fisheries and to the other matters touching the relations of the United States toward the British North American possessions, to become operative so soon as the proper legislation shall be had on the part of Great Britain and its possessions. It is much to be desired that this legislation may

become operative before the fishermen of the United States begin to make their arrangements for the coming season.

I have addressed a communication, of which a copy is transmitted herewith, to the governors of New York, Pennsylvania, Ohio, Indiana, Michigan, Illinois, and Wisconsin, urging upon the governments of those States, respectively, the necessary action on their part to carry into effect the object of the article of the treaty which contemplates the use of the canals, on either side, connected with the navigation of the lakes and rivers forming the boundary, on terms of equality, by the inhabitants of both countries. It is hoped that the importance of the object and the benefits to flow therefrom will secure the speedy approval and legislative sanction of the States concerned.

I renew the recommendation for an appropriation for determining the true position of the forty-ninth parallel of latitude where it forms the boundary between the United States and the British North American possessions, between the Lake of the Woods and the summit of the Rocky Mountains. The early action of Congress on this recommendation would put it in the power of the War Department to place a force in the field during the next summer.

The resumption of diplomatic relations between France and Germany has enabled me to give directions for the withdrawal of the protection extended to Germans in France by the diplomatic and consular representatives of the United States in that country. It is just to add that the delicate duty of this protection has been performed by the minister and the consul-general at Paris, and the various consuls in France under the supervision of the latter, with great kindness as well as with prudence and tact. Their course has received the commendation of the German Government, and has wounded no susceptibility of the French.

The Government of the Emperor of Germany continues to manifest a friendly feeling toward the United States, and a desire to harmonize with the moderate and just policy which this Government maintains in its relations with Asiatic powers, as well as with the South American Republics. I have given assurances that the friendly feelings of that Government are fully shared by the United States.

The ratifications of the consular and naturalization conventions with the Austro-Hungarian Empire have been exchanged.

I have been officially informed of the annexation of the States of the Church to the Kingdom of Italy, and the removal of the capital of that Kingdom to Rome. In conformity with the established policy of the United States, I have recognized this change. The ratifications of the new treaty of commerce between the United States and Italy have been exchanged. The two powers have agreed in this treaty that private property at sea shall be exempt from capture in case of war between the two powers. The United States have spared no opportunity of incorporating this rule into the obligation of nations.

The Forty-first Congress, at its third session, made an appropriation for the organization of a mixed commission for adjudicating upon the claims of citizens of the United States against Spain growing out of the insurrection in Cuba. That commission has since been organized. I transmit herewith the correspondence relating to its formation and its jurisdiction. It is to be hoped that this commission will afford the claimants a complete remedy for their injuries.

It has been made the agreeable duty of the United States to preside over a conference at Washington between the plenipotentiaries of Spain and the allied South American Republics, which has resulted in an armistice, with the reasonable assurance of a permanent peace.

The intimate friendly relations which have so long existed between the United States and Russia continue undisturbed. The visit of the third son of the Emperor is a proof that there is no desire on the part of his Government to diminish the cordiality of those relations. The hospitable reception which has been given to the Grand Duke is a proof that on our side we share the wishes of that Government. The inexcusable course of the Russian minister at Washington rendered it necessary to ask his recall and to decline to longer receive that functionary as a diplomatic representative. It was impossible, with self-respect or with a just regard to the dignity of the country, to permit Mr. Catacazy to continue to hold intercourse with this Government after his personal abuse of Government officials, and during his persistent interferences, through various means, with the relations between the United States and other powers. In accordance with my wishes, this Government has been relieved of further intercourse with Mr. Catacazy, and the management of the affairs of the imperial legation has passed into the hands of a gentleman entirely unobjectionable.

With Japan we continue to maintain intimate relations. The cabinet of the Mikado has since the close of the last session of Congress selected citizens of the United States to serve in offices of importance in several departments of Government. I have reason to think that this selection is due to an appreciation of the disinterestedness of the policy which the United States have pursued toward Japan. It is our desire to continue to maintain this disinterested and just policy with China as well as Japan. The correspondence transmitted herewith shows that there is no disposition on the part of this Government to swerve from its established course.

Prompted by a desire to put an end to the barbarous treatment of our shipwrecked sailors on the Korean coast, I instructed our minister at Peking to endeavor to conclude a convention with Korea for securing the safety and humane treatment of such mariners.

Admiral Rodgers was instructed to accompany him with a sufficient force to protect him in case of need.

A small surveying party sent out, on reaching the coast was treacherously attacked at a disadvantage. Ample opportunity was given for

explanation and apology for the insult. Neither came. A force was then landed. After an arduous march over a rugged and difficult country, the forts from which the outrages had been committed were reduced by a gallant assault and were destroyed. Having thus punished the criminals, and having vindicated the honor of the flag, the expedition returned, finding it impracticable under the circumstances to conclude the desired convention. I respectfully refer to the correspondence relating thereto, herewith submitted, and leave the subject for such action as Congress may see fit to take.

The Republic of Mexico has not yet repealed the very objectionable laws establishing what is known as the "free zone" on the frontier of the United States. It is hoped that this may yet be done, and also that more stringent measures may be taken by that Republic for restraining lawless persons on its frontiers. I hope that Mexico by its own action will soon relieve this Government of the difficulties experienced from these causes.

Our relations with the various Republics of Central and South America continue, with one exception, to be cordial and friendly.

I recommend some action by Congress regarding the overdue installments under the award of the Venezuelan Claims Commission of 1866. The internal dissensions of this Government present no justification for the absence of effort to meet their solemn treaty obligations.

The ratification of an extradition treaty with Nicaragua has been exchanged.

It is a subject for congratulation that the great Empire of Brazil has taken the initiatory step toward the abolition of slavery. Our relations with that Empire, always cordial, will naturally be made more so by this act. It is not too much to hope that the Government of Brazil may hereafter find it for its interest, as well as intrinsically right, to advance toward entire emancipation more rapidly than the present act contemplates.

The true prosperity and greatness of a nation is to be found in the elevation and education of its laborers.

It is a subject for regret that the reforms in this direction which were voluntarily promised by the statesmen of Spain have not been carried out in its West India colonies. The laws and regulations for the apparent abolition of slavery in Cuba and Porto Rico leave most of the laborers in bondage, with no hope of release until their lives become a burden to their employers.

I desire to direct your attention to the fact that citizens of the United States, or persons claiming to be citizens of the United States, are large holders in foreign lands of this species of property, forbidden by the fundamental law of their alleged country. I recommend to Congress to provide by stringent legislation a suitable remedy against the holding, owning, or dealing in slaves, or being interested in slave property, in

foreign lands, either as owners, hirers, or mortgagors, by citizens of the United States.

It is to be regretted that the disturbed condition of the island of Cuba continues to be a source of annoyance and of anxiety. The existence of a protracted struggle in such close proximity to our own territory, without apparent prospect of an early termination, can not be other than an object of concern to a people who, while abstaining from interference in the affairs of other powers, naturally desire to see every country in the undisturbed enjoyment of peace, liberty, and the blessings of free institutions.

Our naval commanders in Cuban waters have been instructed, in case it should become necessary, to spare no effort to protect the lives and property of *bona fide* American citizens and to maintain the dignity of the flag.

It is hoped that all pending questions with Spain growing out of the affairs in Cuba may be adjusted in the spirit of peace and conciliation which has hitherto guided the two powers in their treatment of such questions.

To give importance to and to add to the efficiency of our diplomatic relations with Japan and China, and to further aid in retaining the good opinion of those peoples, and to secure to the United States its share of the commerce destined to flow between those nations and the balance of the commercial world, I earnestly recommend that an appropriation be made to support at least four American youths in each of those countries, to serve as a part of the official family of our ministers there. Our representatives would not even then be placed upon an equality with the representatives of Great Britain and of some other powers. As now situated, our representatives in Japan and China have to depend for interpreters and translators upon natives of those countries who know our language imperfectly, or procure for the occasion the services of employees in foreign business houses or the interpreters to other foreign ministers.

I would also recommend liberal measures for the purpose of supporting the American lines of steamers now plying between San Francisco and Japan and China, and the Australian line—almost our only remaining lines of ocean steamers—and of increasing their services.

The national debt has been reduced to the extent of \$86,057,126.80 during the year, and by the negotiation of national bonds at a lower rate of interest the interest on the public debt has been so far diminished that now the sum to be raised for the interest account is nearly \$17,000,000 less than on the 1st of March, 1869. It was highly desirable that this rapid diminution should take place, both to strengthen the credit of the country and to convince its citizens of their entire ability to meet every dollar of liability without bankrupting them. But in view of the accomplishment of these desirable ends; of the rapid development of the

resources of the country; its increasing ability to meet large demands, and the amount already paid, it is not desirable that the present resources of the country should continue to be taxed in order to continue this rapid payment. I therefore recommend a modification of both the tariff and internal-tax law. I recommend that all taxes from internal sources be abolished, except those collected from spirituous, vinous, and malt liquors, tobacco in its various forms, and from stamps.

In readjusting the tariff I suggest that a careful estimate be made of the amount of surplus revenue collected under the present laws, after providing for the current expenses of the Government, the interest account, and a sinking fund, and that this surplus be reduced in such a manner as to afford the greatest relief to the greatest number. There are many articles not produced at home, but which enter largely into general consumption through articles which are manufactured at home, such as medicines compounded, etc., etc., from which very little revenue is derived, but which enter into general use. All such articles I recommend to be placed on the "free list." Should a further reduction prove advisable, I would then recommend that it be made upon those articles which can best bear it without disturbing ~~home~~ production or reducing the wages of American labor.

I have not entered into figures, because to do so would be to repeat what will be laid before you in the report of the Secretary of the Treasury. The present laws for collecting revenue pay collectors of customs small salaries, but provide for moieties (shares in all seizures), which, at principal ports of entry particularly, raise the compensation of those officials to a large sum. It has always seemed to me as if this system must at times work perniciously. It holds out an inducement to dishonest men, should such get possession of those offices, to be lax in their scrutiny of goods entered, to enable them finally to make large seizures. Your attention is respectfully invited to this subject.

Continued fluctuations in the value of gold, as compared with the national currency, has a most damaging effect upon the increase and development of the country, in keeping up prices of all articles necessary in everyday life. It fosters a spirit of gambling, prejudicial alike to national morals and the national finances. If the question can be met as to how to get a fixed value to our currency, that value constantly and uniformly approaching par with specie, a very desirable object will be gained.

For the operations of the Army in the past year, the expense of maintaining it, the estimate for the ensuing year, and for continuing seacoast and other improvements conducted under the supervision of the War Department, I refer you to the accompanying report of the Secretary of War.

I call your attention to the provisions of the act of Congress approved March 3, 1869, which discontinues promotions in the staff corps of the Army until provided for by law. I recommend that the number of

officers in each grade in the staff corps be fixed, and that whenever the number in any one grade falls below the number so fixed, that the vacancy may be filled by promotion from the grade below. I also recommend that when the office of chief of a corps becomes vacant the place may be filled by selection from the corps in which the vacancy exists.

The report of the Secretary of the Navy shows an improvement in the number and efficiency of the naval force, without material increase in the expense of supporting it. This is due to the policy which has been adopted, and is being extended as fast as our material will admit, of using smaller vessels as cruisers on the several stations. By this means we have been enabled to occupy at once a larger extent of cruising grounds, to visit more frequently the ports where the presence of our flag is desirable, and generally to discharge more efficiently the appropriate duties of the Navy in time of peace, without exceeding the number of men or the expenditure authorized by law.

During the past year the Navy has, in addition to its regular service, supplied the men and officers for the vessels of the Coast Survey, and has completed the surveys authorized by Congress of the isthmuses of Darien and Tehuantepec, and, under like authority, has sent out an expedition, completely furnished and equipped, to explore the unknown ocean of the north.

The suggestions of the report as to the necessity for increasing and improving the *matériel* of the Navy, and the plan recommended for reducing the *personnel* of the service to a peace standard, by the gradual abolition of certain grades of officers, the reduction of others, and the employment of some in the service of the commercial marine, are well considered and deserve the thoughtful attention of Congress.

I also recommend that all promotions in the Navy above the rank of captain be by selection instead of by seniority. This course will secure in the higher grades greater efficiency and hold out an incentive to young officers to improve themselves in the knowledge of their profession.

The present cost of maintaining the Navy, its cost compared with that of the preceding year, and the estimates for the ensuing year are contained in the accompanying report of the Secretary of the Navy.

The enlarged receipts of the Post-Office Department, as shown by the accompanying report of the Postmaster-General, exhibit a gratifying increase in that branch of the public service. It is the index of the growth of education and of the prosperity of the people, two elements highly conducive to the vigor and stability of republics. With a vast territory like ours, much of it sparsely populated, but all requiring the services of the mail, it is not at present to be expected that this Department can be made self-sustaining. But a gradual approach to this end from year to year is confidently relied on, and the day is not far distant when the Post-Office Department of the Government will prove a much greater blessing to the whole people than it is now.

The suggestions of the Postmaster-General for improvements in the

Department presided over by him are earnestly recommended to your special attention. Especially do I recommend favorable consideration of the plan for uniting the telegraphic system of the United States with the postal system. It is believed that by such a course the cost of telegraphing could be much reduced, and the service as well, if not better, rendered. It would secure the further advantage of extending the telegraph through portions of the country where private enterprise will not construct it. Commerce, trade, and, above all, the efforts to bring a people widely separated into a community of interest are always benefited by a rapid intercommunication. Education, the groundwork of republican institutions, is encouraged by increasing the facilities to gather speedy news from all parts of the country. The desire to reap the benefit of such improvements will stimulate education. I refer you to the report of the Postmaster-General for full details of the operations of last year and for comparative statements of results with former years.

There has been imposed upon the executive branch of the Government the execution of the act of Congress approved April 20, 1871, and commonly known as the Kuklux law, in a portion of the State of South Carolina. The necessity of the course pursued will be demonstrated by the report of the Committee to Investigate Southern Outrages. Under the provisions of the above act I issued a proclamation* calling the attention of the people of the United States to the same, and declaring my reluctance to exercise any of the extraordinary powers thereby conferred upon me, except in case of imperative necessity, but making known my purpose to exercise such powers whenever it should become necessary to do so for the purpose of securing to all citizens of the United States the peaceful enjoyment of the rights guaranteed to them by the Constitution and the laws.

After the passage of this law information was received from time to time that combinations of the character referred to in this law existed and were powerful in many parts of the Southern States, particularly in certain counties in the State of South Carolina.

Careful investigation was made, and it was ascertained that in nine counties of that State such combinations were active and powerful, embracing a sufficient portion of the citizens to control the local authority, and having, among other things, the object of depriving the emancipated class of the substantial benefits of freedom and of preventing the free political action of those citizens who did not sympathize with their own views. Among their operations were frequent scourgings and occasional assassinations, generally perpetrated at night by disguised persons, the victims in almost all cases being citizens of different political sentiments from their own or freed persons who had shown a disposition to claim equal rights with other citizens. Thousands of inoffensive and well-disposed citizens were the sufferers by this lawless violence.

* See pp. 134-135.

Thereupon, on the 12th of October, 1871, a proclamation* was issued, in terms of the law, calling upon the members of those combinations to disperse within five days and to deliver to the marshal or military officers of the United States all arms, ammunition, uniforms, disguises, and other means and implements used by them for carrying out their unlawful purposes.

This warning not having been heeded, on the 17th of October another proclamation † was issued, suspending the privileges of the writ of *habeas corpus* in nine counties in that State.

Direction was given that within the counties so designated persons supposed, upon creditable information, to be members of such unlawful combinations should be arrested by the military forces of the United States and delivered to the marshal, to be dealt with according to law. In two of said counties, York and Spartanburg, many arrests have been made. At the last account the number of persons thus arrested was 168. Several hundred, whose criminality was ascertained to be of an inferior degree, were released for the present. These have generally made confessions of their guilt.

Great caution has been exercised in making these arrests, and, notwithstanding the large number, it is believed that no innocent person is now in custody. The prisoners will be held for regular trial in the judicial tribunals of the United States.

As soon as it appeared that the authorities of the United States were about to take vigorous measures to enforce the law, many persons absconded, and there is good ground for supposing that all of such persons have violated the law. A full report of what has been done under this law will be submitted to Congress by the Attorney-General.

In Utah there still remains a remnant of barbarism, repugnant to civilization, to decency, and to the laws of the United States. Territorial officers, however, have been found who are willing to perform their duty in a spirit of equity and with a due sense of the necessity of sustaining the majesty of the law. Neither polygamy nor any other violation of existing statutes will be permitted within the territory of the United States. It is not with the religion of the self-styled Saints that we are now dealing, but with their practices. They will be protected in the worship of God according to the dictates of their consciences, but they will not be permitted to violate the laws under the cloak of religion.

It may be advisable for Congress to consider what, in the execution of the laws against polygamy, is to be the status of plural wives and their offspring. The propriety of Congress passing an enabling act authorizing the Territorial legislature of Utah to legitimize all children born prior to a time fixed in the act might be justified by its humanity to these innocent children. This is a suggestion only, and not a recommendation.

* See pp. 135-136.

† See pp. 136-138.

The policy pursued toward the Indians has resulted favorably, so far as can be judged from the limited time during which it has been in operation. Through the exertions of the various societies of Christians to whom has been intrusted the execution of the policy, and the board of commissioners authorized by the law of April 10, 1869, many tribes of Indians have been induced to settle upon reservations, to cultivate the soil, to perform productive labor of various kinds, and to partially accept civilization. They are being cared for in such a way, it is hoped, as to induce those still pursuing their old habits of life to embrace the only opportunity which is left them to avoid extermination.

I recommend liberal appropriations to carry out the Indian peace policy, not only because it is humane, Christianlike, and economical, but because it is right.

I recommend to your favorable consideration also the policy of granting a Territorial government to the Indians in the Indian Territory west of Arkansas and Missouri and south of Kansas. In doing so every right guaranteed to the Indian by treaty should be secured. Such a course might in time be the means of collecting most of the Indians now between the Missouri and the Pacific and south of the British possessions into one Territory or one State. The Secretary of the Interior has treated upon this subject at length, and I commend to you his suggestions.

I renew my recommendation that the public lands be regarded as a heritage to our children, to be disposed of only as required for occupation and to actual settlers. Those already granted have been in great part disposed of in such a way as to secure access to the balance by the hardy settler who may wish to avail himself of them, but caution should be exercised even in attaining so desirable an object.

Educational interest may well be served by the grant of the proceeds of the sale of public lands to settlers. I do not wish to be understood as recommending in the least degree a curtailment of what is being done by the General Government for the encouragement of education.

The report of the Secretary of the Interior submitted with this will give you all the information collected and prepared for publication in regard to the census taken during the year 1870; the operations of the Bureau of Education for the year; the Patent Office; the Pension Office; the Land Office, and the Indian Bureau.

The report of the Commissioner of Agriculture gives the operations of his Department for the year. As agriculture is the groundwork of our prosperity, too much importance can not be attached to the labors of this Department. It is in the hands of an able head, with able assistants, all zealously devoted to introducing into the agricultural productions of the nation all useful products adapted to any of the various climates and soils of our vast territory, and to giving all useful information as to the method of cultivation, the plants, cereals, and other products adapted to particular localities. Quietly but surely the Agricultural Bureau is

working a great national good, and if liberally supported the more widely its influence will be extended and the less dependent we shall be upon the products of foreign countries.

The subject of compensation to the heads of bureaus and officials holding positions of responsibility, and requiring ability and character to fill properly, is one to which your attention is invited. But few of the officials receive a compensation equal to the respectable support of a family, while their duties are such as to involve millions of interest. In private life services demand compensation equal to the services rendered; a wise economy would dictate the same rule in the Government service.

I have not given the estimates for the support of Government for the ensuing year, nor the comparative statement between the expenditures for the year just passed and the one just preceding, because all these figures are contained in the accompanying reports or in those presented directly to Congress. These estimates have my approval.

More than six years having elapsed since the last hostile gun was fired between the armies then arrayed against each other—one for the perpetuation, the other for the destruction, of the Union—it may well be considered whether it is not now time that the disabilities imposed by the fourteenth amendment should be removed. That amendment does not exclude the ballot, but only imposes the disability to hold offices upon certain classes. When the purity of the ballot is secure, majorities are sure to elect officers reflecting the views of the majority. I do not see the advantage or propriety of excluding men from office merely because they were before the rebellion of standing and character sufficient to be elected to positions requiring them to take oaths to support the Constitution, and admitting to eligibility those entertaining precisely the same views, but of less standing in their communities. It may be said that the former violated an oath, while the latter did not; the latter did not have it in their power to do so. If they had taken this oath, it can not be doubted they would have broken it as did the former class. If there are any great criminals, distinguished above all others for the part they took in opposition to the Government, they might, in the judgment of Congress, be excluded from such an amnesty.

This subject is submitted for your careful consideration.

The condition of the Southern States is, unhappily, not such as all true patriotic citizens would like to see. Social ostracism for opinion's sake, personal violence or threats toward persons entertaining political views opposed to those entertained by the majority of the old citizens, prevents immigration and the flow of much-needed capital into the States lately in rebellion. It will be a happy condition of the country when the old citizens of these States will take an interest in public affairs, promulgate ideas honestly entertained, vote for men representing their views, and tolerate the same freedom of expression and ballot in those entertaining different political convictions.

Under the provisions of the act of Congress approved February 21, 1871, a Territorial government was organized in the District of Columbia. Its results have thus far fully realized the expectations of its advocates. Under the direction of the Territorial officers, a system of improvements has been inaugurated by means of which Washington is rapidly becoming a city worthy of the nation's capital. The citizens of the District having voluntarily taxed themselves to a large amount for the purpose of contributing to the adornment of the seat of Government, I recommend liberal appropriations on the part of Congress, in order that the Government may bear its just share of the expense of carrying out a judicious system of improvements.

By the great fire in Chicago the most important of the Government buildings in that city were consumed. Those burned had already become inadequate to the wants of the Government in that growing city, and, looking to the near future, were totally inadequate. I recommend, therefore, that an appropriation be made immediately to purchase the remainder of the square on which the burned buildings stood, provided it can be purchased at a fair valuation, or provided that the legislature of Illinois will pass a law authorizing its condemnation for Government purposes; and also an appropriation of as much money as can properly be expended toward the erection of new buildings during this fiscal year.

The number of immigrants ignorant of our laws, habits, etc., coming into our country annually has become so great and the impositions practiced upon them so numerous and flagrant that I suggest Congressional action for their protection. It seems to me a fair subject of legislation by Congress. I can not now state as fully as I desire the nature of the complaints made by immigrants of the treatment they receive, but will endeavor to do so during the session of Congress, particularly if the subject should receive your attention.

It has been the aim of the Administration to enforce honesty and efficiency in all public offices. Every public servant who has violated the trust placed in him has been proceeded against with all the rigor of the law. If bad men have secured places, it has been the fault of the system established by law and custom for making appointments, or the fault of those who recommend for Government positions persons not sufficiently well known to them personally, or who give letters indorsing the characters of office seekers without a proper sense of the grave responsibility which such a course devolves upon them. A civil-service reform which can correct this abuse is much desired. In mercantile pursuits the business man who gives a letter of recommendation to a friend to enable him to obtain credit from a stranger is regarded as morally responsible for the integrity of his friend and his ability to meet his obligations. A reformatory law which would enforce this principle against all indorsers of persons for public place would insure great caution in making recommendations. A salutary lesson has been taught the careless and the dishonest public servant

in the great number of prosecutions and convictions of the last two years.

It is gratifying to notice the favorable change which is taking place throughout the country in bringing to punishment those who have proven recreant to the trusts confided to them and in elevating to public office none but those who possess the confidence of the honest and the virtuous, who, it will always be found, comprise the majority of the community in which they live.

In my message to Congress one year ago I urgently recommended a reform in the civil service of the country. In conformity with that recommendation Congress, in the ninth section of "An act making appropriations for sundry civil expenses of the Government, and for other purposes," approved March 3, 1871, gave the necessary authority to the Executive to inaugurate a civil-service reform, and placed upon him the responsibility of doing so. Under the authority of said act I convened a board of gentlemen eminently qualified for the work to devise rules and regulations to effect the needed reform. Their labors are not yet complete, but it is believed that they will succeed in devising a plan that can be adopted to the great relief of the Executive, the heads of Departments, and members of Congress, and which will redound to the true interest of the public service. At all events, the experiment shall have a fair trial.

I have thus hastily summed up the operations of the Government during the last year, and made such suggestions as occur to me to be proper for your consideration. I submit them with a confidence that your combined action will be wise, statesmanlike, and in the best interests of the whole country.

U. S. GRANT.

SPECIAL MESSAGES.

EXECUTIVE MANSION, *December 4, 1871.*

To the House of Representatives:

In compliance with section 2 of the act making appropriations for the consular and diplomatic expenses of the Government for the year ending June 30, 1871, approved July 11, 1870, I herewith transmit the names and reports of and the amounts paid to consular agents of the United States.

U. S. GRANT.

WASHINGTON, *December 4, 1871.*

To the Senate and House of Representatives:

I transmit herewith to Congress a report, dated November 8, 1871, received from the Secretary of State, in compliance with the requirement

of the act of March 3, 1871, making appropriations, among other things, for the increase of expenses and compensation of certain diplomatic and consular officers of the United States on account of the late war between France and Prussia. The expenditures therein mentioned have been made on my approval.

U. S. GRANT.

WASHINGTON, December 4, 1871.

To the Senate and House of Representatives:

I herewith transmit to Congress a report, dated the 4th instant, with the accompanying papers,* received from the Secretary of State, in compliance with the requirements of the eighteenth section of the act entitled "An act to regulate the diplomatic and consular systems of the United States," approved August 18, 1856.

U. S. GRANT.

WASHINGTON, December 5, 1871.

To the Senate and House of Representatives:

In pursuance of the provisions of the second section of the act approved June 20, 1864, entitled "An act making appropriations for the consular and diplomatic expenses of the Government for the year ending the 30th of June, 1865, and for other purposes," I inform Congress that William Heine, a consular clerk, was on the 30th of August last removed from office for the following cause, viz: Insubordination, disobedience of orders, and disrespectful conduct toward his superiors.

U. S. GRANT.

WASHINGTON, December 6, 1871.

To the Senate of the United States:

I transmit to the Senate, in answer to their resolution of the 5th instant, a report from the Secretary of State, with accompanying papers.†

U. S. GRANT.

EXECUTIVE MANSION, December 19, 1871.

To the Senate and House of Representatives:

In accordance with the act of Congress approved March 3, 1871, I convened a commission of eminent gentlemen to devise rules and regulations for the purpose of reforming the civil service. Their labors are

* Report of fees collected, etc., by consular officers of the United States for 1870, and tariff of consular fees prescribed by the President October 1, 1870.

† Correspondence relative to the retirement of Constantin de Catacazy, minister from Russia to the United States.

now completed, and I transmit herewith their report,* together with the rules which they recommend for my action. These rules have been adopted and will go into effect on the 1st day of January, 1872.

Under the law referred to, as I interpret it, the authority is already invested in the Executive to enforce these regulations, with full power to abridge, alter, or amend them, at his option, when changes may be deemed advisable.

These views, together with the report of the commissioners, are submitted for your careful consideration as to whether further legislation may be necessary in order to carry out an effective and beneficial civil-service reform. If left to me, without further Congressional action, the rules prescribed by the commission, under the reservation already mentioned, will be faithfully executed; but they are not binding, without further legislation, upon my successors.

Being desirous of bringing this subject to the attention of Congress before the approaching recess, I have not time to sufficiently examine the accompanying report to enable me to suggest definite legislative action to insure the support which may be necessary in order to give a thorough trial to a policy long needed.

I ask for all the strength which Congress can give me to enable me to carry out the reforms in the civil service recommended by the commission, and adopted to take effect, as before stated, on January 1, 1872.

The law which provides for the convening of a commission to devise rules and regulations for reforming the civil service authorizes, I think, the permanent organization of a primary board under whose general direction all examinations of applicants for public office shall be conducted. There is no appropriation to continue such a board beyond the termination of its present labors. I therefore recommend that a proper appropriation be made to continue the services of the present board for another year, and in view of the fact that three members of the board hold positions in the public service, which precludes them from receiving extra compensation, under existing laws, that they be authorized to receive a fair compensation for extra services rendered by them in the performance of this duty.

U. S. GRANT.

RULES FOR THE CIVIL SERVICE.

1. No person shall be admitted to any position in the civil service within the appointment of the President or the heads of Departments who is not a citizen of the United States; who shall not have furnished satisfactory evidence in regard to character, health, and age, and who shall not have passed a satisfactory examination in speaking, reading, and writing the English language.

2. An advisory board of suitable persons, to be employed by the President under the ninth section of the act of March 3, 1871, entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1872,

* Omitted.

and for other purposes," shall, so far as practicable, group the positions in each branch of the civil service according to the character of the duties to be performed, and shall grade each group from lowest to highest for the purpose of promotion within the group. Admission to the civil service shall always be to the lowest grade of any group; and to such positions as can not be grouped or graded admission shall be determined as provided for the lowest grade.

3. A vacancy occurring in the lowest grade of any group of offices shall be filled, after due public notice, from all applicants who shall present themselves, and who shall have furnished the evidence and satisfied the preliminary examination already mentioned, and who shall have passed a public competitive examination to test knowledge, ability, and special qualifications for the performance of the duties of the office. The board conducting such competitive examination shall prepare, under the supervision of the Advisory Board, a list of the names of the applicants in the order of their excellence as proved by such examination, beginning with the highest, and shall then certify to the nominating or appointing power, as the case may be, the names standing at the head of such list, not exceeding three, and from the names thus certified the appointment shall be made.

4. A vacancy occurring in any grade of a group of offices above the lowest shall be filled by a competitive examination of applicants from the other grades of that group, and the list of names from which the appointment is to be made shall be prepared and certified as provided in the preceding rule; but if no such applicants are found competent the appointment shall be made upon an examination of all applicants, conducted in accordance with the provisions for admission to the lowest grade.

5. Applicants certified as otherwise qualified for appointment as cashiers of collectors of customs, cashiers of assistant treasurers, cashiers of postmasters, superintendents of money-order divisions in post-offices, and such other custodians of large sums of money as may hereafter be designated by the Advisory Board, and for whose pecuniary fidelity another officer is responsible, shall, nevertheless, not be appointed except with the approval of such other officer.

6. Postmasters whose annual salary is less than \$200 may be appointed upon the written request of applicants, with such evidence of character and fitness as shall be satisfactory to the head of the Department.

7. The appointment of all persons entering the civil service in accordance with these regulations, excepting persons appointed by the President by and with the advice and consent of the Senate, postmasters, and persons appointed to any position in a foreign country, shall be made for a probationary term of six months, during which the conduct and capacity of such persons shall be tested; and if at the end of said probationary term satisfactory proofs of their fitness shall have been furnished by the board of examiners to the head of the Department in which they shall have been employed during said term, they shall be reappointed.

8. The President will designate three persons in each Department of the public service to serve as a board of examiners, which, under the supervision of the Advisory Board and under regulations to be prescribed by it, and at such times and places as it may determine, shall conduct, personally or by persons approved by the Advisory Board, all investigations and examinations for admission into said Departments or for promotion therein.

9. Any person who, after long and faithful service in a Department, shall be incapacitated by mental or bodily infirmity for the efficient discharge of the duties of his position may be appointed by the head of the Department, at his discretion, to a position of less responsibility in the same Department.

10. Nothing in these rules shall prevent the appointment of aliens to positions in the consular service which by reason of small compensation or of other sufficient cause are, in the judgment of the appointing power, necessarily so filled, nor the appointment of such persons within the United States as are indispensable to a proper

discharge of the duties of certain positions, but who may not be familiar with the English language or legally capable of naturalization.

11. No head of a Department nor any subordinate officer of the Government shall, as such officer, authorize or permit or assist in levying any assessment of money for political purposes, under the form of voluntary contributions or otherwise, upon any person employed under his control, nor shall any such person pay any money so assessed.

12. The Advisory Board shall at any time recommend to the President such changes in these rules as it may consider necessary to secure the greater efficiency of the civil service.

13. From these rules are excepted the heads of Departments, Assistant Secretaries of Departments, Assistant Attorneys-General, and First Assistant Postmaster-General, Solicitor-General, Solicitor of the Treasury, Naval Solicitor, Solicitor of Internal Revenue, examiner of claims in the State Department, Treasurer of the United States, Register of the Treasury, First and Second Comptrollers of the Treasury, judges of the United States courts, district attorneys, private secretary of the President, ambassadors and other public ministers, Superintendent of the Coast Survey, Director of the Mint, governors of Territories, special commissioners, special counsel, visiting and examining boards, persons appointed to positions without compensation for services, dispatch agents, and bearers of dispatches.

EXECUTIVE MANSION, *December 20, 1871.*

To the House of Representatives:

In answer to the resolution of the House of Representatives of the 6th instant, requesting information in regard to certain measures with reference to the Spanish West Indies, I transmit reports from the Secretary of State and of the Navy, with the documents by which they were accompanied.

U. S. GRANT.

WASHINGTON, *January 8, 1872.*

To the House of Representatives:

In answer to a resolution of the House of Representatives of the 6th of December, requesting to be informed if any further action is necessary by Congress to secure the immediate temporary preservation of the archives or public records now in the State Department, I transmit a report and accompanying papers from the Secretary of State.

U. S. GRANT.

WASHINGTON, *January 9, 1872.*

To the Senate:

In answer to the resolution of the Senate of the 19th of December last, calling for certain correspondence relating to the subject of international coinage not heretofore furnished, I transmit herewith a report from the Secretary of State, with the papers which accompanied it.

U. S. GRANT.

WASHINGTON, January 15, 1872.

To the Senate of the United States:

I transmit, for the consideration of the Senate with a view to ratification, a convention between the United States and His Majesty the Emperor of Austria-Hungary, relative to the protection of trade-marks.

U. S. GRANT.

WASHINGTON, January 15, 1872.

To the Senate of the United States:

I transmit, for the consideration of the Senate with a view to ratification, a convention between the United States and His Majesty the Emperor of Germany, relative to the rights, privileges, and duties of consuls and to the protection of trade-marks, signed at Berlin on the 11th ultimo.

A copy of the dispatch of the 11th ultimo from Mr. Bancroft, which accompanied the convention, is also transmitted for the information of the Senate.

U. S. GRANT.

WASHINGTON, January 16, 1872.

To the Senate of the United States:

In answer to the resolution of the Senate of the 16th of May last, calling for papers, correspondence, and information relating to the case of the ship *Hudson* and schooner *Washington*,* I transmit reports from the Secretaries of State and of the Navy and the papers by which they were accompanied.

U. S. GRANT.

WASHINGTON, January 30, 1872.

To the House of Representatives:

In answer to a resolution of the House of Representatives of the 15th instant, calling for certain correspondence relating to the release of the Fenian prisoner William G. Halpine, I transmit herewith a report of the Secretary of State.

U. S. GRANT.

WASHINGTON, February 2, 1872.

To the Senate of the United States:

I transmit to the Senate, in answer to their resolution of the 16th ultimo, a report from the Secretary of State, with accompanying papers.†

U. S. GRANT.

* Seized by British authorities at the Falkland Islands in 1854.

† Correspondence relative to the seizure and detention of the American steamers *Hero*, *Dudley Buck*, *Nutrias*, and *San Fernando*, property of the Venezuela Steam Transportation Company, and the virtual imprisonment of the officers of those vessels.

WASHINGTON, February 13, 1872.

To the Senate of the United States:

In answer to the resolution adopted by the Senate on the 19th of December last, relative to questions with Spain growing out of affairs in Cuba and to instructions to our naval commanders in Cuban waters, I transmit reports from the Secretaries of State and of the Navy.

U. S. GRANT.

WASHINGTON, February 13, 1872.

To the Senate of the United States:

In answer to the resolution of the Senate of the 8th instant, I transmit a report from the Secretary of State and the copy of the case of the United States presented to the tribunal of arbitration at Geneva, which accompanied it.

U. S. GRANT.

WASHINGTON, February 23, 1872.

To the Senate of the United States:

I transmit herewith, for the consideration of the Senate, a preliminary report of Dr. E. C. Wines, appointed under a joint resolution of Congress of the 7th of March, 1871, as commissioner of the United States to the international congress on the prevention and repression of crime, including penal and reformatory treatment.

U. S. GRANT.

WASHINGTON, March 11, 1872.

To the House of Representatives:

I transmit herewith a report,* dated the 5th instant, received from the Secretary of State, in compliance with the resolution of the House of Representatives of the 28th of February ultimo.

U. S. GRANT.

EXECUTIVE MANSION, March 15, 1872.

To the Senate and House of Representatives:

I have the honor herewith to transmit to Congress a recommendation from Hon. M. D. Leggett, Commissioner of Patents, for the reorganization of his office, and also the letter of the Secretary of the Interior accompanying it.

I concur with the Secretary of the Interior in the views expressed in his letter, and recommend the careful consideration of Congress to the subject of this communication, and action which will secure a more efficient performance of the duties of the Patent Office than is practicable under present legislation.

U. S. GRANT.

* Relative to the number of consular and commercial agents of the United States abroad who speak or write the language of the country in which their districts are situated.

WASHINGTON, *March 16, 1872.**To the House of Representatives:*

I transmit herewith a report,* dated the 16th instant, received from the Secretary of State, in compliance with the resolution of the House of Representatives of the 7th instant.

U. S. GRANT.

WASHINGTON, *March 19, 1872.**To the Senate of the United States:*

I transmit to the Senate, for consideration with a view to its ratification, a "general convention of friendship, commerce, and extradition" between the United States and the Orange Free State, signed at Bloemfontein on the 22d of December last by W. W. Edgcomb, consul of the United States at Cape Town, acting on behalf of this Government, and by Mr. F. K. Höhne on behalf of the Orange Free State.

U. S. GRANT.

WASHINGTON, *March 20, 1872.**To the House of Representatives:*

I transmit herewith a report,† dated the 20th instant, received from the Secretary of State, to whom was referred the resolution of the House of Representatives of the 28th ultimo.

U. S. GRANT.

WASHINGTON, *March 23, 1872.**To the House of Representatives of the United States:*

In answer to a resolution of the House of Representatives of the 20th instant, I transmit a report from the Secretary of State, with a list of the newspapers ‡ which accompanied it.

U. S. GRANT.

WASHINGTON, *March 28, 1872.**To the House of Representatives:*

I transmit to the House of Representatives, in answer to their resolution of the 19th instant, a report of the Secretary of State and the papers § which accompany the same.

U. S. GRANT.

* Stating that there are no papers in the Department of State to show that the inhabitants of the Navigators Islands, in the Pacific Ocean, have made application to have the protection of the United States extended over said islands.

† Transmitting a translation of the Spanish royal decree of July 6, 1860, prescribing regulations for the introduction of Chinese laborers into Cuba, and translation of a decree of Count Valmaseda, Captain-General of Cuba, of December 13, 1871, relative to the decree of July 6, 1860.

‡ Selected to publish the laws of the United States for the second session of the Forty-second Congress.

§ Correspondence relative to the imprisonment by Spanish authorities of Dr. J. E. Houard, a citizen of the United States, charged with complicity in the insurrection in Cuba.

WASHINGTON, April 2, 1872.

To the Senate of the United States:

In answer to the resolution of the Senate of the 18th of January last, relating to British light-house dues, I transmit herewith a report from the Secretary of State and the documents which accompanied it.

U. S. GRANT.

WASHINGTON, April 4, 1872.

To the House of Representatives:

In answer to the resolution of the House of Representatives of the 14th of January last, I transmit herewith a report* of the Secretary of State.

U. S. GRANT.

EXECUTIVE MANSION, April 19, 1872.

To the House of Representatives:

In answer to the resolution of the House of Representatives of the 25th of January last, I have the honor to submit the following, accompanied by the report of the Attorney-General, to whom the resolution was referred:

Representations having been made to me that in certain portions of South Carolina a condition of lawlessness and terror existed, I requested the then Attorney-General (Akerman) to visit that State, and after personal examination to report to me the facts in relation to the subject. On the 16th of October last he addressed me a communication from South Carolina, in which he stated that in the counties of Spartanburg, York, Chester, Union, Laurens, Newberry, Fairfield, Lancaster, and Chesterfield there were combinations for the purpose of preventing the free political action of citizens who were friendly to the Constitution and the Government of the United States, and of depriving emancipated classes of the equal protection of the laws.

"These combinations embrace at least two-thirds of the active white men of those counties, and have the sympathy and countenance of a majority of the one-third. They are connected with similar combinations in other counties and States, and no doubt are part of a grand system of criminal associations pervading most of the Southern States. The members are bound to obedience and secrecy by oaths which they are taught to regard as of higher obligation than the lawful oaths taken before civil magistrates.

"They are organized and armed. They effect their objects by personal violence, often extending to murder. They terrify witnesses; they control juries in the State courts, and sometimes in the courts of the United States. Systematic perjury is one of the means by which prosecutions of the members are defeated. From information given by officers

*Stating that the report of Richard D. Cutts on the marketable products of the sea was transmitted with the message of President Johnson of February 17, 1869.

of the State and of the United States and by credible private citizens I am justified in affirming that the instances of criminal violence perpetrated by these combinations within the last twelve months in the above-named counties could be reckoned by thousands."

I received information of a similar import from various other sources, among which were the Joint Select Committee of Congress upon Southern Outrages, the officers of the State, the military officers of the United States on duty in South Carolina, the United States attorney and marshal, and other civil officers of the Government, repentant and abjuring members of those unlawful organizations, persons specially employed by the Department of Justice to detect crimes against the United States, and from other credible persons.

Most, if not all, of this information, except what I derived from the Attorney-General, came to me orally, and was to the effect that said counties were under the sway of powerful combinations, properly known as "Kuklux Klans," the objects of which were by force and terror to prevent all political action not in accord with the views of the members; to deprive colored citizens of the right to bear arms and of the right to a free ballot; to suppress schools in which colored children were taught, and to reduce the colored people to a condition closely akin to that of slavery; that these combinations were organized and armed, and had rendered the local laws ineffectual to protect the classes whom they desired to oppress; that they had perpetrated many murders and hundreds of crimes of minor degree, all of which were unpunished; and that witnesses could not safely testify against them unless the more active members were placed under restraint.

U. S. GRANT.

WASHINGTON, April 20, 1872.

To the House of Representatives:

I transmit, for the information of the House of Representatives, a report from the Secretary of State and the copy of the counter case of the United States in the matter of the claims against Great Britain, as presented to the board of arbitration at Geneva, which accompanies it.

U. S. GRANT.

[The same message was sent to the Senate.]

WASHINGTON, April 24, 1872.

To the House of Representatives of the United States:

In answer to a resolution of the 22d instant, I transmit to the House of Representatives a report from the Secretary of State, with the British case* and papers which accompanied it.

U. S. GRANT.

* Presented to the board of arbitration at Geneva.

To the House of Representatives:

In answer to a resolution of the House of Representatives of yesterday, I transmit a report of the Secretary of State and copies of the British counter case,* and the volumes of appendixes to the British case which accompany it.

U. S. GRANT.

APRIL 29, 1872.

EXECUTIVE MANSION, *April 30, 1872.*

To the Senate and House of Representatives:

I have the honor to transmit herewith the annual report of the board of public works of the District of Columbia, submitted to me for that purpose by the governor of the Territory in accordance with section 37 of "An act to provide a government for the District of Columbia," approved February 21, 1871.

U. S. GRANT.

WASHINGTON, D. C., *May 7, 1872.*

To the House of Representatives:

In answer to a resolution of the House of Representatives of the 15th of March last, I transmit herewith a report of the Secretary of State and the papers † which accompanied it.

U. S. GRANT.

WASHINGTON, *May 7, 1872.*

To the Senate of the United States:

I transmit, for the consideration of the Senate with a view to its ratification, a convention between the United States and the Republic of Ecuador for the purpose of regulating the citizenship of persons who emigrate from the one country to the other, which instrument was signed in this city on the 6th instant.

U. S. GRANT.

WASHINGTON, *May 7, 1872.*

To the Senate of the United States:

I herewith communicate to the Senate a report from the Acting Secretary of the Interior of this date, in answer to the resolution of that body adopted on the 23d ultimo, calling for information relative to the recent affray at the court-house in Going Snake district, Indian Territory.

In view of the feeling of hostility which exists between the Cherokees and the United States authorities of the western district of Arkansas, it seems to be necessary that Congress should adopt such measures as will tend to allay that feeling and at the same time secure the enforcement of the laws in that Territory.

* Presented to the board of arbitration at Geneva.

† Correspondence relative to the claim of the owners of the steamer *Aroostook* for compensation for the use of that vessel in searching for bodies and property lost in the United States steamer *Oneida*, wrecked in the Bay of Yedo in 1872.

I therefore concur with the Acting Secretary of the Interior in suggesting the adoption of a pending bill for the erection of a judicial district within the Indian Territory, as a measure which will afford the most immediate remedy for the existing troubles.

U. S. GRANT.

[A similar message, dated May 10, was sent to the House of Representatives, in answer to a resolution of that body of April 29.]

WASHINGTON, May 13, 1872.

To the Senate of the United States:

I transmit herewith the correspondence which has recently taken place respecting the differences of opinion which have arisen between this Government and that of Great Britain with regard to the powers of the tribunal of arbitration created under the treaty signed at Washington May 8, 1871.

I respectfully invite the attention of the Senate to the proposed article submitted by the British Government with the object of removing the differences which seem to threaten the prosecution of the arbitration, and request an expression by the Senate of their disposition in regard to advising and consenting to the formal adoption of an article such as is proposed by the British Government.

The Senate is aware that the consultation with that body in advance of entering into agreements with foreign states has many precedents. In the early days of the Republic General Washington repeatedly asked their advice upon pending questions with such powers. The most important recent precedent is that of the Oregon boundary treaty, in 1846.

The importance of the results hanging upon the present state of the treaty with Great Britain leads me to follow these former precedents and to desire the counsel of the Senate in advance of agreeing to the proposal of Great Britain.

U. S. GRANT.

EXECUTIVE MANSION, May 14, 1872.

To the Senate and House of Representatives of the United States:

In my message to Congress at the beginning of its present session allusion was made to the hardships and privations inflicted upon poor immigrants on shipboard and upon arrival on our shores, and a suggestion was made favoring national legislation for the purpose of effecting a radical cure of the evil.

Promise was made that a special message on this subject would be presented during the present session should information be received which would warrant it. I now transmit to the two Houses of Congress all that has been officially received since that time bearing upon the subject, and recommend that such legislation be had as will secure, first,

such room and accommodation on shipboard as is necessary for health and comfort, and such privacy and protection as not to compel immigrants to be the unwilling witnesses to so much vice and misery; and, second, legislation to protect them upon their arrival at our seaports from the knaves who are ever ready to despoil them of the little all which they are able to bring with them. Such legislation will be in the interests of humanity, and seems to be fully justifiable. The immigrant is not a citizen of any State or Territory upon his arrival, but comes here to become a citizen of a great Republic, free to change his residence at will, to enjoy the blessings of a protecting Government, where all are equal before the law, and to add to the national wealth by his industry.

On his arrival he does not know States or corporations, but confides implicitly in the protecting arm of the great, free country of which he has heard so much before leaving his native land. It is a source of serious disappointment and discouragement to those who start with means sufficient to support them comfortably until they can choose a residence and begin employment for a comfortable support to find themselves subject to ill treatment and every discomfort on their passage here, and at the end of their journey seized upon by professed friends, claiming legal right to take charge of them for their protection, who do not leave them until all their resources are exhausted, when they are abandoned in a strange land, surrounded by strangers, without employment and ignorant of the means of securing it. Under the present system this is the fate of thousands annually, the exposures on shipboard and the treatment on landing driving thousands to lives of vice and shame who, with proper humane treatment, might become useful and respectable members of society.

I do not advise national legislation in affairs that should be regulated by the States; but I see no subject more national in its character than provision for the safety and welfare of the thousands who leave foreign lands to become citizens of this Republic.

When their residence is chosen, they may then look to the laws of their locality for protection and guidance.

The mass of immigrants arriving upon our shores, coming, as they do, on vessels under foreign flags, makes treaties with the nations furnishing these immigrants necessary for their complete protection. For more than two years efforts have been made on our part to secure such treaties, and there is now reasonable ground to hope for success.

U. S. GRANT.

WASHINGTON, May 14, 1872.

To the Senate of the United States:

In answer to a resolution of the Senate of the 28th of March last, I transmit herewith copies of the correspondence between the Department

of State and the consul of the United States at Bucharest relative to the persecution and oppression of the Israelites in the Principality of Roumania.

U. S. GRANT.

WASHINGTON, *May 15, 1872.*

To the House of Representatives:

I transmit herewith, for the information of the House of Representatives, the correspondence which has recently taken place respecting the differences of opinion which have arisen between this Government and that of Great Britain with regard to the powers of the tribunal of arbitration created under the treaty signed at Washington May 8, 1871, and which has led to certain negotiations, still pending, between the two Governments.

U. S. GRANT.

WASHINGTON, *May 17, 1872.*

To the Senate of the United States:

I herewith transmit to the Senate a communication of this date from the Acting Secretary of the Interior, and the papers therein described, containing information* called for in the Senate resolution of the 23d ultimo, which was answered in part on the 8th [7th] instant.

U. S. GRANT.

WASHINGTON, *May 21, 1872.*

To the House of Representatives:

In answer to the resolution of the House of Representatives of the 14th instant, requesting information in regard to the commerce between the United States and certain British colonial possessions, I transmit a report from the Secretary of State and the documents by which it was accompanied.

U. S. GRANT.

WASHINGTON, *May 22, 1872.*

To the House of Representatives:

In answer to a resolution of the House of Representatives of the 20th instant, requesting me to join the Italian Government in a protest against the intolerant and cruel treatment of the Jews in Roumania, I transmit a report from the Secretary of State relative to the subject.

U. S. GRANT.

WASHINGTON, *May 22, 1872.*

To the Senate of the United States:

I transmit to the Senate, for its consideration, an agreement between the Great Chief of the island of Tutuila, one of the Samoan group, in the

* Relating to acts of United States marshals and deputy marshals in that portion of the western district of Arkansas comprising the Indian country.

South Pacific, and Commander R. W. Meade, commanding the United States steamer *Narragansett*, bearing date the 17th of February last. This instrument proposes to confer upon this Government the exclusive privilege of establishing a naval station in the dominions of that chief for the equivalent of protecting those dominions.

A copy of a letter of the 15th instant, and of its accompaniment, addressed by the Secretary of the Navy to the Secretary of State, descriptive of Tutuila and of other islands of the group, and of a letter in the nature of a protest from a person claiming to be consul of the North German Confederation in that quarter, are also herewith transmitted. No report has yet been received from Commander Meade on the subject. Although he was without special instructions or authority to enter into such agreement, the advantages of the concession which it proposes to make are so great, in view of the advantageous position of Tutuila, especially as a coaling station for steamers between San Francisco and Australia, that I should not hesitate to recommend its approval but for the protection on the part of the United States which it seems to imply. With some modification of the obligation of protection which the agreement imports, it is recommended to the favorable consideration of the Senate.

U. S. GRANT.

EXECUTIVE MANSION, May 23, 1872.

To the Senate of the United States:

I have the honor to transmit herewith, in answer to the resolution of the Senate of March 12, requesting to be informed of "the amount of money expended by the Government of the United States during the last three years for telegraphing by ocean cables," reports from the different Departments of the Government, to which the resolution was referred.

U. S. GRANT.

EXECUTIVE MANSION, May 24, 1872.

To the Senate and House of Representatives:

In compliance with section 2 of the act approved July 11, 1870, entitled "An act making appropriations for the consular and diplomatic expenses of the Government for the year ending June 30, 1871, and for other purposes," I have the honor to transmit herewith the report of D. B. R. Keim, agent to examine consular affairs.

U. S. GRANT.

EXECUTIVE MANSION, May 28, 1872.

To the House of Representatives:

In further answer to the resolution of the 14th instant of the House of Representatives, wherein information in regard to commerce between

the United States and certain British colonial possessions is requested, I transmit a report from the Postmaster-General and the document by which it was accompanied.

U. S. GRANT.

WASHINGTON, May 28, 1872.

To the House of Representatives:

In answer to the resolution of the House of Representatives of the 7th instant, requesting copies of correspondence in regard to an extradition treaty with Belgium, I transmit a report from the Secretary of State and the documents by which it was accompanied.

U. S. GRANT.

EXECUTIVE MANSION, May 31, 1872.

To the Senate and House of Representatives:

I have the honor to respectfully call the attention of Congress to an act approved July 14, 1870, directing the Secretary of War to place at the disposal of the President certain bronze ordnance, to aid in the erection of an equestrian statue of the late General John A. Rawlins, and to the facts that no appropriation of money to pay for the statue is made by the resolution and no artist is named or party designated to whom the ordnance is to be delivered. In view of the ambiguity of the statute, I would recommend that Congress signify what action is desired as to the selection of the artist, and that the necessary sum required for the erection of the monument be appropriated. A board of officers should also be named to designate the location of the monument.

U. S. GRANT.

VETO MESSAGES.

EXECUTIVE MANSION, March 28, 1872.

To the House of Representatives:

I herewith return, for the further consideration of Congress, without my approval, House bill No. 1550, "An act for the relief of the estate of Dr. John F. Hanks," for the reason that the records of the Treasury Department show that the current moneys taken by Colonel S. B. Holabird from the Louisiana State Bank of New Orleans in the month of August, 1862, were accounted for by that officer to the Treasury Department, and the names of the depositors given, and that the name of Dr. John F. Hanks does not appear among them.

It also appears from the records of the Treasury Department that among the effects taken from the Louisiana State Bank of New Orleans was the sum of \$1,729 of Confederate money, and that the said sum stood upon the books of said bank to the credit of J. F. Hanks. It is but justice,

however, to the executors of the estate of Dr. Hanks to state that there is every reason to believe that the money deposited by Dr. Hanks in the Louisiana State Bank was in current funds, and that when application was made to Congress for the recovery of the same they believed, and had evidence to satisfy them, that such funds had found their way into the Treasury of the United States. There has unquestionably been a mistake made, either by the officers of the Louisiana State Bank or the persons engaged in removing the funds of that bank, by which the estate of Dr. Hanks is loser to the amount of relief afforded by House bill No. 1550.

Accompanying this I send the statement furnished by the Secretary of the Treasury of the funds covered into his Department, and accounted for through it, arising from the seizure of funds of the Louisiana State Bank of New Orleans in the month of August, 1862.

U. S. GRANT.

EXECUTIVE MANSION, *April 1, 1872.*

To the House of Representatives:

I return herewith, for the further consideration of Congress, House bill ~~No.~~ 1867, "An act for the relief of James T. Johnston," without my approval, for the reason that the records of the Treasury Department show that the lot sold in the name of J. T. Johnston, situate on Prince street, Alexandria, Va., for taxes due the United States, is numbered 162, instead of 163, as represented in this bill. With the exception of this discrepancy in the number of the lot there is no reason why the bill should not receive my approval.

U. S. GRANT.

WASHINGTON, *April 10, 1872.*

To the House of Representatives:

I have received and taken into consideration the bill entitled "An act for the relief of the children of John M. Baker, deceased," and, pursuant to the duty required of me by the Constitution, I return the same with my objections to the House of Representatives, in which it originated.

The bill proposes to pay a sum of money to the children of John M. Baker, deceased, late United States consul at Rio Janeiro, for services of that person as acting chargé d'affaires of the United States in the year 1834. So far as it can be ascertained it is apprehended that the bill may have received the sanction of Congress through some inadvertence, for upon inquiry at the proper Department it appears that Mr. Baker never did act as chargé d'affaires of the United States at Rio Janeiro, and that he was not authorized so to act, but, on the contrary, was expressly forbidden to enter into diplomatic correspondence with the Government of Brazil.

The letter of the 8th of February, 1854, a copy of which is annexed, addressed by William L. Marcy, then Secretary of State, to James M.

Mason, chairman of the Committee on Foreign Relations of the Senate, specifies objections to the claim, which it is believed have not since diminished, and in which I fully concur.

U. S. GRANT.

EXECUTIVE MANSION, *April 15, 1872.*

To the Senate of the United States:

I return without my approval an act entitled "An act granting a pension to Abigail Ryan, widow of Thomas A. Ryan." The name of Mrs. Ryan is now borne upon the pension rolls, pursuant to an act of Congress entitled "An act for the relief of Mrs. Abigail Ryan," approved June 15, 1866 (14 U. S. Statutes at Large, p. 590).

U. S. GRANT.

EXECUTIVE MANSION, *April 22, 1872.*

To the House of Representatives:

I return herewith House resolution No. 622, entitled "An act granting a pension to Richard B. Crawford," without my approval, for the reason that said Crawford is now drawing a pension as a private soldier, the wound on account of which he was pensioned having been received before his promotion to a lieutenancy.

U. S. GRANT.

EXECUTIVE MANSION, *May 14, 1872.*

To the Senate of the United States:

I have the honor to return herewith the bill (S. 955) entitled "An act granting a pension to Mary Ann Montgomery, widow of William W. Montgomery, late captain in Texas Volunteers," without my approval, inasmuch as the concluding phrase, "and in respect to her minor children under 16 years of age," has obviously no meaning whatsoever. If it were the intention of the framer of the bill that the pension thereby granted should revert to said minor children upon the remarriage or death of the widow, the phrase referred to should read as follows: "And in the event of her remarriage or death, to her minor children under 16 years of age." I therefore return the bill for proper action.

U. S. GRANT.

WASHINGTON, *June 1, 1872.*

To the Senate of the United States:

I have examined the bill entitled "An act for the relief of J. Milton Best," and, being unable to give it my approval, return the same to the Senate, the House in which it originated, without my signature.

The bill appropriates the sum of \$25,000 to compensate Dr. J. Milton Best for the destruction of his dwelling house and its contents by order

of the commanding officer of the United States military forces at Paducah, Ky., on the 26th day of March, 1864. It appears that this house was one of a considerable number destroyed for the purpose of giving open range to the guns of a United States fort. On the day preceding the destruction the houses had been used as a cover for rebel troops attacking the fort, and, apprehending a renewal of the attack, the commanding officer caused the destruction of the houses. This, then, is a claim for compensation on account of the ravages of war. It can not be denied that the payment of this claim would invite the presentation of demands for very large sums of money; and such is the supposed magnitude of the claims that may be made against the Government for necessary and unavoidable destruction of property by the Army that I deem it proper to return this bill for reconsideration.

It is a general principle of both international and municipal law that all property is held subject not only to be taken by the Government for public uses, in which case, under the Constitution of the United States, the owner is entitled to just compensation, but also subject to be temporarily occupied, or even actually destroyed, in times of great public danger, and when the public safety demands it; and in this latter case governments do not admit a legal obligation on their part to compensate the owner. The temporary occupation of, injuries to, and destruction of property caused by actual and necessary military operations are generally considered to fall within the last-mentioned principle. If a government makes compensation under such circumstances, it is a matter of bounty—rather than of strict legal right.

If it be deemed proper to make compensation for such losses, I suggest for the consideration of Congress whether it would not be better, by general legislation, to provide some means for the ascertainment of the damage in all similar cases, and thus save to claimants the expense, inconvenience, and delay of attendance upon Congress, and at the same time save the Government from the danger of having imposed upon it fictitious or exaggerated claims supported wholly by *ex parte* proof. If the claimant in this case ought to be paid, so ought all others similarly situated; and that there are many such can not be doubted. Besides, there are strong reasons for believing that the amount of damage in this case has been greatly overestimated. If this be true, it furnishes an illustration of the danger of trusting entirely to *ex parte* testimony in such matters.

U. S. GRANT.

EXECUTIVE MANSION, June 7, 1872.

To the Senate of the United States:

I have the honor to return herewith Senate bill No. 569, an act entitled "An act for the relief of Thomas B. Wallace, of Lexington, in the State of Missouri," without my approval.

This claim, for which \$11,250 are appropriated by this bill, is of the same nature and character as the claim of Dr. J. Milton Best, which was returned to the Senate on the 1st instant without my signature.

The same reasons which prompted the return of that bill for reconsideration apply in this case, which also is a claim for compensation on account of the ravages of war, and comes under the same general principle of both international and municipal law, that all property is held subject not only to be taken by the Government for public uses, in which case, under the Constitution of the United States, the owner is entitled to just compensation, but also subject to be temporarily occupied, or even actually destroyed, in times of great public danger, and when the public safety demands it; and in the latter case governments do not admit a legal obligation on their part to compensate the owner.

The temporary occupation of, injuries to, and destruction of property caused by actual and necessary military operations are generally considered to fall within the last-mentioned principle, and if a government makes compensation under such circumstances it is a matter of bounty rather than of strict legal right. If it be deemed proper to make compensation for such losses, I renew my recommendation that provision be made by general legislation for all similar cases.

U. S. GRANT.

PROCLAMATIONS.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas satisfactory information has been received by me, through Don Mauricio Lopez Roberts, envoy extraordinary and minister plenipotentiary of His Majesty the King of Spain, that the Government of that country has abolished discriminating duties heretofore imposed on merchandise imported from all other countries, excepting the islands of Cuba and Porto Rico, into Spain and the adjacent islands in vessels of the United States, said abolition to take effect from and after the 1st day of January next:

Now, therefore, I, Ulysses S. Grant, President of the United States of America, by virtue of the authority vested in me by an act of Congress of the 7th day of January, 1824, and by an act in addition thereto of the 24th day of May, 1828, do hereby declare and proclaim that on and after the said 1st day of January next, so long as merchandise imported from any other country, excepting the islands of Cuba and Porto Rico, into the ports of Spain and the islands adjacent thereto in vessels belonging to citizens of the United States shall be exempt from discriminating duties,

any such duties on merchandise imported into the United States in Spanish vessels, excepting from the islands of Cuba and Porto Rico, shall be discontinued and abolished.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 19th day of December, A. D. 1871, and of the Independence of the United States of America the ninety-sixth.

U. S. GRANT.

By the President:

HAMILTON FISH,
Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, pursuant to the first section of the act of Congress approved the 11th day of June, 1864, entitled "An act to provide for the execution of treaties between the United States and foreign nations respecting consular jurisdiction over the crews of vessels of such foreign nations in the waters and ports of the United States," it is provided that before that act shall take effect as to the ships and vessels of any particular nation having such treaty with the United States the President of the United States shall have been satisfied that similar provisions have been made for the execution of such treaty by the other contracting party and shall have issued his proclamation to that effect, declaring that act to be in force as to such nation; and

Whereas due inquiry having been made and a satisfactory answer having been received that similar provisions are in force in the United Kingdoms of Sweden and Norway:

Now, therefore, be it known that I, Ulysses S. Grant, President of the United States of America, do hereby proclaim the same accordingly.

Done at the city of Washington, this 11th day of May, A. D. 1872, [SEAL.] and of the Independence of the United States of America the ninety-sixth.

U. S. GRANT.

By the President:

HAMILTON FISH,
Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas the act of Congress approved June 25, 1868, constituted, on and after that date, eight hours a day's work for all laborers, workmen,

and mechanics employed by or on behalf of the Government of the United States; and

Whereas on the 19th day of May, A. D. 1869, by Executive proclamation it was directed that from and after that date no reduction should be made in the wages paid by the Government by the day to such laborers, workmen, and mechanics on account of such reduction of the hours of labor; and

Whereas it is now represented to me that the act of Congress and the proclamation aforesaid have not been strictly observed by all officers of the Government having charge of such laborers, workmen, and mechanics:

Now, therefore, I, Ulysses S. Grant, President of the United States, do hereby again call attention to the act of Congress aforesaid, and direct all officers of the executive department of the Government having charge of the employment and payment of laborers, workmen, or mechanics employed by or on behalf of the Government of the United States to make no reduction in the wages paid by the Government by the day to such laborers, workmen, and mechanics on account of the reduction of the hours of labor.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 11th day of May, A. D. 1872, and of the Independence of the United States the ninety-sixth.

U. S. GRANT.

By the President:

HAMILTON FISH,
Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas the act of Congress approved May 22, 1872, removes all political disabilities imposed by the third section of the fourteenth article of amendments to the Constitution of the United States from all persons whomsoever except Senators and Representatives of the Thirty-sixth and Thirty-seventh Congresses and officers in the judicial, military, and naval service of the United States, heads of Departments, and foreign ministers of the United States; and

Whereas it is represented to me that there are now pending in the several circuit and district courts of the United States proceedings by *quo warranto* under the fourteenth section of the act of Congress approved May 31, 1870, to remove from office certain persons who are alleged to hold said offices in violation of the provisions of said article of amendment to the Constitution of the United States, and also penal prosecutions

against such persons under the fifteenth section of the act of Congress aforesaid:

Now, therefore, I, Ulysses S. Grant, President of the United States, do hereby direct all district attorneys having charge of such proceedings and prosecutions to dismiss and discontinue the same, except as to persons who may be embraced in the exceptions named in the act of Congress first above cited.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 1st day of June, A. D. 1872, and of the Independence of the United States of America the ninety-sixth.

U. S. GRANT.

By the President:

HAMILTON FISH,
Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas satisfactory information has been received by me from His Majesty the Emperor of Japan, through an official communication of Mr. Arinori Mori, His Majesty's chargé d'affaires, under date of the 2d instant, that no other or higher duties of tonnage or impost are imposed or levied in the ports of the Empire of Japan upon vessels wholly belonging to citizens of the United States or upon the produce, manufactures, or merchandise imported in the same from the United States or from any foreign country than are levied on Japanese ships and their cargoes in the same ports under like circumstances:

Now, therefore, I, Ulysses S. Grant, President of the United States of America, by virtue of the authority vested in me by an act of Congress of the 24th day of May, 1828, do hereby declare and proclaim that from and after the said 2d instant, so long as vessels of the United States and their cargoes shall be exempt from discriminating duties as aforesaid, any such duties on Japanese vessels entering the ports of the United States, or on the produce, manufactures, or merchandise imported in such vessels, shall be discontinued and abolished.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, the 4th day of September, A. D. 1872, and of the Independence of the United States the ninety-seventh.

U. S. GRANT.

By the President:

CHARLES HALE,
Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas the revolution of another year has again brought the time when it is usual to look back upon the past and publicly to thank the Almighty for His mercies and His blessings; and

Whereas if any one people has more occasion than another for such thankfulness it is the citizens of the United States, whose Government is their creature, subject to their behests; who have reserved to themselves ample civil and religious freedom and equality before the law; who during the last twelvemonth have enjoyed exemption from any grievous or general calamity, and to whom prosperity in agriculture, manufactures, and commerce has been vouchsafed:

Now, therefore, by these considerations, I recommend that on Thursday, the 28th day of November next, the people meet in their respective places of worship and there make their acknowledgments to God for His kindness and bounty.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 11th day of October, A. D. 1872, and of the Independence of the United States the ninety-seventh.

U. S. GRANT.

By the President:

HAMILTON FISH, *Secretary of State*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas upon information received by me from His Majesty the Emperor of the French that discriminating duties before the date of said information levied in French ports upon merchandise imported from the countries of its origin in vessels of the United States were discontinued and abolished, and in pursuance of the provisions of an act of Congress of the 7th of January, 1824, and of an act in addition thereto of the 24th of May, 1828, I did, on the 12th day of June, 1869, issue my proclamation* declaring that the discriminating duties before that date levied upon merchandise imported from the countries of its origin into ports of the United States in French vessels were thereby discontinued and abolished; and

Whereas upon information subsequently received by me that the levying of such duties on all merchandise imported into France in vessels of the United States, whether from the country of its origin or from other countries, had been discontinued, I did, on the 20th of November, 1869,

* See pp. 15-16.

in pursuance of the provisions of the said acts of Congress and by the authority in me vested thereby, issue my proclamation* declaring that the discriminating duties before that date levied upon merchandise imported into the United States in French vessels, either from the countries of its origin or from any other country, were thereby discontinued and abolished; and

Whereas by the provisions of the said acts of Congress of January 7, 1824, and of the 24th of May, 1828, as well as by the terms of the said proclamations of the 12th of June, 1869, and of the 20th of November, 1869, the said suspension of discriminating duties upon merchandise imported into the United States in French vessels was granted by the United States on condition that, and to continue so long as, merchandise imported into France in vessels of the United States should be admitted into the ports of France on the same terms of exemption from the payment of such discriminating duties; and

Whereas information has been received by me that by a law of the French Republic passed on the 30th of January, 1872, and published on the 3d of February, 1872, merchandise imported into France in vessels of the United States from countries other than the United States is (with the exception of certain articles enumerated in said law) subjected to discriminating duties; and

Whereas by the operation of said law of the French Republic of the 30th of January, 1872, the exemption of French vessels and their cargoes granted by the terms of the said proclamations of the 12th of June, 1869, and of the 20th of November, 1869, in accordance with the provisions of the acts of Congress aforesaid, has ceased to be reciprocal on the part of France toward vessels owned by citizens of the United States and their cargoes:

Now, therefore, I, Ulysses S. Grant, President of the United States of America, by virtue of the authority vested in me by an act of Congress of the 7th day of January, 1824, and by an act in addition thereto of the 24th day of May, 1828, do hereby declare and proclaim that on and after this date the said suspension of the collection of discriminating duties upon merchandise imported into the United States in French vessels from countries other than France, provided for by my said proclamations of the 12th day of June, 1869, and the 20th day of November, 1869, shall cease and determine, and all the provisions of the acts imposing discriminating foreign tonnage and import duties in the United States are hereby revived, and shall henceforth be and remain in full force as relates to goods and merchandise imported into the United States in French vessels from countries other than France, so long as any discriminating duties shall continue to be imposed by France upon goods and merchandise imported into France in vessels of the United States from countries other than the United States.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 30th day of October, A. D. 1872, and of the Independence of the United States the ninety-seventh.

U. S. GRANT.

By the President:

HAMILTON FISH,
Secretary of State.

EXECUTIVE ORDERS

WASHINGTON, April 16, 1872.

The Advisory Board of the civil service, having completed the grouping contemplated by the rules already adopted, have recommended certain provisions for carrying the rules into effect.

The recommendations as herewith published are approved, and the provisions will be enforced as rapidly as the proper arrangements can be made; and the thirteenth of the rules adopted on the 19th day of December last is amended to read as published herewith.

The utmost fidelity and diligence will be expected of all officers in every branch of the public service. Political assessments, as they are called, have been forbidden within the various Departments; and while the right of all persons in official position to take part in politics is acknowledged, and the elective franchise is recognized as a high trust to be discharged by all entitled to its exercise, whether in the employment of the Government or in private life, honesty and efficiency, not political activity, will determine the tenure of office.

By the President:

U. S. GRANT.

HAMILTON FISH,
Secretary of State.

[For rules for the civil service promulgated by the President December 19, 1871, see pp. 157-159.]

[Rule 13, as amended.]

13. From these rules are excepted the heads of Departments, Assistant Secretaries of Departments, Assistant Attorneys-General, Assistant Postmasters-General, Solicitor-General, Solicitor of the Treasury, Naval Solicitor, Solicitor of Internal Revenue, examiner of claims in the State Department, Treasurer of the United States, Register of the Treasury, First and Second Comptrollers of the Treasury, other heads of bureaus in the several Departments, judges of the United States courts, district attorneys, private secretary of the President, ambassadors and other public ministers, Superintendent of the Coast Survey, Director of the Mint, governors of Territories, special commissioners, special counsel, visiting and examining boards, persons appointed to positions without compensation for services, dispatch agents, and bearers of dispatches.

REGULATIONS AND CLASSIFICATION.

1. No person will be appointed to any position in the civil service who shall not have furnished satisfactory evidence of his fidelity to the Union and the Constitution of the United States.

2. The evidence in regard to character, health, age, and knowledge of the English language required by the first rule shall be furnished in writing, and if such evidence shall be satisfactory to the head of the Department in which the appointment is to be made the applicant shall be notified when and where to appear for examination; but when the applicants are so numerous that the examination of all whose preliminary papers are satisfactory is plainly impracticable, the head of the Department shall select for examination a practicable number of those who are apparently best qualified.

3. Examinations to fill vacancies in any of the Executive Departments in Washington shall be held not only at the city of Washington, but also, when directed by the head of the Department in which the vacancy may exist, in the several States, either at the capital or other convenient place.

4. The appointment of persons to be employed exclusively in the secret service of the Government, also of persons to be employed as translators, stenographers, or private secretaries, or to be designated for secret service, to fill vacancies in clerkships in either of the Executive Departments at Washington, may be excepted from the operation of the rules.

5. When a vacancy occurs in a consular office of which the lawful annual compensation is \$3,000 or more, it will be filled, at the discretion of the President, either by the transfer of some person already in the service or by a new appointment, which may be excepted from the operation of the rules. But if the vacancy occur in an office of which the lawful ~~annual~~ compensation, by salary or by fees ascertained by the last official returns, is more than \$1,000 and less than \$3,000, and it is not filled by transfer, applications will be addressed to the Secretary of State, inclosing proper certificates of character, responsibility, and capacity, and the Secretary will notify the applicant who upon investigation appears to be most suitable and competent to attend for examination; and if he shall be found qualified he will be nominated for confirmation, but if not found qualified, or if his nomination be not confirmed by the Senate, the Secretary will proceed in like manner with the other applicants who appear to him to be qualified. If, however, no applicants under this regulation shall be found suitable and qualified, the vacancy will be filled at discretion. The appointment of commercial agents and of consuls whose annual compensation is \$1,000 or less (if derived from fees, the amount to be ascertained by the last official returns), of vice-consuls, deputy consuls, and of consular agents and other officers who are appointed upon the nomination of the principal officer, and for whom he is responsible upon his official bond, may be, until otherwise ordered, excepted from the operation of the rules.

6. When a vacancy occurs in the office of collector of the customs, naval officer, appraiser, or surveyor of the customs in the customs districts of New York, Boston and Charlestown, Baltimore, San Francisco, New Orleans, Philadelphia, Vermont (Burlington), Oswego, Niagara, Buffalo Creek, Champlain, Portland and Falmouth, Corpus Christi, Oswegatchie, Mobile, Brazos de Santiago (Brownsville), Texas (Galveston, etc.), Savannah, Charleston, Chicago, or Detroit, the Secretary of the Treasury shall ascertain if any of the subordinates in the customs districts in which such vacancy occurs are suitable persons qualified to discharge efficiently the duties of the office to be filled; and if such persons be found he shall certify to the President the name or names of those subordinates, not exceeding three, who in his judgment are best qualified for the position, from which the President will make the nomination to fill the vacancy; but if no such subordinate be found qualified, or if the nomination

be not confirmed, the nomination will be made at the discretion of the President. Vacancies occurring in such positions in the customs service in the said districts as are included in the subjoined classification will be filled in accordance with the rules. Appointments to all other positions in the customs service in said districts may be, until otherwise ordered, excepted from the operation of the rules.

7. When a vacancy occurs in the office of collector, appraiser, surveyor, or other chief officer in any customs district not specified in the preceding regulation, applications in writing from any subordinate or subordinates in the customs service of the district, or from other person or persons residing within the said district, may be addressed to the Secretary of the Treasury, inclosing proper certificates of character, responsibility, and capacity; and if any of the subordinates so applying shall be found suitable and qualified, the name or names, not exceeding three, of the best qualified shall be certified by the board of examiners to the Secretary, and from this list the nomination or appointment will be made; but if no such subordinate be found qualified, the said board shall certify to the Secretary the name or names, not exceeding three, of the best qualified among the other applicants, and from this list the nomination or appointment will be made. If, however, no applicants under this regulation shall be found suitable and qualified, the vacancy will be filled at discretion. Appointments to all other positions in the customs service in said districts may be, until otherwise ordered, excepted from the operation of the rules.

8. When a vacancy occurs in the office of postmaster in cities having, according to the census of 1870, a population of 20,000 or more, the Postmaster-General shall ascertain if any of the subordinates in such office are suitable persons qualified to discharge efficiently the duties of postmaster, and if such are found he shall certify to the President the name or names of those subordinates, not exceeding three in number, who in his judgment are best qualified for the position, from which list the President will make the nomination to fill the vacancy; but if no such subordinate be found so qualified, or if the nomination be not confirmed by the Senate, the nomination will be made at the discretion of the President. Vacancies occurring in such positions in the said post-office as are included in the subjoined classification will be filled in accordance with the rules. Appointments to all other positions in the said post-offices may be, until otherwise ordered, excepted from the operation of the rules.

9. When a vacancy occurs in the office of postmaster of a class not otherwise provided for, applications for the position from any subordinate or subordinates in the office, or from other persons residing within the delivery of the office, may be addressed to the Postmaster-General, inclosing proper certificates of character, responsibility, and capacity; and if any of the subordinates so applying shall be found suitable and qualified, the name or names of the best qualified, not exceeding three, shall be certified by the board of examiners to the Postmaster-General, and from them the nomination or appointment shall be made; but if no subordinate be found qualified, the said board shall certify to the Postmaster-General the name or names, not exceeding three, of the best qualified among the other applicants, and from them the nomination or appointment shall be made. If, however, no applicants under this regulation shall be found suitable and qualified, the vacancy will be filled at discretion. Appointments to all other positions in the said post-offices may be, until otherwise ordered, excepted from the operation of the rules.

10. Special agents of the Post-Office Department shall be appointed by the Postmaster-General at discretion from persons already in the postal service, and who shall have served therein for a period of not less than one year immediately preceding the appointment; but if no person within the service shall, in the judgment of the Postmaster-General, be suitable and qualified, the appointment shall be made from all applicants under the rules.

11. Mail-route messengers shall be appointed in the manner provided for the appointment of postmasters whose annual salary is less than \$200.

12. When a vacancy occurs in the office of register or receiver of the land office, or of pension agent, applications in writing from residents in the district in which the

vacancy occurs may be addressed to the Secretary of the Interior, inclosing proper certificates of character, responsibility, and capacity; and if any of the applicants shall be found suitable and qualified, the name or names, not exceeding three, of the best qualified shall be certified by the board of examiners to the Secretary, and from this list the nomination will be made. If, however, no applicants under this regulation shall be found suitable and qualified, the nomination will be made at discretion.

13. When a vacancy occurs in the office of United States marshal, applications in writing from residents in the district in which the vacancy occurs may be addressed to the Attorney-General of the United States, inclosing proper certificates of character, responsibility, and capacity; and if any of the applicants shall be found suitable and qualified, the name or names, not exceeding three, of the best qualified shall be certified by the board of examiners to the Attorney-General, and from this list the nomination will be made. If, however, no applicants under this regulation shall be found suitable and qualified, the nomination will be made at discretion.

14. Appointments to fill vacancies occurring in offices in the several Territories, excepting those of judges of the United States courts, Indian agents, and superintendents, will be made from suitable and qualified persons domiciled in the Territory in which the vacancy occurs, if any such are found.

15. It shall be the duty of the examining board in each of the Departments to report to the Advisory Board such modifications in the rules and regulations as in the judgment of such examining board are required for appointments to certain positions to which, by reason of distance, or of difficult access, or of other sufficient cause, the rules and regulations can not be applied with advantage; and if the reason for such modifications shall be satisfactory to the Advisory Board, said board will recommend them for approval.

16. Nothing in these rules and regulations shall prevent the reappointment at discretion of the incumbents of any office the term of which is fixed by law, and when such reappointment is made no vacancy within the meaning of the rules shall be deemed to have occurred.

17. Appointments to all positions in the civil service not included in the subjoined classification, nor otherwise specially provided for by the rules and regulations, may, until otherwise ordered, be excepted from the operation of the rules.

EXECUTIVE MANSION,
Washington, D. C., May 27, 1872.

SIR: * The President directs me to say that the several Departments of the Government will be closed on the 30th instant, in order to enable the employees of the Government to participate, in connection with the Grand Army of the Republic, in the decoration of the graves of the soldiers who fell during the rebellion.

I am, sir, your obedient servant,

HORACE PORTER, *Secretary.*

DEPARTMENT OF STATE,
Washington, October 11, 1872.

The undersigned is charged by the President with the painful duty of announcing to the people of the United States the death of an illustrious citizen.

William Henry Seward, distinguished for faithful and eminent service in varied public trusts during a long series of years, died at Auburn, in the

* Addressed to the heads of the Executive Departments, etc.

State of New York, yesterday, October 10. Charged with the administration of the Department of State at a most critical period in the history of the nation, Mr. Seward brought to the duties of that office exalted patriotism, unwearied industry, and consummate ability. A grateful nation will cherish his name, his fame, and his memory.

The several Executive Departments will cause appropriate honors to be rendered to the memory of the deceased statesman at home and abroad.

HAMILTON FISH,
Secretary of State.

FOURTH ANNUAL MESSAGE.

EXECUTIVE MANSION, *December 2, 1872.*

To the Senate and House of Representatives:

In transmitting to you this my fourth annual message it is with thankfulness to the Giver of All Good that as a nation we have been blessed for the past year with peace at home, peace abroad, and a general prosperity vouchsafed to but few peoples.

With the exception of the recent devastating fire which swept from the earth with a breath, as it were, millions of accumulated wealth in the city of Boston, there has been no overshadowing calamity within the year to record. It is gratifying to note how, like their fellow-citizens of the city of Chicago under similar circumstances a year earlier, the citizens of Boston are rallying under their misfortunes, and the prospect that their energy and perseverance will overcome all obstacles and show the same prosperity soon that they would had no disaster befallen them. Otherwise we have been free from pestilence, war, and calamities, which often overtake nations; and, as far as human judgment can penetrate the future, no cause seems to exist to threaten our present peace.

When Congress adjourned in June last, a question had been raised by Great Britain, and was then pending, which for a time seriously imperiled the settlement by friendly arbitration of the grave differences between this Government and that of Her Britannic Majesty, which by the treaty of Washington had been referred to the tribunal of arbitration which had met at Geneva, in Switzerland.

The arbitrators, however, disposed of the question which had jeopardized the whole of the treaty and threatened to involve the two nations in most unhappy relations toward each other in a manner entirely satisfactory to this Government and in accordance with the views and the policy which it had maintained.

The tribunal, which had convened at Geneva in December, concluded its laborious session on the 14th day of September last, on which day,

having availed itself of the discretionary power given to it by the treaty to award a sum in gross, it made its decision, whereby it awarded the sum of \$15,500,000 in gold as the indemnity to be paid by Great Britain to the United States for the satisfaction of all the claims referred to its consideration.

This decision happily disposes of a long-standing difference between the two Governments, and, in connection with another award, made by the German Emperor under a reference to him by the same treaty, leaves these two Governments without a shadow upon the friendly relations which it is my sincere hope may forever remain equally unclouded.

The report of the agent of the United States appointed to attend the Geneva tribunal, accompanied by the protocols of the proceedings of the arbitrators, the arguments of the counsel of both Governments, the award of the tribunal, and the opinions given by the several arbitrators, is transmitted herewith.

I have caused to be communicated to the heads of the three friendly powers who complied with the joint request made to them under the treaty the thanks of this Government for the appointment of arbitrators made by them respectively, and also my thanks to the eminent personages named by them, and my appreciation of the dignity, patience, impartiality, and great ability with which they discharged their arduous and high functions.

Her Majesty's Government has communicated to me the appreciation by Her Majesty of the ability and indefatigable industry displayed by Mr. Adams, the arbitrator named on the part of this Government during the protracted inquiries and discussions of the tribunal. I cordially unite with Her Majesty in this appreciation.

It is due to the agent of the United States before the tribunal to record my high appreciation of the marked ability, unwearied patience, and the prudence and discretion with which he has conducted the very responsible and delicate duties committed to him, as it is also due to the learned and eminent counsel who attended the tribunal on the part of this Government to express my sense of the talents and wisdom which they brought to bear in the attainment of the result so happily reached.

It will be the province of Congress to provide for the distribution among those who may be entitled to it of their respective shares of the money to be paid. Although the sum awarded is not payable until a year from the date of the award, it is deemed advisable that no time be lost in making a proper examination of the several cases in which indemnification may be due. I consequently recommend the creation of a board of commissioners for the purpose.

By the thirty-fourth article of the treaty of Washington the respective claims of the United States and of Great Britain in their construction of the treaty of the 15th of June, 1846, defining the boundary line between their respective territories, were submitted to the arbitration and award

of His Majesty the Emperor of Germany, to decide which of those claims is most in accordance with the true interpretation of the treaty of 1846.

His Majesty the Emperor of Germany, having been pleased to undertake the arbitration, has the earnest thanks of this Government and of the people of the United States for the labor, pains, and care which he has devoted to the consideration of this long-pending difference. I have caused an expression of my thanks to be communicated to His Majesty. Mr. Bancroft, the representative of this Government at Berlin, conducted the case and prepared the statement on the part of the United States with the ability that his past services justified the public in expecting at his hands. As a member of the Cabinet at the date of the treaty which has given rise to the discussion between the two Governments, as the minister to Great Britain when the construction now pronounced unfounded was first advanced, and as the agent and representative of the Government to present the case and to receive the award, he has been associated with the question in all of its phases, and in every stage has manifested a patriotic zeal and earnestness in maintenance of the claim of the United States. He is entitled to much credit for the success which has attended the submission.

After a patient investigation of the case and of the statements of each party, His Majesty the Emperor, on the 21st day of October last, signed his award in writing, decreeing that the claim of the Government of the United States, that the boundary line between the territories of Her Britannic Majesty and the United States should be drawn through the Haro Channel, is most in accordance with the true interpretation of the treaty concluded on the 15th of June, 1846, between the Governments of Her Britannic Majesty and of the United States.

Copies of the "case" presented on behalf of each Government, and of the "statement in reply" of each, and a translation of the award, are transmitted herewith.

This award confirms the United States in their claim to the important archipelago of islands lying between the continent and Vancouver's Island, which for more than twenty-six years (ever since the ratification of the treaty) Great Britain has contested, and leaves us, for the first time in the history of the United States as a nation, without a question of disputed boundary between our territory and the possessions of Great Britain on this continent.

It is my grateful duty to acknowledge the prompt, spontaneous action of Her Majesty's Government in giving effect to the award. In anticipation of any request from this Government, and before the reception in the United States of the award signed by the Emperor, Her Majesty had given instructions for the removal of her troops which had been stationed there and for the cessation of all exercise or claim of jurisdiction, so as to leave the United States in the exclusive possession of the lately disputed territory. I am gratified to be able to announce that the orders for

the removal of the troops have been executed, and that the military joint occupation of San Juan has ceased. The islands are now in the exclusive possession of the United States.

It now becomes necessary to complete the survey and determination of that portion of the boundary line (through the Haro Channel) upon which the commission which determined the remaining part of the line were unable to agree. I recommend the appointment of a commission to act jointly with one which may be named by Her Majesty for that purpose.

Experience of the difficulties attending the determination of our admitted line of boundary, after the occupation of the territory and its settlement by those owing allegiance to the respective Governments, points to the importance of establishing, by natural objects or other monuments, the actual line between the territory acquired by purchase from Russia and the adjoining possessions of Her Britannic Majesty. The region is now so sparsely occupied that no conflicting interests of individuals or of jurisdiction are likely to interfere to the delay or embarrassment of the actual location of the line. If deferred until population shall enter and occupy the territory, some trivial contest of neighbors may again array the two Governments in antagonism. I therefore recommend the appointment of a commission, to act jointly with one that may be appointed on the part of Great Britain, to determine the line between our Territory of Alaska and the conterminous possessions of Great Britain.

In ~~my~~ last annual message I recommended the legislation necessary on the part of the United States to bring into operation the articles of the treaty of Washington of May 8, 1871, relating to the fisheries and to other matters touching the relations of the United States toward the British North American possessions, to become operative so soon as the proper legislation should be had on the part of Great Britain and its possessions.

That legislation on the part of Great Britain and its possessions had not then been had, and during the session of Congress a question was raised which for the time raised a doubt whether any action by Congress in the direction indicated would become important. This question has since been disposed of, and I have received notice that the Imperial Parliament and the legislatures of the provincial governments have passed laws to carry the provisions of the treaty on the matters referred to into operation. I therefore recommend your early adoption of the legislation in the same direction necessary on the part of this Government.

The joint commission for determining the boundary line between the United States and the British possessions between the Lake of the Woods and the Rocky Mountains has organized and entered upon its work. It is desirable that the force be increased, in order that the completion of the survey and determination of the line may be the sooner attained. To this end I recommend that a sufficient appropriation be made.

With France, our earliest ally; Russia, the constant and steady friend of the United States; Germany, with whose Government and people we have so many causes of friendship and so many common sympathies; and the other powers of Europe, our relations are maintained on the most friendly terms.

Since my last annual message the exchange has been made of the ratifications of a treaty with the Austro-Hungarian Empire relating to naturalization; also of a treaty with the German Empire respecting consuls and trade-marks; also of a treaty with Sweden and Norway relating to naturalization; all of which treaties have been duly proclaimed.

Congress at its last session having made an appropriation to defray the expense of commissioners on the part of the United States to the International Statistical Congress at St. Petersburg, the persons appointed in that character proceeded to their destination and attended the sessions of the congress. Their report shall in due season be laid before you. This congress meets at intervals of about three years, and has held its sessions in several of the countries of Europe. I submit to your consideration the propriety of extending an invitation to the congress to hold its next meeting in the United States. The Centennial Celebration to be held in 1876 would afford an appropriate occasion for such meeting.

Preparations are making for the international exposition to be held during the next year in Vienna, on a scale of very great magnitude. The tendency of these expositions is in the direction of advanced civilization, and of the elevation of industry and of labor, and of the increase of human happiness, as well as of greater intercourse and good will between nations. As this exposition is to be the first which will have been held in eastern Europe, it is believed that American inventors and manufacturers will be ready to avail themselves of the opportunity for the presentation of their productions if encouraged by proper aid and protection.

At the last session of Congress authority was given for the appointment of one or more agents to represent this Government at the exposition. The authority thus given has been exercised, but, in the absence of any appropriation, there is danger that the important benefits which the occasion offers will in a large degree be lost to citizens of the United States. I commend the subject strongly to your consideration, and recommend that an adequate appropriation be made for the purpose.

To further aid American exhibitors at the Vienna Exposition, I would recommend, in addition to an appropriation of money, that the Secretary of the Navy be authorized to fit up two naval vessels to transport between our Atlantic cities and Trieste, or the most convenient port to Vienna, and back, their articles for exhibition.

Since your last session the President of the Mexican Republic, distinguished by his high character and by his services to his country, has died. His temporary successor has now been elected with great unanimity by

the people—a proof of confidence on their part in his patriotism and wisdom which it is believed will be confirmed by the results of his administration. It is particularly desirable that nothing should be left undone by the Government of either Republic to strengthen their relations as neighbors and friends.

It is much to be regretted that many lawless acts continue to disturb the quiet of the settlements on the border between our territory and that of Mexico, and that complaints of wrongs to American citizens in various parts of the country are made. The revolutionary condition in which the neighboring Republic has so long been involved has in some degree contributed to this disturbance. It is to be hoped that with a more settled rule of order through the Republic, which may be expected from the present Government, the acts of which just complaint is made will cease.

The proceedings of the commission under the convention with Mexico of the 4th of July, 1868, on the subject of claims, have, unfortunately, been checked by an obstacle, for the removal of which measures have been taken by the two Governments which it is believed will prove successful.

The commissioners appointed, pursuant to the joint resolution of Congress of the 7th of May last, to inquire into depredations on the Texan frontier have diligently made investigations in that quarter. Their report upon the subject will be communicated to you. Their researches were necessarily incomplete, partly on account of the limited appropriation made by Congress. Mexico, on the part of that Government, has appointed a similar commission to investigate these outrages. It is not announced officially, but the press of that country states that the fullest investigation is desired, and that the cooperation of all parties concerned is invited to secure that end. I therefore recommend that a special appropriation be made at the earliest day practicable, to enable the commissioners on the part of the United States to return to their labors without delay.

It is with regret that I have again to announce a continuance of the disturbed condition of the island of Cuba. No advance toward the pacification of the discontented part of the population has been made. While the insurrection has gained no advantages and exhibits no more of the elements of power or of the prospects of ultimate success than were exhibited a year ago, Spain, on the other hand, has not succeeded in its repression, and the parties stand apparently in the same relative attitude which they have occupied for a long time past.

This contest has lasted now for more than four years. Were its scene at a distance from our neighborhood, we might be indifferent to its result, although humanity could not be unmoved by many of its incidents wherever they might occur. It is, however, at our door.

I can not doubt that the continued maintenance of slavery in Cuba is among the strongest inducements to the continuance of this strife. A terrible wrong is the natural cause of a terrible evil. The abolition of

slavery and the introduction of other reforms in the administration of government in Cuba could not fail to advance the restoration of peace and order. It is greatly to be hoped that the present liberal Government of Spain will voluntarily adopt this view.

The law of emancipation, which was passed more than two years since, has remained unexecuted in the absence of regulations for its enforcement. It was but a feeble step toward emancipation, but it was the recognition of right, and was hailed as such, and exhibited Spain in harmony with sentiments of humanity and of justice and in sympathy with the other powers of the Christian and civilized world.

Within the past few weeks the regulations for carrying out the law of emancipation have been announced, giving evidence of the sincerity of intention of the present Government to carry into effect the law of 1870. I have not failed to urge the consideration of the wisdom, the policy, and the justice of a more effective system for the abolition of the great evil which oppresses a race and continues a bloody and destructive contest close to our border, as well as the expediency and the justice of conceding reforms of which the propriety is not questioned.

Deeply impressed with the conviction that the continuance of slavery is one of the most active causes of the continuance of the unhappy condition in Cuba, I regret to believe that citizens of the United States, or those claiming to be such, are large holders in Cuba of what is there claimed as property, but which is forbidden and denounced by the laws of the United States. They are thus, in defiance of the spirit of our own laws, contributing to the continuance of this distressing and sickening contest. In my last annual message I referred to this subject, and I again recommend such legislation as may be proper to denounce, and, if not prevent, at least to discourage American citizens from holding or dealing in slaves.

It is gratifying to announce that the ratifications of the convention concluded under the auspices of this Government between Spain on the one part and the allied Republics of the Pacific on the other, providing for an armistice, have been exchanged. A copy of the instrument is herewith submitted. It is hoped that this may be followed by a permanent peace between the same parties.

The differences which at one time threatened the maintenance of peace between Brazil and the Argentine Republic it is hoped are in the way of satisfactory adjustment.

With these States, as with the Republics of Central and of South America, we continue to maintain the most friendly relations.

It is with regret, however, I announce that the Government of Venezuela has made no further payments on account of the awards under the convention of the 25th of April, 1866. That Republic is understood to be now almost, if not quite, tranquilized. It is hoped, therefore, that it will lose no time in providing for the unpaid balance of its debt to the

United States, which, having originated in injuries to our citizens by Venezuelan authorities, and having been acknowledged, pursuant to a treaty, in the most solemn form known among nations, would seem to deserve a preference over debts of a different origin and contracted in a different manner. This subject is again recommended to the attention of Congress for such action as may be deemed proper.

Our treaty relations with Japan remain unchanged. An imposing embassy from that interesting and progressive nation visited this country during the year that is passing, but, being unprovided with powers for the signing of a convention in this country, no conclusion in that direction was reached. It is hoped, however, that the interchange of opinions which took place during their stay in this country has led to a mutual appreciation of the interests which may be promoted when the revision of the existing treaty shall be undertaken.

In this connection I renew my recommendation of one year ago, that—

To give importance to and to add to the efficiency of our diplomatic relations with Japan and China, and to further aid in retaining the good opinion of those peoples, and to secure to the United States its share of the commerce destined to flow between those nations and the balance of the commercial world, an appropriation be made to support at least four American youths in each of those countries, to serve as a part of the official family of our ministers there. Our representatives would not even then be placed upon an equality with the representatives of Great Britain and of some other powers. As now situated, our representatives in Japan and China have to depend for interpreters and translators upon natives of those countries, who know our language imperfectly, or procure for the occasion the services of employees in foreign business houses or the interpreters to other foreign ministers.

I renew the recommendation made on a previous occasion, of the transfer to the Department of the Interior, to which they seem more appropriately to belong, of all the powers and duties in relation to the Territories with which the Department of State is now charged by law or by custom.

Congress from the beginning of the Government has wisely made provision for the relief of distressed seamen in foreign countries. No similar provision, however, has hitherto been made for the relief of citizens in distress abroad other than seamen. It is understood to be customary with other governments to authorize consuls to extend such relief to their citizens or subjects in certain cases. A similar authority and an appropriation to carry it into effect are recommended in the case of citizens of the United States destitute or sick under such circumstances. It is well known that such citizens resort to foreign countries in great numbers. Though most of them are able to bear the expenses incident to locomotion, there are some who, through accident or otherwise, become penniless, and have no friends at home able to succor them. Persons in this situation must either perish, cast themselves upon the charity of foreigners, or be relieved at the private charge of our own officers, who usually, even with the most benevolent dispositions, have nothing to spare for such purposes.

Should the authority and appropriation asked for be granted, care will be taken so to carry the beneficence of Congress into effect that it shall not be unnecessarily or unworthily bestowed.

TREASURY.

The moneys received and covered into the Treasury during the fiscal year ended June 30, 1872, were:

From customs	\$216,370,286.77
From sales of public lands	2,575,714.19
From internal revenue	130,642,177.72
From tax on national-bank circulation, etc.	6,523,396.39
From Pacific railway companies	749,861.87
From customs fines, etc.	1,136,442.34
From fees—consular, patent, land, etc.	2,284,095.92
From miscellaneous sources.	4,412,254.71
 Total ordinary receipts	364,694,229.91
From premium on sales of coin	9,412,637.65
 Total net receipts	374,106,867.56
Balance in Treasury June 30, 1871 (including \$18,228.35 received from "unavailable")	109,935,705.59
 Total available cash	484,042,573.15

The net expenditures by warrants during the same period were:

For civil expenses	\$16,187,059.20
For foreign intercourse	1,839,369.14
For Indians	7,061,728.82
For pensions	28,533,402.76
For military establishment, including fortifications, river and harbor im- provements, and arsenals	35,372,157.20
For naval establishment, including vessels and machinery and im- provements at navy-yards	21,249,809.99
For miscellaneous civil, including public buildings, light-houses, and col- lecting the revenue	42,958,329.08
For interest on the public debt	117,357,839.72
 Total, exclusive of principal and premium on the public debt	270,559,695.91
For premium on bonds purchased	6,958,266.76
For redemption of the public debt	99,960,253.54
 Total net disbursements	106,918,520.30
Balance in Treasury June 30, 1872	377,478,216.21
 Total	106,564,356.94
	484,042,573.15

From the foregoing statement it appears that the net reduction of the principal of the debt during the fiscal year ending June 30, 1872, was \$99,960,253.54.

The source of this reduction is as follows:

Net ordinary receipts during the year	\$364,694,229.91
Net ordinary expenditures, including interest on the public debt	270,559,695.91
 Leaving surplus revenue	94,134,534.00
Add amount received from premium on sales of gold, in excess of the pre- mium paid on bonds purchased	2,454,370.89
Add the amount of the reduction of the cash balance at the close of the year, accompanied with same at commencement of the year	3,371,348.65
 Total	99,960,253.54

This statement treats solely of the principal of the public debt.

By the monthly statement of the public debt, which adds together the principal, interest due and unpaid, and interest accrued to date, not due, and deducts the cash in the Treasury as ascertained on the day of publication, the reduction was \$100,544,491.28.

The source of this reduction is as follows:

Reduction in principal account.....	\$99,960,003.54
Reduction in unpaid-interest account.....	3,330,952.96
	<hr/>
Reduction in cash on hand.....	103,290,956.50
	<hr/>
	2,746,465.22
	<hr/>
	100,544,491.28

On the basis of the last table the statements show a reduction of the public debt from the 1st of March, 1869, to the present time as follows:

From March 1, 1869, to March 1, 1870.....	\$87,134,782.84
From March 1, 1870, to March 1, 1871.....	117,619,630.25
From March 1, 1871, to March 1, 1872.....	94,895,348.94
From March 1, 1872, to November 1, 1872 (eight months).....	64,047,237.84
	<hr/>
Total.....	363,696,999.87

With the great reduction of taxation by the acts of Congress at its last session, the expenditure of the Government in collecting the revenue will be much reduced for the next fiscal year. It is very doubtful, however, whether any further reduction of so vexatious a burden upon any people will be practicable for the present. At all events, as a measure of justice to the holders of the nation's certificates of indebtedness, I would recommend that no more legislation be had on this subject, unless it be to correct errors of omission or commission in the present laws, until sufficient time has elapsed to prove that it can be done and still leave sufficient revenue to meet current expenses of Government, pay interest on the public debt, and provide for the sinking fund established by law. The preservation of our national credit is of the highest importance; next in importance to this comes a solemn duty to provide a national currency of fixed, unvarying value as compared with gold, and as soon as practicable, having due regard for the interests of the debtor class and the vicissitudes of trade and commerce, convertible into gold at par.

WAR DEPARTMENT.

The report of the Secretary of War shows the expenditures of the War Department for the fiscal year ending June 30, 1871, to be \$35,799,991.82, and for the fiscal year ending June 30, 1872, to be \$35,372,157.20, showing a reduction in favor of the last fiscal year of \$427,834.62.

The estimates for military appropriations for the next fiscal year, ending June 30, 1874, are \$33,801,378.78.

The estimates of the Chief of Engineers are submitted separately for fortifications, river and harbor improvements, and for public buildings and grounds and the Washington Aqueduct.

The affairs of the Freedmen's Bureau have all been transferred to the War Department, and regulations have been put into execution for the

speedy payment of bounty, pay, etc., due colored soldiers, properly coming under that Bureau. All war accounts, for money and property, prior to 1871 have been examined and transmitted to the Treasury for final settlement.

During the fiscal year there has been paid for transportation on railroads \$1,300,000, of which \$800,857 was over the Pacific railroads; for transportation by water \$626,373.52, and by stage \$48,975.84; for the purchase of transportation animals, wagons, hire of teamsters, etc., \$924,650.64.

About \$370,000 have been collected from Southern railroads during the year, leaving about \$4,000,000 still due.

The Quartermaster has examined and transmitted to the accounting officers for settlement \$367,172.72 of claims by loyal citizens for quartermaster stores taken during the war.

Subsistence supplies to the amount of \$89,048.12 have been issued to Indians.

The annual average mean strength of the Army was 24,101 white and 2,494 colored soldiers. The total deaths for the year reported were 357 white and 54 colored.

The distribution of the Medical and Surgical History of the War is yet to be ordered by Congress.

There exists an absolute necessity for a medical corps of the full number established by act of Congress of July 28, 1866, there being now fifty-nine vacancies, and the number of successful candidates rarely exceeds eight or ten in any one year.

The river and harbor improvements have been carried on with energy and economy. Though many are only partially completed, the results have saved to commerce many times the amount expended. The increase of commerce, with greater depths of channels, greater security in navigation, and the saving of time, adds millions to the wealth of the country and increases the resources of the Government.

The bridge across the Mississippi River at Rock Island has been completed, and the proper site has been determined upon for the bridge at La Crosse.

The able and exhaustive report made by the commission appointed to investigate the Sutro Tunnel has been transmitted to Congress.

The observations and reports of the Signal Office have been continued. Stations have been maintained at each of the principal lake, seaport, and river cities. Ten additional stations have been established in the United States, and arrangements have been made for an exchange of reports with Canada, and a similar exchange of observations is contemplated with the West India Islands.

The favorable attention of Congress is invited to the following recommendations of the Secretary of War:

A discontinuance of the appointment of extra lieutenants to serve as

adjutants and quartermasters; the adoption of a code providing specific penalties for well-defined offenses, so that the inequality of sentences adjudged by courts-martial may be adjusted; the consolidation of accounts under which expenditures are made, as a measure of economy; a reappropriation of the money for the construction of a depot at San Antonio, the title to the site being now perfected; a special act placing the cemetery at the City of Mexico on the same basis as other national cemeteries; authority to purchase sites for military posts in Texas; the appointment of commissary sergeants from noncommissioned officers, as a measure for securing the better care and protection of supplies; an appropriation for the publication of the catalogue and tables of the anatomical section of the Army Medical Museum; a reappropriation of the amount for the manufacture of breech-loading arms, should the selection be so delayed by the board of officers as to leave the former appropriation unexpended at the close of the fiscal year; the sale of such arsenals east of the Mississippi as can be spared, and the proceeds applied to the establishment of one large arsenal of construction and repair upon the Atlantic Coast and the purchase of a suitable site for a proving and experimental ground for heavy ordnance; the abrogation of laws which deprive inventors in the United States service from deriving any benefit from their inventions; the repeal of the law prohibiting promotions in the staff corps; a continuance of the work upon coast defenses; the repeal of the seventh section of the act of July 13, 1866, taking from engineer-soldiers the per diem granted to other troops; a limitation of time for presentation of old war claims for subsistence supplies under act of July 4, 1864; and a modification in the mode of the selection of cadets for the Military Academy, in order to enhance the usefulness of the Academy, which is impaired by reason of the large amount of time necessarily expended in giving new cadets a thorough knowledge of the more elementary branches of learning, which they should acquire before entering the Academy. Also an appropriation for philosophical apparatus and an increase in the numbers and pay of the Military Academy band.

The attention of Congress will be called during its present session to various enterprises for the more certain and cheaper transportation of the constantly increasing surplus of Western and Southern products to the Atlantic Seaboard. The subject is one that will force itself upon the legislative branch of the Government sooner or later, and I suggest, therefore, that immediate steps be taken to gain all available information to insure equitable and just legislation.

One route to connect the Mississippi Valley with the Atlantic, at Charleston, S. C., and Savannah, Ga., by water, by the way of the Ohio and Tennessee rivers, and canals and slack-water navigation to the Savannah and Ocmulgee rivers, has been surveyed, and report made by an accomplished engineer officer of the Army. Second and third new routes will be proposed for the consideration of Congress; namely, by an

extension of the Kanawha and James River Canal to the Ohio, and by extension of the Chesapeake and Ohio Canal.

I am not prepared to recommend Government aid to these or other enterprises until it is clearly shown that they are not only of national interest, but that when completed they will be of a value commensurate with their cost.

That production increases more rapidly than the means of transportation in our country has been demonstrated by past experience. That the unprecedented growth in population and products of the whole country will require additional facilities—and cheaper ones for the more bulky articles of commerce to reach tide water and a market will be demanded in the near future—is equally demonstrable. I would therefore suggest either a committee or a commission to be authorized to consider this whole question, and to report to Congress at some future day for its better guidance in legislating on this important subject.

The railroads of the country have been rapidly extended during the last few years to meet the growing demands of producers, and reflect much credit upon the capitalists and managers engaged in their construction.

In addition to these, a project to facilitate commerce by the building of a ship canal around Niagara Falls, on the United States side, which has been agitated for many years, will no doubt be called to your attention at this session.

Looking to the great future growth of the country and the increasing demands of commerce, it might be well while on this subject not only to have examined and reported upon the various practicable routes for connecting the Mississippi with tide water on the Atlantic, but the feasibility of an almost continuous landlocked navigation from Maine to the Gulf of Mexico. Such a route along our coast would be of great value at all times, and of inestimable value in case of a foreign war. Nature has provided the greater part of this route, and the obstacles to overcome are easily within the skill of the engineer.

I have not alluded to this subject with the view of having any further expenditure of public money at this time than may be necessary to procure and place all the necessary information before Congress in an authentic form, to enable it hereafter, if deemed practicable and worthy, to legislate on the subject without delay.

NAVY DEPARTMENT.

The report of the Secretary of the Navy herewith accompanying explains fully the condition of that branch of the public service, its wants and deficiencies, expenses incurred during the past year, and appropriations for the same. It also gives a complete history of the services of the Navy for the past year in addition to its regular service.

It is evident that unless early steps are taken to preserve our Navy

in a very few years the United States will be the weakest nation upon the ocean, of all great powers. With an energetic, progressive, business people like ours, penetrating and forming business relations with every part of the known world, a navy strong enough to command the respect of our flag abroad is necessary for the full protection of their rights.

I recommend careful consideration by Congress of the recommendations made by the Secretary of the Navy.

POST-OFFICE DEPARTMENT.

The accompanying report of the Postmaster-General furnishes a full and satisfactory exhibit of the operations of the Post-Office Department during the year. The ordinary revenues of the Department for the fiscal year ending June 30, 1872, amounted to \$21,915,426.37, and the expenditures to \$26,658,192.31. Compared with the previous fiscal year the increase of revenue was \$1,878,330.95, or 9.37 per cent, and the increase of expenditures \$2,268,088.23, or 9.29 per cent. Adding to the ordinary revenues the annual appropriation of \$700,000 for free matter and the amounts paid to the subsidized mail steamship lines from special appropriations, the deficiency paid out of the General Treasury was \$3,317,765.94, an excess of \$389,707.28 over the deficiency for the year 1871.

Other interesting statistical information relating to our rapidly extending postal service is furnished in this report. The total length of railroad mail routes on the 30th of June, 1872, was 57,911 miles, 8,077 additional miles of such service having been put into operation during the year. Eight new lines of railway post-offices have been established, with an aggregate length of 2,909 miles. The number of letters exchanged in the mails with foreign countries was 24,362,500, an increase of 4,066,502, or 20 per cent, over the number in 1871; and the postage thereon amounted to \$1,871,257.25. The total weight of the mails exchanged with European countries exceeded 820 tons. The cost of the United States transatlantic mail steamship service was \$220,301.70. The total cost of the United States ocean steamship service, including the amounts paid to the subsidized lines of mail steamers, was \$1,027,020.97.

The following are the only steamship lines now receiving subsidies for mail service under special acts of Congress: The Pacific Mail Steamship Company receive \$500,000 per annum for conveying a monthly mail between San Francisco, Japan, and China, which will be increased to \$1,000,000 per annum for a semimonthly mail on and after October 1, 1873; the United States and Brazil Mail Steamship Company receive \$150,000 per annum for conveying a monthly mail between New York and Rio de Janeiro, Brazil; and the California, Oregon and Mexican Steamship Company receive \$75,000 per annum for conveying a monthly mail between San Francisco and Honolulu (Hawaiian Islands), making the total amount of mail steamship subsidies at present \$725,000 per annum.

Our postal communications with all parts of the civilized world have been placed upon a most advantageous footing by the improved postal conventions and arrangements recently concluded with the leading commercial countries of Europe and America, and the gratifying statement is made that with the conclusion of a satisfactory convention with France, the details of which have been definitely agreed to by the head of the French postal department, subject to the approval of the minister of finance, little remains to be accomplished by treaty for some time to come with respect either to reduction of rates or improved facilities of postal intercourse.

Your favorable consideration is respectfully invited to the recommendations made by the Postmaster-General for an increase of service from monthly to semimonthly trips on the mail steamship route to Brazil; for a subsidy in aid of the establishment of an American line of mail steamers between San Francisco, New Zealand, and Australia; for the establishment of post-office savings banks, and for the increase of the salaries of the heads of bureaus. I have heretofore recommended the abolition of the franking privilege, and see no reason now for changing my views on that subject. It not having been favorably regarded by ~~Congress~~, however, I now suggest a modification of that privilege to correct its glaring and costly abuses. I would recommend also the appointment of a committee or commission to take into consideration the best method (equitable to private corporations who have invested their time and capital in the establishment of telegraph lines) of acquiring the title to all telegraph lines now in operation, and of connecting this service with the postal service of the nation. It is not probable that this subject could receive the proper consideration during the limits of a short session of Congress, but it may be initiated, so that future action may be fair to the Government and to private parties concerned.

There are but three lines of ocean steamers—namely, the Pacific Mail Steamship Company, between San Francisco, China, and Japan, with provision made for semimonthly service after October 1, 1873; the United States and Brazil line, monthly; and the California, New Zealand, and Australian line, monthly—plying between the United States and foreign ports, and owned and operated under our flag. I earnestly recommend that such liberal contracts for carrying the mails be authorized with these lines as will insure their continuance.

If the expediency of extending the aid of Government to lines of steamers which hitherto have not received it should be deemed worthy of the consideration of Congress, political and commercial objects make it advisable to bestow such aid on a line under our flag between Panama and the western South American ports. By this means much trade now diverted to other countries might be brought to us, to the mutual advantage of this country and those lying in that quarter of the continent of America.

The report of the Secretary of the Treasury will show an alarming falling off in our carrying trade for the last ten or twelve years, and even for the past year. I do not believe that public treasure can be better expended in the interest of the whole people than in trying to recover this trade. An expenditure of \$5,000,000 per annum for the next five years, if it would restore to us our proportion of the carrying trade of the world, would be profitably expended.

The price of labor in Europe has so much enhanced within the last few years that the cost of building and operating ocean steamers in the United States is not so much greater than in Europe; and I believe the time has arrived for Congress to take this subject into serious consideration.

DEPARTMENT OF JUSTICE.

Detailed statements of the disbursements through the Department of Justice will be furnished by the report of the Attorney-General, and though these have been somewhat increased by the recent acts of Congress "to enforce the rights of citizens of the United States to vote in the several States of the Union," and "to enforce the provisions of the fourteenth amendment to the Constitution of the United States," and the amendments thereto, I can not question the necessity and salutary effect of those enactments. Reckless and lawless men, I regret to say, have associated themselves together in some localities to deprive other citizens of those rights guaranteed to them by the Constitution of the United States, and to that end have committed deeds of blood and violence; but the prosecution and punishment of many of these persons have tended greatly to the repression of such disorders. I do not doubt that a great majority of the people in all parts of the country favor the full enjoyment by all classes of persons of those rights to which they are entitled under the Constitution and laws, and I invoke the aid and influence of all good citizens to prevent organizations whose objects are by unlawful means to interfere with those rights. I look with confidence to the time, not far distant, when the obvious advantages of good order and peace will induce an abandonment of all combinations prohibited by the acts referred to, and when it will be unnecessary to carry on prosecutions or inflict punishment to protect citizens from the lawless doings of such combinations.

Applications have been made to me to pardon persons convicted of a violation of said acts, upon the ground that clemency in such cases would tend to tranquilize the public mind, and to test the virtue of that policy I am disposed, as far as my sense of justice will permit, to give to these applications a favorable consideration; but any action thereon is not to be construed as indicating any change in my determination to enforce with vigor such acts so long as the conspiracies and combinations therein named disturb the peace of the country.

It is much to be regretted, and is regretted by no one more than myself, that a necessity has ever existed to execute the "enforcement

act." No one can desire more than I that the necessity of applying it may never again be demanded.

INTERIOR DEPARTMENT.

The Secretary of the Interior reports satisfactory improvement and progress in each of the several bureaus under the control of the Interior Department. They are all in excellent condition. The work which in some of them for some years has been in arrears has been brought down to a recent date, and in all the current business is being promptly dispatched.

INDIANS.

The policy which was adopted at the beginning of this Administration with regard to the management of the Indians has been as successful as its most ardent friends anticipated within so short a time. It has reduced the expense of their management; decreased their forays upon the white settlements; tended to give the largest opportunity for the extension of the great railways through the public domain and the pushing of settlements into more remote districts of the country, and at the same time improved the condition of the Indians. The policy will be maintained without any change excepting such as further experience may show to be necessary to render it more efficient.

The subject of converting the so-called Indian Territory south of Kansas into a home for the Indian, and erecting therein a Territorial form of government, is one of great importance as a complement of the existing Indian policy. The question of removal to that Territory has within the past year been presented to many of the tribes resident upon other and less desirable portions of the public domain, and has generally been received by them with favor. As a preliminary step to the organization of such a Territory, it will be necessary to confine the Indians now resident therein to farms of proper size, which should be secured to them in fee; the residue to be used for the settlement of other friendly Indians. Efforts will be made in the immediate future to induce the removal of as many peaceably disposed Indians to the Indian Territory as can be settled properly without disturbing the harmony of those already there. There is no other location now available where a people who are endeavoring to acquire a knowledge of pastoral and agricultural pursuits can be as well accommodated as upon the unoccupied lands in the Indian Territory. A Territorial government should, however, protect the Indians from the inroads of whites for a term of years, until they become sufficiently advanced in the arts and civilization to guard their own rights, and from the disposal of the lands held by them for the same period.

LANDS.

During the last fiscal year there were disposed of out of the public lands 11,864,975 acres, a quantity greater by 1,099,270 acres than was

disposed of the previous year. Of this amount 1,370,320 acres were sold for cash, 389,460 acres located with military warrants, 4,671,332 acres taken for homesteads, 693,613 acres located with college scrip, 3,554,887 acres granted to railroads, 465,347 acres granted to wagon roads, 714,255 acres given to States as swamp land, 5,760 acres located by Indian scrip. The cash receipts from all sources in the Land Office amounted to \$3,218,100. During the same period 22,016,608 acres of the public lands were surveyed, which, added to the quantity before surveyed, amounts to 583,364,780 acres, leaving 1,257,633,628 acres of the public lands still unsurveyed.

The reports from the subordinates of the Land Office contain interesting information in regard to their respective districts. They uniformly mention the fruitfulness of the soil during the past season and the increased yields of all kinds of produce. Even in those States and Territories where mining is the principal business agricultural products have exceeded the local demand, and liberal shipments have been made to distant points.

PATENTS.

During the year ending September 30, 1872, there were issued from the Patent Office 13,626 patents, 233 extensions, and 556 certificates and registries of trade-marks. During the same time 19,587 applications for patents, including reissues and designs, have been received and 3,100 caveats filed. The fees received during the same period amounted to \$700,954.86, and the total expenditures to \$623,553.90, making the net receipts over the expenditures \$77,400.96.

Since 1836 200,000 applications for patents have been filed and about 133,000 patents issued. The office is being conducted under the same laws and general organization as were adopted at its original inauguration, when only from 100 to 500 applications were made per annum. The Commissioner shows that the office has outgrown the original plan, and that a new organization has become necessary. This subject was presented to Congress in a special communication in February last, with my approval and the approval of the Secretary of the Interior, and the suggestions contained in said communication were embraced in the bill that was reported to the House by the Committee on Patents at the last session. The subject of the reorganization of the Patent Office, as contemplated by the bill referred to, is one of such importance to the industrial interests of the country that I commend it to the attention of Congress.

The Commissioner also treats the subject of the separation of the Patent Office from the Department of the Interior. This subject is also embraced in the bill heretofore referred to. The Commissioner complains of the want of room for the model gallery and for the working force and necessary files of the office. It is impossible to transact the

business of the office properly without more room in which to arrange files and drawings, that must be consulted hourly in the transaction of business. The whole of the Patent Office building will soon be needed, if it is not already, for the accommodation of the business of the Patent Office.

PENSIONS.

The amount paid for pensions in the last fiscal year was \$30,169,340, an amount larger by \$3,708,434 than was paid during the preceding year. Of this amount \$2,313,409 were paid under the act of Congress of February 17, 1871, to survivors of the War of 1812. The annual increase of pensions by the legislation of Congress has more than kept pace with the natural yearly losses from the rolls. The act of Congress of June 8, 1872, has added an estimated amount of \$750,000 per annum to the rolls, without increasing the number of pensioners. We can not, therefore, look for any substantial decrease in the expenditures of this Department for some time to come, or so long as Congress continues to so change the rates of pension.

The whole number of soldiers enlisted in the War of the Rebellion was 2,688,523. The total number of claims for invalid pensions is 176,000, being but 6 per cent of the whole number of enlisted men. The total number of claims on hand at the beginning of the year was 91,689; the number received during the year was 26,574; the number disposed of was 39,178, making a net gain of 12,604. The number of claims now on file is 79,085.

On the 30th of June, 1872, there were on the rolls the names of 95,405 invalid military pensioners, 113,518 widows, orphans, and dependent relatives, making an aggregate of 208,923 army pensioners. At the same time there were on the rolls the names of 1,449 navy pensioners and 1,730 widows, orphans, and dependent relatives, making the whole number of naval pensioners 3,179. There have been received since the passage of the act to provide pensions for the survivors of the War of 1812 36,551 applications, prior to June 30, 1872. Of these there were allowed during the last fiscal year 20,126 claims; 4,845 were rejected during the year, leaving 11,580 claims pending at that date. The number of pensions of all classes granted during the last fiscal year was 33,838. During that period there were dropped from the rolls, for various causes, 9,104 names, leaving a grand total of 232,229 pensioners on the rolls on the 30th of June, 1872.

It is thought that the claims for pensions on account of the War of 1812 will all be disposed of by the 1st of May, 1873. It is estimated that \$30,480,000 will be required for the pension service during the next fiscal year.

THE CENSUS.

The Ninth Census is about completed. Its early completion is a subject of congratulation, inasmuch as the use to be made of the statistics

therein contained depends very greatly on the promptitude of publication.

The Secretary of the Interior recommends that a census be taken in 1875, which recommendation should receive the early attention of Congress. The interval at present established between the Federal census is so long that the information obtained at the decennial period as to the material condition, wants, and resources of the nation is of little practical value after the expiration of the first half of that period. It would probably obviate the constitutional provision regarding the decennial census if a census taken in 1875 should be divested of all political character and no reapportionment of Congressional representation be made under it. Such a census, coming, as it would, in the last year of the first century of our national existence, would furnish a noble monument of the progress of the United States during that century.

EDUCATION.

The rapidly increasing interest in education is a most encouraging feature in the current history of the country, and it is no doubt true that this is due in a great measure to the efforts of the Bureau of Education. That office is continually receiving evidences, which abundantly prove its efficiency, from the various institutions of learning and educators of all kinds throughout the country.

The report of the Commissioner contains a vast amount of educational details of great interest. The bill now pending before Congress, providing for the appropriation of the net proceeds of the sales of public lands for educational purposes, to aid the States in the general education of their rising generation, is a measure of such great importance to our real progress and is so unanimously approved by the leading friends of education that I commend it to the favorable attention of Congress.

TERRITORIES.

Affairs in the Territories are generally satisfactory. The energy and business capacity of the pioneers who are settling up the vast domains not yet incorporated into States are keeping pace in internal improvements and civil government with the older communities. In but one of them (Utah) is the condition of affairs unsatisfactory, except so far as the quiet of the citizen may be disturbed by real or imaginary danger of Indian hostilities. It has seemed to be the policy of the legislature of Utah to evade all responsibility to the Government of the United States, and even to hold a position in hostility to it.

I recommend a careful revision of the present laws of the Territory by Congress, and the enactment of such a law (the one proposed in Congress at its last session, for instance, or something similar to it) as will secure peace, the equality of all citizens before the law, and the ultimate extinguishment of polygamy.

Since the establishment of a Territorial government for the District of Columbia the improvement of the condition of the city of Washington and surroundings and the increased prosperity of the citizens are observable to the most casual visitor. The nation, being a large owner of property in the city, should bear, with the citizens of the District, its just share of the expense of these improvements.

I recommend, therefore, an appropriation to reimburse the citizens for the work done by them along and in front of public grounds during the past year, and liberal appropriations in order that the improvements and embellishments of the public buildings and grounds may keep pace with the improvements made by the Territorial authorities.

AGRICULTURE.

The report of the Commissioner of Agriculture gives a very full and interesting account of the several divisions of that Department—the horticultural, agricultural, statistical, entomological, and chemical—and the benefits conferred by each upon the agricultural interests of the country. The whole report is a complete history, in detail, of the workings of that Department in all its branches, showing the manner in which the farmer, merchant, and miner is informed, and the extent to which he is aided in his pursuits.

The Commissioner makes one recommendation—that measures be taken by Congress to protect and induce the planting of forests—and suggests that no part of the public lands should be disposed of without the condition that one-tenth of it should be reserved in timber where it exists, and where it does not exist inducements should be offered for planting it.

CENTENNIAL CELEBRATION.

In accordance with the terms of the act of Congress approved March 3, 1871, providing for the celebration of the one hundredth anniversary of American independence, a commission has been organized, consisting of two members from each of the States and Territories. This commission has held two sessions, and has made satisfactory progress in the organization and in the initiatory steps necessary for carrying out the provisions of the act, and for executing also the provisions of the act of June 1, 1872, creating a centennial board of finance. A preliminary report of progress has been received from the president of the commission, and is herewith transmitted. It will be the duty of the commission at your coming session to transmit a full report of the progress made, and to lay before you the details relating to the exhibition of American and foreign arts, products, and manufactures, which by the terms of the act is to be held under the auspices of the Government of the United States in the city of Philadelphia in the year 1876.

This celebration will be looked forward to by American citizens with great interest, as marking a century of greater progress and prosperity.

than is recorded in the history of any other nation, and as serving a further good purpose in bringing together on our soil peoples of all the commercial nations of the earth in a manner calculated to insure international good feeling.

CIVIL SERVICE.

An earnest desire has been felt to correct abuses which have grown up in the civil service of the country through the defective method of making appointments to office. Heretofore Federal offices have been regarded too much as the reward of political services. Under authority of Congress rules have been established to regulate the tenure of office and the mode of appointments. It can not be expected that any system of rules can be entirely effective and prove a perfect remedy for the existing evils until they have been thoroughly tested by actual practice and amended according to the requirements of the service. During my term of office it shall be my earnest endeavor to so apply the rules as to secure the greatest possible reform in the civil service of the Government, but it will require the direct action of Congress to render the enforcement of the system binding upon my successors; and I hope that the experience of the past year, together with appropriate legislation by Congress, may reach a satisfactory solution of this question and secure to the public service for all time a practical method of obtaining faithful and efficient officers and employees.

U. S. GRANT.

SPECIAL MESSAGES.

WASHINGTON, December 2, 1872.

To the Senate and House of Representatives:

I transmit herewith a report, dated the 2d instant, received from the Secretary of State, supplementary to the report submitted by him under date of the 8th of November, 1871, with reference to the expenditures authorized by the fourth and fifth paragraphs of the act of March 3, 1871, and by the act of May 18, 1872, making appropriations for the increased expenses and compensation for extraordinary services of certain diplomatic and consular officers of the United States by reason of the late war between France and Prussia. These expenditures have been made on my approval.

U. S. GRANT.

WASHINGTON, December 3, 1872.

To the Senate and House of Representatives:

I transmit herewith to Congress a report, dated the 2d instant, with the accompanying papers,* received from the Secretary of State, in com-

* Report of fees collected, etc., by consular officers of the United States for 1871, and tariff of consular fees.

pliance with the requirements of the eighteenth section of the act entitled "An act to regulate the diplomatic and consular systems of the United States," approved August 18, 1856.

U. S. GRANT.

WASHINGTON, *December 3, 1872.*

To the Senate of the United States:

I transmit to the Senate, for its consideration with a view to ratification, a convention between the United States of America and the United States of Mexico, signed in this city on the 27th ultimo, further extending the time fixed by the convention between the same parties of the 4th of July, 1868, for the duration of the joint commission on the subject of claims.

U. S. GRANT.

WASHINGTON, *December 3, 1872.*

To the Senate of the United States:

I transmit to the Senate, for its consideration with a view to ratification, a treaty between the United States of America and the Republic of Ecuador, providing for the mutual surrender of fugitive criminals, signed at Quito on the 28th of June last.

U. S. GRANT.

WASHINGTON, *December 3, 1872.*

To the Senate of the United States:

I transmit, for the consideration of the Senate with a view to ratification, a convention between the United States and His Majesty the King of Denmark, relating to naturalization.

U. S. GRANT.

WASHINGTON, *December 9, 1872.*

To the Senate of the United States:

In answer to the resolution of the Senate of the 5th instant, I transmit herewith a report* from the Secretary of State.

U. S. GRANT.

EXECUTIVE MANSION, *December 12, 1872.*

To the House of Representatives:

In compliance with section 2 of the act making appropriations for the consular and diplomatic expenses of the Government for the year ended June 30, 1871, and for other purposes, I herewith transmit a report received from the Secretary of the Treasury, giving the name of, the report made by, and the amount paid to the single consular agent of the United States.†

U. S. GRANT.

*Stating that the correspondence relative to the existence of slavery on the coast of Africa and to the action taken by Great Britain and other countries for its suppression was transmitted with the annual message of the President on the 2d instant.

† De B. Randolph Keim.

WASHINGTON, December 16, 1872.

To the Senate and House of Representatives:

I transmit to Congress a report from the Secretary of State, accompanied by that of the commissioners for inquiring into depredations upon the frontier of the State of Texas, appointed pursuant to the joint resolution of the 7th of May last.

U. S. GRANT.

WASHINGTON, January 5, 1873.

To the Senate of the United States:

I transmit, for the consideration of the Senate with a view to ratification, a convention for the surrender of criminals between the United States of America and the Republic of Honduras, which was signed at Comayagua on the 4th day of June, 1873.

U. S. GRANT.

WASHINGTON, January 13, 1873.

To the House of Representatives:

In answer to resolution of the House of Representatives of the 16th of December last, calling for information relative to the condition of affairs in Louisiana, and what, if any, action has been taken in regard thereto, I herewith transmit the report of the Attorney-General and the papers by which it is accompanied.

U. S. GRANT.

WASHINGTON, January 22, 1873.

To the Senate of the United States:

I transmit herewith to the Senate, for its consideration with a view to ratification, an additional article to the treaty between the United States and Her Britannic Majesty of the 8th of May, 1871.

U. S. GRANT.

EXECUTIVE MANSION, January 31, 1873.

To the Senate and House of Representatives:

In compliance with section 2 of the act approved July 11, 1870, entitled "An act making appropriations for the consular and diplomatic expenses of the Government for the year ending June 30, 1871, and for other purposes," I have the honor to submit herewith a letter of the Secretary of the Treasury relative to the consular agent* appointed under authority of said act, together with the amounts paid such agent, and to transmit the report of the said agent upon the consular service of the United States.

U. S. GRANT.

* De B. Randolph Keim.

WASHINGTON, February 8, 1873.

To the House of Representatives:

In answer to the resolution of the House of Representatives of the 29th of January, requesting information in relation to the case of Bernhard Bernstein,* I transmit herewith a report from the Secretary of State upon that subject, with accompanying documents.

U. S. GRANT.

WASHINGTON, February 13, 1873.

To the Senate and House of Representatives:

I transmit herewith a report from the Secretary of State and accompanying papers.†

U. S. GRANT.

EXECUTIVE MANSION, February 14, 1873.

To the Senate and House of Representatives:

I consider it my duty to call the attention of Congress to the condition of affairs in the Territory of Utah, and to the dangers likely to arise if it continues during the coming recess, from a threatened conflict between the Federal and Territorial authorities.

No discussion is necessary in regard to the general policy of Congress respecting the Territories of the United States, and I only wish now to refer to so much of that policy as concerns their judicial affairs and the enforcement of law within their borders.

No material differences are found in respect to these matters in the organic acts of the Territories, but an examination of them will show that it has been the invariable policy of Congress to place and keep their civil and criminal jurisdiction, with certain limited exceptions, in the hands of persons nominated by the President and confirmed by the Senate, and that the general administration of justice should be as prescribed by Congressional enactment. Sometimes the power given to the Territorial legislatures has been somewhat larger and sometimes somewhat smaller than the powers generally conferred. Never, however, have powers been given to a Territorial legislature inconsistent with the idea that the general judicature of the Territory was to be under the direct supervision of the National Government.

Accordingly, the organic law creating the Territory of Utah, passed September 9, 1850, provided for the appointment of a supreme court, the judges of which are judges of the district courts, a clerk, marshal, and an attorney, and to these Federal officers is confided jurisdiction in all important matters; but, as decided recently by the Supreme Court, the

* Claim against Russia for illegal arrest and imprisonment.

† Report of the United States commissioner to the International Penitentiary Congress of London, and appendix containing summary of proceedings of the National Prison Congress of Baltimore.

act requires jurors to serve in these courts to be selected in such manner as the Territorial legislature sees fit to prescribe. It has undoubtedly been the desire of Congress, so far as the same might be compatible with the supervisory control of the Territorial government, to leave the minor details connected with the administration of law to regulation by local authority; but such a desire ought not to govern when the effect will be, owing to the peculiar circumstances of the case, to produce a conflict between the Federal and the Territorial authorities, or to impede the enforcement of law, or in any way to endanger the peace and good order of the Territory.

Evidently it was never intended to intrust the Territorial legislature with power which would enable it, by creating judicatures of its own or increasing the jurisdiction of courts appointed by Territorial authority, although recognized by Congress, to take the administration of the law out of the hands of the judges appointed by the President or to interfere with their action.

Several years of unhappy experience make it apparent that in both of these respects the Territory of Utah requires special legislation by Congress.

Public opinion in that Territory, produced by circumstances too notorious to require further notice, makes it necessary, in my opinion, in order to prevent the miscarriage of justice and to maintain the supremacy of the laws of the United States and of the Federal Government, to provide that the selection of grand and petit jurors for the district courts, if not put under the control of Federal officers, shall be placed in the hands of persons entirely independent of those who are determined not to enforce any act of Congress obnoxious to them, and also to pass some act which shall deprive the probate courts, or any court created by the Territorial legislature, of any power to interfere with or impede the action of the courts held by the United States judges.

I am convinced that so long as Congress leaves the selection of jurors to the local authorities it will be futile to make any effort to enforce laws not acceptable to a majority of the people of the Territory, or which interfere with local prejudices or provide for the punishment of polygamy or any of its affiliated vices or crimes.

I presume that Congress, in passing upon the subject, will provide all reasonable and proper safeguards to secure honest and impartial jurors, whose verdicts will command confidence and be a guaranty of equal protection to all good and law-abiding citizens, and at the same time make it understood that crime can not be committed with impunity.

I have before said that while the laws creating the several Territories have generally contained uniform provisions in respect to the judiciary, yet Congress has occasionally varied these provisions in minor details, as the circumstances of the Territory affected seemed to demand; and in creating the Territory of Utah Congress evidently thought that circumstances

there might require judicial remedies not necessary in other Territories, for by section 9 of the act creating that Territory it is provided that a writ of error may be brought from the decision of any judge of the supreme or district court of the Territory to the Supreme Court of the United States upon any writ of *habeas corpus* involving the question of personal freedom—a provision never inserted in any other Territorial act except that creating the Territory of New Mexico.

This extraordinary provision shows that Congress intended to mold the organic law to the peculiar necessities of the Territory, and the legislation which I now recommend is in full harmony with the precedent thus established.

I am advised that United States courts in Utah have been greatly embarrassed by the action of the Territorial legislature in conferring criminal jurisdiction and the power to issue writs of *habeas corpus* on the probate courts in the Territory, and by their consequent interference with the administration of justice. Manifestly the legislature of the Territory can not give to any court whatever the power to discharge by *habeas corpus* persons held by or under process from the courts created by Congress, but complaint is made that persons so held have been discharged in that way by the probate courts. I can not doubt that Congress will agree with me that such a state of things ought not longer to be tolerated, and that no class of persons anywhere should be allowed to treat the laws of the United States with open defiance and contempt.

Apprehensions are entertained that if Congress adjourns without any action upon this subject turbulence and disorder will follow, rendering military interference necessary—a result I should greatly deprecate; and in view of this and other obvious considerations, I earnestly recommend that Congress, at the present session, pass some act which will enable the district courts of Utah to proceed with independence and efficiency in the administration of law and justice.

U. S. GRANT.

WASHINGTON, February 17, 1873.

To the Senate of the United States:

In answer to a resolution of the Senate of the 14th instant, adopted in executive session, requiring of the Secretary of State information touching the business before the late mixed commission on claims under the convention with Mexico, I transmit a report from the Secretary of State and the papers by which it was accompanied.

U. S. GRANT.

WASHINGTON, February 24, 1873.

To the Senate and House of Representatives:

In my annual message to Congress at the opening of the second session of the present Congress, in December, 1871, I recommended the legislation

necessary on the part of the United States to bring into operation the articles of the treaty of Washington of May 8, 1871, relative to the fisheries and to other matters touching the relations of the United States toward the British North American possessions, to become operative so soon as the proper legislation should be had on the part of Great Britain and its possessions. That legislation on the part of Great Britain and its possessions had not then been had.

Having, prior to the meeting of Congress in December last, received official information of the consideration by Great Britain and its possessions of the legislation necessary on their part to bring those articles into operation, I communicated that fact to Congress in my annual message at the opening of the present session, and renewed the recommendation for your early adoption of the legislation in the same direction necessary on the part of this Government.

The near approach of the end of the session induces me again to urgently call your attention to the importance of this legislation on the part of Congress.

It will be remembered that the treaty of Washington resulted from an overture on the part of Great Britain to treat with reference to the fisheries on the coast of Her Majesty's possessions in North America and other questions between them affecting the relations of the United States toward these possessions. To this overture a reply was made on the part of this Government that while appreciating the importance of a friendly and complete understanding between the two Governments with reference to the subject specially suggested by the British Government, it was thought that the removal of the differences growing out of what were generically known as the Alabama claims was essential to the restoration of cordial and amicable relations between the two Governments, and the assent of this Government to treat on the subject of the fisheries was made dependent on the assent of Great Britain to allow the joint commission which it had prepared on the questions suggested by that Government to treat also and settle the differences growing out of the Alabama claims.

Great Britain assented to this, and the treaty of Washington proposed a settlement of both classes of questions.

Those relating to the Alabama claims and to the northwestern water boundary, commonly known as the San Juan question, have been disposed of in pursuance of the terms of the treaty.

Those relating to the fisheries were made by the terms of the treaty to depend upon the legislation which the constitutions of the respective Governments made necessary to carry those provisions into effect.

Great Britain and her possessions have on their part enacted the necessary legislation.

This Government is now enjoying the advantages of those provisions of the treaty which were the result of the condition of its assent to treat upon the questions which Great Britain had submitted.

The tribunal at Geneva has made an award in favor of the United States on the Alabama claims, and His Majesty the Emperor of Germany has decided in favor of the contention of the United States on the north-western boundary line.

I can not urge too strongly the importance of your early consideration of the legislation that may be necessary on the part of this Government.

In addition to the claim that Great Britain may have upon the good faith of this Government to consider the legislation necessary in connection with the questions which that Government presented as the subject of a negotiation which has resulted so favorably to this Government upon the other questions in which the United States felt so much interest, it is of importance that the rights of the American fishermen, as provided for under the treaty, should be determined before the now approaching fishing season opens, and that the serious difficulties to the fishing interests and the grave questions between the two Governments that may arise therefrom be averted.

U. S. GRANT.

EXECUTIVE MANSION, *February 25, 1873.*

To the Senate and House of Representatives:

Your attention is respectfully invited to the condition of affairs in the State of Louisiana.

Grave complications have grown out of the election there on the 6th of November last, chiefly attributable, it is believed, to an organized attempt on the part of those controlling the election officers and returns to defeat in that election the will of a majority of the electors of the State. Different persons are claiming the executive offices, two bodies are claiming to be the legislative assembly of the State, and the confusion and uncertainty produced in this way fall with paralyzing effect upon all its interests.

Controversy arose as soon as the election occurred over its proceedings and results, but I declined to interfere until suit involving this controversy to some extent was brought in the circuit court of the United States under and by virtue of the act of May 31, 1870, entitled "An act to enforce the right of citizens of the United States to vote in the several States of the Union, and for other purposes."

Finding that resistance was made to judicial process in that suit, without any opportunity, and, in my judgment, without any right, to review the judgment of the court upon the jurisdictional or other questions arising in the case, I directed the United States marshal to enforce such process and to use, if necessary, troops for that purpose, in accordance with the thirteenth section of said act, which provides that "it shall be lawful for the President of the United States to employ such part of the land or naval forces of the United States or of the militia as

shall be necessary to aid in the execution of judicial process under this act."

Two bodies of persons claimed to be the returning board for the State, and the circuit court in that case decided that the one to which Lynch belonged, usually designated by his name, was the lawful returning board; and this decision has been repeatedly affirmed by the district and supreme courts of the State. Having no opportunity or power to canvass the votes, and the exigencies of the case demanding an immediate decision, I conceived it to be my duty to recognize those persons as elected who received and held their credentials to office from what then appeared to me to be, and has since been decided by the supreme court of the State to be, the legal returning board.

Conformably to the decisions of this board, a full set of State officers has been installed and a legislative assembly organized, constituting, if not a *de jure*, at least a *de facto* government, which, since some time in December last, has had possession of the offices and been exercising the usual powers of government; but opposed to this has been another government claiming to control the affairs of the State, and which has to some extent been *pro forma* organized.

Recent investigation into said election has developed so many frauds and forgeries as to make it doubtful what candidates received a majority of the votes actually cast, and in view of these facts a variety of action has been proposed. I have no specific recommendation to make upon the subject, but if there is any practicable way of removing these difficulties by legislation, then I earnestly request that such action may be taken at the present session of Congress.

It seems advisable that I should state now what course I shall feel bound to pursue in reference to the matter in the event of no action by Congress at this time. Subject to any satisfactory arrangement that may be made by the parties to the controversy, which of all things is the most desirable, it will be my duty, so far as it may be necessary for me to act, to adhere to that government heretofore recognized by me. To judge of the election and qualifications of its members is the exclusive province of the Senate, as it is also the exclusive province of the House to judge of the election and qualifications of its members; but as to State offices, filled and held under State laws, the decisions of the State judicial tribunals, it seems to me, ought to be respected.

I am extremely anxious to avoid any appearance of undue interference in State affairs, and if Congress differs from me as to what ought to be done I respectfully urge its immediate decision to that effect; otherwise I shall feel obliged, as far as I can by the exercise of legitimate authority, to put an end to the unhappy controversy which disturbs the peace and prostrates the business of Louisiana, by the recognition and support of that government which is recognized and upheld by the courts of the State.

U. S. GRANT.

VETO MESSAGES.

EXECUTIVE MANSION, *January 6, 1873.**To the House of Representatives:*

I return herewith, for the further consideration of Congress, House bill No. 2291, entitled "An act for the relief of Edmund Jussen," to which I have not appended my approval, for the following reasons:

The bill directs the accounting officers to transfer from Mr. Jussen's account to that of his successor all indebtedness arising from the loss or destruction or nontaking of warehouse bonds on certain spirits destroyed by fire. This provision would be wholly ineffective in so far as it proposes to increase the liability of Mr. Jussen's successor, he having been appointed subsequently to the destruction of the spirits. It might operate to relieve Mr. Jussen, but it seems probable that he is already relieved by the act of May 27, 1872, passed since the introduction of this bill. That act provides for the rebatement of taxes on distilled spirits destroyed by fire, except in cases where the owners of such spirits may be indemnified against tax by a valid claim of insurance. The relief of the taxpayers of course includes the relief of collectors from liability caused by failure to take bonds. It does not appear whether there was any insurance in this case. If not, the applicant is already relieved; but if there was an insurance the effect of this bill, if it became a law, might be to except Mr. Jussen from the operation of the general rule established by the proviso of the act of May 27, 1872. If such exception be proper, it should not be confined to an individual case, but extended to all. If there was an insurance, this bill would relieve Mr. Jussen from the liability with which it is very doubtful if his successor could be legally charged, or with which he ought to be charged.

U. S. GRANT.

EXECUTIVE MANSION, *January 22, 1873.*

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

SIR: I herewith return to the House of Representatives, in which it originated, H. R. No. 630, entitled "An act in relation to new trials in the Court of Claims," without my approval.

The object of the bill is to reduce from two years to six months the time in which a new trial, upon motion of the United States, may be granted in the Court of Claims.

Great difficulties are now experienced in contesting fraudulent and unjust claims against the Government prosecuted in said court, and the effect of this bill, if it becomes a law, will be to increase those difficulties. Persons sue in this court generally with the advantage of a personal knowledge of the circumstances of the case, and are prompted by personal interest to activity in its preparation for trial, which consists

sometimes in the production of false testimony and the suppression of the truth, while the United States are dependent for defense upon such inquiries as the officers of the Government, generally strangers to the transaction, are enabled to make, not infrequently in remote parts of the country and among those not averse to depredations upon the National Treasury. Instances have occurred where the existing opportunities for a new trial have enabled the Government to discover and defeat claims that ought not to have been allowed, after judgments thereon had been rendered by the Court of Claims.

By referring to the act which it is proposed to modify it will be seen that the payment of judgments recovered is not necessarily suspended for two years; but where the proofs are doubtful or suspicious the Government may appeal to the Supreme Court, and in the meantime may avail itself of any discovery or revelation of new evidence touching the facts of the case.

I fail to see the necessity or advantages of the proposed change in the law, and whatever may be the purposes of the bill, its effect, if passed, I am apprehensive will be to facilitate the prosecution of fraudulent claims against the United States. Believing that justice can and will be done to honest claimants in the Court of Claims as the law now stands, and believing also that the proposed change in the law will remove a valuable safeguard to the Treasury, I must for these reasons respectfully withhold my assent to the bill.

U. S. GRANT.

EXECUTIVE MANSION, January 29, 1873.

To the Senate of the United States:

I have the honor to return herewith Senate bill No. 490, entitled "An act for the relief of the East Tennessee University," without my approval.

This claim, for which \$18,500 are appropriated out of the moneys of the United States, arises in part for the destruction of property by troops in time of war, and therefore the same objections attach to it as were expressed in my message of June 1, 1872, returning the Senate bill awarding \$25,000 to J. Milton Best.

If the precedent is once established that the Government is liable for the ravages of war, the end of demands upon the public Treasury can not be forecast.

The loyalty of the people of the section in which the university is located, under circumstances of personal danger and trials, thus entitling them to the most favorable construction of the obligation of the Government toward them, is admitted, and nothing but regard for my duty to the whole people, in opposing a principle which, if allowed, will entail greater burdens upon the whole than the relief which will be afforded to a part by allowing this bill to become a law, could induce me to return it with objections.

Recognizing the claims of these citizens to sympathy and the most favorable consideration of their claims by the Government, I would heartily favor a donation of the amount appropriated by this bill for their relief.

U. S. GRANT.

WASHINGTON, February 8, 1873.

To the House of Representatives:

I have the honor to return herewith House bill (H. R. 2852) entitled "An act for the relief of James A. McCullah, late collector of the fifth district of Missouri," without my approval, for the following reasons:

It is provided in section 34 of the act of June 30, 1864, as amended by the act of July 13, 1866, that it shall be proved to the satisfaction of the Commissioner of Internal Revenue that due diligence was used by the collector, who shall certify the facts to the First Comptroller. This bill, should it become a law, clearly excuses Mr. McCullah, late collector, from showing that he used due diligence for the collection of the tax in question while the lists remained in his hands.

U. S. GRANT.

EXECUTIVE MANSION, February 11, 1873.

To the Senate of the United States:

I return herewith without my approval Senate bill No. 161, entitled "An act for the relief of those suffering from the destruction of salt works near Manchester, Ky., pursuant to the order of Major-General Carlos Buell."

All the objections made by me to the bill for the relief of J. Milton Best, and also of the East Tennessee University, apply with equal force to this bill.

According to the official report of Brigadier-General Craft, by whose immediate command the property in question was destroyed, there was a large rebel force in the neighborhood, who were using the salt works and had carried away a considerable quantity of salt, and were preparing to take more as soon as the necessary transportation could be procured; and he further states "that the leaders of the rebellion calculated upon their supply of salt to come from these works," and that in his opinion their destruction was a military necessity. I understand him to say, in effect, that the salt works were captured from the rebels; that it was impracticable to hold them, and that they were demolished so as to be of no further use to the enemy.

I can not agree that the owners of property destroyed under such circumstances are entitled to compensation therefor from the United States. Whatever other view may be taken of the subject, it is incontrovertible that these salt works were destroyed by the Union Army while engaged in regular military operations, and that the sole object of their destruction was to weaken, cripple, or defeat the armies of the so-called Southern Confederacy.

I am greatly apprehensive that the allowance of this claim could and would be construed into the recognition of a principle binding the United States to pay for all property which their military forces destroyed in the late war for the Union. No liability by the Government to pay for property destroyed by the Union forces in conducting a battle or siege has yet been claimed, but the precedent proposed by this bill leads directly and strongly in that direction, for it is difficult upon any ground of reason or justice to distinguish between a case of that kind and the one under consideration. Had General Craft and his command destroyed the salt works by shelling out the enemy found in their actual occupancy, the case would not have been different in principle from the one presented in this bill. What possible difference can it make in the rights of owners or the obligations of the Government whether the destruction was in driving the enemy out or in keeping them out of the possession of the salt works?

This bill does not present a case where private property is taken for public use in any sense of the Constitution. It was not taken from the owners, but from the enemy; and it was not then used by the Government, but destroyed. Its destruction was one of the casualties of war, and, though not happening in actual conflict, was perhaps as disastrous to the rebels as would have been a victory in battle.

Owners of property destroyed to prevent the spread of a conflagration, as a general rule, are not entitled to compensation therefor; and for reasons equally strong the necessary destruction of property found in the hands of the public enemy, and constituting a part of their military supplies, does not entitle the owner to indemnity from the Government for damages to him in that way.

I fully appreciate the hardship of the case, and would be glad if my convictions of duty allowed me to join in the proposed relief; but I can not consent to the doctrine which is found in this bill, as it seems to me, by which the National Treasury is exposed to all claims for property injured or destroyed by the armies of the United States in the late protracted and destructive war in this country.

U. S. GRANT.

PROCLAMATION.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas objects of interest to the United States require that the Senate should be convened at 12 o'clock on the 4th of March next, to receive and act upon such communications as may be made to it on the part of the Executive:

Now, therefore, I, Ulysses S. Grant, President of the United States,