

REPORT OF THE SECRETARY OF THE INTERIOR.

DEPARTMENT OF THE INTERIOR,
December 2, 1858.

SIR : In the administration of the Interior Department, there is no subject of greater magnitude or of deeper interest to the people of the United States, than that of the public lands. Our system of disposing of them is the most just and equal, and, at the same time, the most conducive to their rapid settlement and reclamation from a wild and unproductive state, that has ever been devised by any government which has possessed extensive tracts of uncultivated land. It is a system peculiar to the United States, and is based upon the simple but just principle, that, as the public domain is the property of the people of all the States collectively, any individual desiring to appropriate to himself any particular portion of it, is allowed to do so by paying into the common treasury a moderate consideration.

Large grants have been made by Congress, from time to time, to several of the States, of portions of the public lands lying within their respective limits, to be applied to public uses. The principle on which this has been justified is, that, as a landed proprietor, the United States receives full remuneration for the grants, in the enhanced value and more ready sale of the residue of the public lands, resulting from the execution of the respective trusts by the several States.

With but few exceptions, grants have never been made to individuals, except as a remuneration for meritorious services, or for the public benefit.

In our earlier legislation provision was made for passing the title to individuals for limited quantities of land; embracing their improvements, when their only claim of title was possession or settlement at or prior to certain dates. This policy, which grew out of the peculiar condition of French, Spanish, and British settlements, was but temporary, applicable to certain circumstances, and regarded as a measure of justice, and for quieting titles, rather than as a donation of lands.

In Florida, however, and in the Territories of Oregon, Washington, and New Mexico, not only was provision made for the allowance of the claims of settlers, who were then upon the public lands, without the payment of a consideration, but donation grants were offered to persons who should emigrate and settle within specified periods of time. Such donations, though inuring to individuals, were made as a means of public defence, and were believed to be well calculated to promote the military strength of distant settlements exposed to the hostile attacks and predatory visits of Indian tribes; but, as a measure of public policy, it has proved fallacious, and ought not to be renewed. These proffered donations have always been coupled with the condition

of actual settlement and occupancy for a period of not less than four years; and the rights and benefits accruing therefrom, though not alienable by the settler, have been secured to his heirs in case of his death. On account of the length of residence required, and the other conditions imposed on claimants, the result thus far has been, that complications have arisen in determining titles, and in those complications and consequent delays the titles to the adjacent lands have been involved.

The enterprise and fondness for change which characterize the frontiersman, too often make him impatient of so long a residence before enjoying the absolute control of his settlement, and an improvident forfeiture of his claim is frequently incurred.

Wherever the pre-emption laws are available as a means of securing homes, the settlers will generally prefer to pay for their lands, and complete their titles at once, rather than wait for years, and then obtain their patents without the payment of any consideration. This is made evident by the fact that Congress has been constrained, from a sense of justice to those who have sought to avail themselves of the benefit of the several donation acts, to pass laws for their relief, substituting payments in cash in lieu of further continued residence.

As an apt illustration of these views, I will refer to the practical working of the donation system in the State of Florida. The grant of land under the act for the armed occupation of Florida, approved August 4, 1842, was limited to two hundred thousand acres. The eagerness of settlers to avail themselves of the benefits of this grant is shown by the issuance of one thousand three hundred and twenty-one permits for one hundred and sixty acres each, which amounted in the aggregate to two hundred and eleven thousand three hundred and sixty acres.

In the year 1844, a supplemental act was passed, substituting cash payments for the condition of continued residence; and under the original and supplemental acts only one hundred and sixteen claims have been finally approved and patented, amounting to eighteen thousand five hundred and sixty acres.

On the 1st of July, 1848, another act was passed for the relief of those to whom permits had been granted, dispensing with continued residence on the specific tract. This act required the employment of an agent for the adjustment of this class of cases, and it appears that two hundred and eighty-three claims under it were approved and patented, amounting to forty-five thousand two hundred and eighty acres. There still remain fifty-seven claims suspended for various causes, amounting to nine thousand one hundred and twenty acres—and few, if any, of these will ever be carried into patent—whilst there are eight hundred and sixty-five claims which have been absolutely forfeited and cancelled, amounting to one hundred and thirty-eight thousand four hundred acres. From the foregoing statement it will be perceived that only about one-twelfth of the whole area proposed to be granted has been secured finally to claimants under the acts of 1842 and 1844, (and a small portion of this was paid for;) that not one-fourth has been finally secured under the relieving act of 1848, and that more than two-thirds has been wholly forfeited.

I have no hesitancy therefore in expressing the opinion that a system of donations of this character, while it is not called for by the *bona fide* settler, is unwise, unjust, unequal, and fraught with mischief. It has embarrassed communities and retarded rather than accelerated settlements.

Under our system of public sales and pre-emption rights, settlements have been made on a secure and permanent basis. The tide of emigration has rolled westward from the Atlantic coast, driving the Indian before it, and leaving in its rear flourishing States and prosperous communities, till it has now reached the heart of the continent; while from the shores of the Pacific, for several years past, the enterprising pioneer has been on his steady march eastward, exploring unknown territory, and bringing to light the rich mine and the prolific soil which the industrious settler will soon occupy and improve.

The system yielding these results has been the work of enlightened legislation, extending through half a century. It is peculiarly adapted to the wants and characteristics of our people. It lies at the foundation of our rapid progress as a nation, has developed our physical resources, and, in my opinion, needs no material change.

The report of the Commissioner of the General Land Office, which accompanies this communication, shows the scope and magnitude of this branch of the public service, and demonstrates the promptness and energy with which its operations have been conducted.

During the fiscal year ending June 30, 1858, there have been disposed of to individuals 9,607,058.46 acres of the public lands, of which 3,804,908 acres were sold for cash, yielding \$2,116,768; and 5,802,153 acres were located with military bounty land warrants.

Of the quantity sold for cash 817,529.35 acres were sold at and above one dollar and twenty-five cents per acre, and yielded \$1,150,166.73; whilst 2,987,397.11 acres were sold at graduated prices, for which the sum of \$966,601.29 was received into the treasury.

These figures show a greater diminution of cash receipts from the sales of public lands than was anticipated. But the condition of the people in the frontier States and Territories was such, that to bring lands heretofore unoffered into market during the past summer was deemed oppressive to the settlers thereon. The crops had, for the most part, failed. In some localities sickness, and in others floods, had occasioned losses and distress, whilst the scarcity of money was everywhere prevalent and paralyzing. But as a longer postponement of the sales, it is believed, would be prejudicial to the welfare and prosperity of the respective communities, and as a liberal indulgence has already been afforded to the settlers upon unoffered lands, it is contemplated to bring into open market several millions of acres during the ensuing year.

The lands which have been sold and located during the year were, in the main, for actual settlement or cultivation.

On the 30th September, 1858, the quantity of surveyed lands ready to be brought into market was 61,951,049 acres; and there were then subject to sale at private entry, at all the land offices, over 80,000,000 acres.

Under the various acts of Congress, of 1847, 1850, 1852, and 1855,

there have been issued 516,768 military bounty land warrants, requiring 55,731,890 acres of the public domain to satisfy them. Of these, 416,632 had been located, to the 30th September last, on 44,238,030 acres of land, leaving outstanding 100,136 warrants, calling for 11,493,860 acres of land.

The report of the Commissioner of the General Land Office exhibits the progress now being made in the several surveying districts, in the preparation of other and additional lands for sale; and it may be confidently expected that during the next calendar year the receipts from the sales of public lands, and the quantities sold and located will be greatly increased. It is estimated that, without some detrimental change in our system, the income from this source will reach at least five millions of dollars.

By the act of Congress of March 2, 1849, and September 28, 1850, those swamp and overflowed lands in the several States in the Union, made thereby unfit for cultivation, which remained unsold, were granted to the States, respectively, to enable said States to reclaim all the swamp and overflowed lands within their limits.

The aggregate quantity of land selected and reported to the 30th of September last, as inuring to the States under these grants, is 55,129,492.13 acres; of which there have been approved and certified to said States, under the act of 1849, 7,379,994.23 acres, and under the act of 1850, 33,543,187.38 acres; making an aggregate of 40,923,181.61 acres.

Patents have been issued under the act of 1850 for 28,716,834.11 acres; and if to this quantity we add the 7,379,994.23 acres embraced in certificates issued under the act of 1849, which have the same effect as a patent, we shall have an aggregate of 36,096,828.34 acres, for which a complete title has passed to the States.

These munificent grants, if wisely applied by the respective States, will enable them to reclaim and open to settlement and cultivation the most fertile lands lying in the valley of the Mississippi, which, had they been retained by the United States, and left in their natural condition, would have retarded the growth of the country for an indefinite time, being unavailable for production, and a fruitful cause of disease and death.

During the 34th Congress several acts were passed making grants of public lands to the States of Iowa, Alabama, Florida, Louisiana, Wisconsin, Michigan, Mississippi, and Minnesota, to aid in the construction of certain railroads within these States, respectively.

These grants were made in 1856, principally; and about the time of the passage of the various laws, appeals were made to this department to close the local land offices, and withdraw from market the public lands which, it was supposed, would be likely to fall within fifteen miles of the proposed roads. This request was acceded to, and when I took charge of the Department of the Interior, I found a very large amount of lands in the States mentioned thus withheld from sale and settlement. The grants made by Congress to States, so far as accepted, have been transferred by them to railroad companies. Desirous of allowing the companies every reasonable facility in availing themselves of the full benefit of the bounty of Congress, yet believ-

ing the continued withdrawal of the lands from market for any great period of time would operate injuriously upon other interests in those States, notice was given that a reasonable time would be allowed the companies to locate the routes definitely, and in the event of their failure to do so, the suspension of the lands would be removed.

The length of the railroads provided for, under the legislation of the 34th Congress, in the several States mentioned, so far as the grants therefor have been accepted, is, as ascertained partly by estimate, 4,649½ miles, and the quantity of land which will pass to the companies, 11,789,687 acres.

Of the lands which had been withdrawn from market, more than 18,590,000 acres have been restored since March 3, 1857, and it is expected that additional quantities will be restored early in the year 1859.

It is now satisfactorily ascertained that mines of the precious metals are to be found in the Territories of Washington, Oregon, New Mexico, and Kansas, and the time has arrived for the government of the United States to adopt some definite policy as to its mineral lands. Under the act of March 3, 1853, providing for the survey of the public lands in California, the surveyor general is prohibited from laying off, by subdivisional lines, those townships of land which are mineral.

The several laws securing the right of pre-emption to actual settlers specially provide that this right shall not attach to mineral lands, and when mineral lands have been sold special provisions have been made for the disposal of them. The question presented is, shall these mineral lands be forever withheld from market, and kept open for all persons who may desire to work them and gather their rich products, or shall they, like agricultural lands, be surveyed and sold, and thus pass into the ownership of individuals? This question is interesting and of great moment; and I submit whether it would not be a wise and sound policy at this time to pass a general law reserving all auriferous, silver, and cinnabar mines—the precious metals—from sale, for the use and occupancy of the people of the United States, under such regulations as Congress may prescribe, and leaving those lands containing copper, iron, lead and coal—the useful minerals—subject to the ordinary laws of settlement and sale for their development. The extent of these defies estimate, and gives assurance to our people, in the future, of unbounded wealth.

Peace and quiet have been restored to Utah, and some additional legislation will be required to place its inhabitants on an equality with those of the other Territories.

The organic act provides that the Constitution and laws of the United States, not locally inapplicable, shall be in full force in said Territory. It is an unsettled question whether this general provision, unsupported by any other act of legislation, secures to the settlers upon the public lands in Utah the rights and benefits of the several pre-emption laws. In that Territory we have already more than two millions of acres returned as surveyed and ready for market. Occupants are upon these lands, and want to obtain titles to their homes; and I submit whether it would not be an act of justice to the people of Utah to establish in that Territory a land office, and at the same time

in express terms extend the pre-emption laws, so as to embrace all the inhabitants residing within its limits.

By the treaty of 1838 with the several tribes of New York Indians, a tract of land lying in the southern part of Kansas, and containing, by estimate, 1,824,000 acres, was reserved and set apart for the future home of those Indians. Nine different tribes were parties to this treaty, and it was stipulated and agreed that such of the tribes as did not accept and agree to remove to the country set apart for their future homes, within five years, should forfeit to the United States all interest in lands so set apart. Twenty years have elapsed, and no one of these tribes, as tribes, has accepted the conditions of the treaty. Individual members of the tribes, however, have removed, and are now settled upon this reservation. According to the estimate made at the date of the treaty, the quantity of lands reserved was sufficient to allot each soul of all the tribes three hundred and twenty acres of land. Although the Indians, as tribes, have forfeited all claim to the tract of land reserved for them, yet those who have removed are in equity entitled to their pro rata share. A due regard to the welfare and prosperity of the Territory of Kansas demands that these lands should be surveyed and opened to settlement and sale. Indeed, a large number of settlements has already been made within the limits of the reservation, and the people are anxious to acquire titles to their homes. Justice to the resident Indians cannot be done without congressional aid, and I recommend the passage of a law securing to the emigrant Indians the amount of land to which they may be equitably entitled, and declaring the residue public lands open to settlement.

Under the acts of Congress making appropriations for the Post Office Department, approved March 3, 1855, and March 3, 1857, pre-emption rights are secured in certain cases to mail contractors. Great difficulty and embarrassment have arisen in the execution of these laws, and that interpretation has been adopted as most consistent with the terms as well as with the obvious design and meaning of these laws, which confines the benefit of the act to those routes extending *through* the Territories, from the line of the States west of the Mississippi river to New Mexico, Utah, or points on the Pacific slope. By allowing the first contractors the right of purchase, and therefore of exclusive control of the best locations for stage stands, which may be established along the great lines across the continent, it is apprehended that great embarrassment will arise in the future. It is suggested that these laws may be changed with great advantage to the service. If, instead of allowing contractors the right of purchase, limited quantities of land, at proper distances, were reserved for the use of the postal service along these routes, by which each successive contractor should have the use and control of the reservations during the continuance of his contract, and no longer, it is believed that in the future letting of contracts, a great economy would be effected for the service, and I cannot but commend such a change in the law to the favorable consideration of Congress.

Much labor and perplexity have grown out of the execution of the graduation law, approved August 4, 1854. The third section of that

act required the party applying to make an entry at the graduated price, to make affidavit "that he or she enters the same for his or her own use, and for the purpose of actual settlement and cultivation, or for the use of an adjoining farm or plantation owned or occupied by him or herself;" and that, "together with said entry, he or she has not acquired from the United States, under the provisions of this act, more than three hundred and twenty acres of land." It is idle to make these requirements and not enforce them; and, therefore, the action of the Land Office has been to require proof of a compliance with the conditions of the law before delivering the patents to the respective claimants. Purchasers neglect or fail to make the proof in very many cases, hence suspensions become numerous, and progress with business is prevented, to the injury of the citizen and the government. On the 3d of March, 1857, Congress interposed, and confirmed all the entries made at graduated prices prior to that date, with a few exceptions, to the great relief of the claimants and the Land Office. Since then other similar entries have been allowed and in regular order carried into patents, which have been forwarded to the local officers for delivery, upon satisfactory proof being adduced of a compliance with the terms of the law.

It is believed that the graduation law will continue to prove a fruitful source of fraud and annoyance, unless some change is made in its terms. Congress should require proof of settlement and cultivation prior to the admission of the entry, or should release the purchaser from the conditions now imposed.

INDIAN AFFAIRS.

For full information in respect to our Indian relations, I refer you to the report of the Commissioner of Indian Affairs, and the accompanying reports of the different superintendents and agents.

During the past year there has been much excitement among the wild tribes in the interior of the continent. The withdrawal of the troops from the military posts on the frontier, and their march through the Indian country to the Territory of Utah; the passage of the many supply trains of great magnitude, with their numerous attendants, over the long route to the same destination; and the discovery of new gold mines in the Territories of New Mexico, Kansas, and Washington, and in the British possessions adjacent to our northern boundaries west of the Rocky mountains, have set in motion a large class of adventurers, who have traversed extensive tracts of country heretofore untrod save by Indian tribes. The opening of three wagon roads, and the establishment of the overland mail routes across the continent, have presented new inducements and facilities for travelling over the plains of the interior; and all these causes combined have had no little influence in disturbing our amicable relations with those nomadic tribes, that subsist almost exclusively upon the spoils of the chase. Although acts of hostility have resulted in some localities, it is a gratifying fact that, with trifling exceptions, the tribes with which we have existing treaty stipulations have kept their faith, and have enjoyed a season of peace and comparative plenty.

When the exigencies of the service compelled the War Department to withdraw the troops stationed among the tribes on the frontier, our agents expressed serious apprehensions of outbreaks; but those fears have for the most part proved groundless. In those cases in which the ill-feeling of some, and the dishonesty of others, have led to open hostilities, our gallant army, by a timely chastisement, has taught the delinquents a lesson which will not soon be forgotten. Conquest has thus paved the way for the introduction of our policy of peace, on which rests the only hope of the friend of the red man that there is any good in store for him and his posterity.

With the exception of the marauding bands that wander about the boundary between the United States and Mexico, towards whom we should pursue an energetic and decisive policy, the great mass of the Indians are now in a condition and temper to inspire the hope that increased success will crown the efforts now making for their improvement.

They are becoming too well acquainted with our power to be willing to measure their strength with us on the battle field. A wholesome fear of, and respect for our government have been inspired, and they will not, as tribes, wantonly incur our displeasure. The sword is effectually opening the way for the ploughshare, and little now remains to be done to secure perpetual amity with the several tribes, and give fair scope to their growth in civilization, except to have a full and explicit understanding with them, and to prevent, if possible, their being misled by lawless and dishonest white men.

In all our dealings with the Indians, in our treaties, laws, and policy, the end sought to be attained has been the welfare and elevation of the race; to induce them to abandon their thriftless life and barbarous manners, and adopt the faith and practices of the Christian. Our success, thus far, has not been commensurate with our efforts and expenditures, but it cannot, with truth, be said that the attempt to civilize the Indian is altogether a failure.

In reviewing the past it is easy to point out errors which have been committed, but difficult to designate a general policy which, in all respects, would have been better, and the introduction of a new system, at any time, would not be without its drawbacks and difficulties.

A due regard to the interests of our own people has compelled the government to remove the Indian tribes originally inhabiting the middle, southern, and western States, to habitations further west. In some instances one removal has followed another; change has succeeded change; and this unsettled state of affairs has been detrimental to the progress of the tribes in civilization, and antagonistic to the efforts made to convert the Indian from the ways of his forefathers to the faith and habits of our own people.

When new reservations have been assigned to tribes, too often the boundaries allowed have been disproportionately large, and their situation has thus invited them to continue the hunter life. Their extensive domain has been held in common, and therefore separate individual property, so essential to individual exertion and general industry, has been comparatively unknown among them. The heavy

annual largesses that have been given to some tribes, when divided among their people at stated periods, amount to a stipend, which, without furnishing an adequate support, is yet large enough to destroy their self-reliance, repress such industry as physical want might otherwise compel, and create a taste for profligacy, which strengthens their natural aversion to constant labor or employment.

These characteristics of our past policy should be changed. Removals of tribes should be avoided. Separate lands should be assigned to individuals, without the power to alienate or encumber them; and money annuities should be expended for the common good, instead of being divided per capita.

Upon this line of policy this department has acted in the negotiation of the recent treaties with the Pawnees, Poncas, and Yancton Sioux, and in the administration of the Indian service generally, so far as the provisions of existing treaties will admit. It is now proposed that Congress shall authorize the substitution of mechanical and agricultural implements, seeds, clothing, household furniture, and other articles necessary to industry and comfort, and the application of funds to educational, charitable, or civil uses, in lieu of payments in money, in all cases where such substitution is practicable and believed to be conducive to the welfare of the Indians.

The Cherokees, Choctaws, Chickasaws, and Creeks, have regular governments, and give evident proofs of progress. The Choctaws have recently passed through an exciting and violent political contest. A regular convention had met and framed a constitution, and without submitting its adoption to a popular vote the convention had undertaken, in the exercise of its delegated sovereignty, to declare the constitution thus framed to be in full force and effect.

The government under this constitution went into operation by the election and qualification of all the necessary officers, and the department had recognized the authorities thus constituted by paying into their hands the annuities due the nation. Opposition to this constitution, however, arose. A new convention was called together without authority of law; another constitution was framed, and the advocates of the movement claimed to have the support of a majority of the Choctaw people. Civil war was impending, and both parties appealed to this department for support. The superintendent, acting under instructions, was enabled, by sustaining the regular government, constituted in pursuance of law, to effect a reconciliation of parties by procuring from the recognized authorities such concessions as proved satisfactory to the revolutionists, and thus peace and harmony were restored to this interesting community.

By the treaty with the Creeks, concluded in 1856, a portion of their country was set apart for the exclusive occupancy of the Seminoles, and an appropriation was pledged for the expenses of removing that portion of the Seminole tribe then still remaining in Florida in a state of hostility. For more than twenty years a few warriors of this tribe had baffled the energetic efforts of our army to effect their subjugation and removal. Millions had been spent, and many valuable lives sacrificed, but still they eluded capture, and could not be induced to remove and unite with their brethren west of the Mississippi

river. In this condition of things, Colonel Rector, the southern superintendent, was instructed to take with him the agents of the Creeks and Seminoles, with a delegation of leading men of each tribe, and visit the everglades of Florida, and if possible effect the removal of these desperate refugees. With great tact and fidelity he carried out his instructions, and succeeded in inducing all the leading warriors to abandon their fastnesses, smoke with him the pipe of peace, and accompany him to the country set apart for them and their brethren. One hundred and sixty-four were thus removed, and immediately it was proclaimed that hostilities were at an end.

The economy with which this emigration was effected reflects great credit upon the officer who was entrusted with its management. He has been instructed to return to Florida this winter, and remove a scattered remnant still left behind who have made known their willingness to join their friends in their new homes.

There is nothing which has so often disturbed and destroyed our amicable relations with the more remote tribes, as the failure on our part to comply with promises and agreements made by officers and agents, whom the Indians have regarded as duly authorized to speak for our government. To this cause we must, for the most part, ascribe our recent difficulties with the Indians in Washington Territory. Treaties had been negotiated with them some two or three years ago, by which they agreed to retire upon small reservations in consideration of a promise on our part to erect buildings, establish shops, and schools, and make annual presents of blankets, clothing, and useful implements.

These treaties not having been ratified, the Indian office has been compelled to disappoint the expectations of the Indians, who very naturally became dissatisfied. The frequent trespasses committed by the whites, who, not anticipating the delay in the ratification of the treaties, in many instances settled upon the land which by the treaties was ceded to the United States, aggravated the discontent of the Indians, until it manifested itself in acts of open hostility.

Peace has been again obtained by conquest, but the exact terms upon which it has been made are not at this time known to the department.

The proper management of those Indians, whose title to the lands they occupy has never been recognized by the United States, is a problem of most difficult solution. I do not refer to the scattered remnants of Indian tribes, still remaining in some of the older States of the Union, who are not brought under the supervision of the Commissioner of Indian Affairs, but to the Indians in the States of California and Texas. The policy adopted by Congress in regard to these Indians has been to gather them, as far as practicable, upon reservations, with the expectation that, under the guidance and protection of the Indian agents, they would support themselves by their labor, and improve in morals and in the arts of civilized life. During the last summer steps were taken to obtain correct and reliable information of the working of this system.

A partial report from Texas gives the gratifying intelligence of the

good conduct of our agents, and the comfort and progress of the Indians on the reservations.

The information in regard to the working of the system in California is discouraging. The product of the several farms is altogether inadequate to the support of the Indians, and the expense of the system, as heretofore managed, is enormous.

This is to be attributed, in a great measure, to the unnecessarily large number of white persons employed, and it would seem that, without a radical reform in this and other particulars, the system will not be attended by a success commensurate with the cost.

Directions have been given to dismiss the laborers and employés, who have been retained heretofore at a very heavy expense, and to employ Indian labor alone in cultivating and improving the farms, and in herding the stock. Proper allotments of land inside the reservations, are to be assigned to each family as their own private property, and each individual is to be fully secured in the possession and enjoyment of the fruits of his own labor; industry and virtue are to be encouraged by suitable rewards, and distinguished from idleness and vice. The Indians are, moreover, to be informed that unless they produce their necessary supplies, they can no longer expect that food will be furnished them at the expense of the United States. With a view to carry out the policy here indicated, the estimates for the Indian service in California for the next fiscal year have been reduced to the sum of fifty thousand dollars.

In southern California there are still numerous bands of Indians that have no permanent locations. Where they are found in desirable places they are often intruded upon and driven away by white men; and feeling no confidence that they can retain a place of permanent abode, they wander about ready for any mischievous enterprise. If this department had authority to assign homes to such, in the possession of which they might be protected, there is hope that they could eventually be made useful members of a community in which they are now dangerous vagrants.

The Pimas and Maricopas, of Arizona, are agriculturists, and have fixed abodes. Before they are interfered with by emigration, reservations of proper extent should be assigned to them; and so soon as a definite understanding can be had with the Apaches, Camanches, Kiowas and other roving tribes of the interior, the same policy appears to be most proper to adopt in regard to them. These tribes will soon have to be localized; and to enforce quietude and keep them within the limits of their own possessions, the utmost watchfulness and firmness will be required.

I take occasion here to renew the recommendations made in my last annual report, that a district court should be established in the country occupied by the Choctaws, Chickasaws, Cherokees, and Creeks, and that the intercourse laws should be revised and codified.

With the authority from Congress, so to commute the annuities of Indian tribes, that they may be expended with their consent and approbation for the common good, to divide existing tribal reservations among the individuals of the tribes respectively, with such restrictions upon the power of alienation as will remove all temptation

to speculation; to assign lands as homes to those Indians who have no fixed abode; and to prescribe the boundaries within which the migratory bands will be required to remain, I should hope for the best results from the efforts of this department to ameliorate the condition of the Indians under its supervision.

PENSIONS.

The current business of the Pension Office in all its branches has been brought up to date, and the large clerical force which was required for the execution of the bounty land act of 1855 can be dispensed with at an early day.

During the year ending 30th September last, 13,815 bounty land warrants were issued, requiring 2,034,420 acres of land to satisfy them. This added to the quantity shown by my report of last year, makes the whole amount of public lands granted for military services up to September 30, 1858, 62,739,362 acres. Under the acts of 1847 and 1855, there are about 74,000 bounty land claims pending in the office, originally suspended on account of informality, irregularity, or defective proof. Many of these cases are called up from time to time by the parties interested for re-examination, requiring a large amount of labor and patient investigation in the disposition of them.

The whole number of army pensioners under the various acts of Congress is 10,723, requiring for their payment the annual sum of \$902,700 29.

The whole number of navy pensioners is 892, and the aggregate amount of their annual payments is \$130,501 10.

The entire amount which has heretofore been paid under the various pension and bounty land acts, far exceeds all the anticipations of those who advocated their enactment, and will be learned by the country with some surprise. It appears that the total disbursement for pensions up to this date is about \$90,000,000. If to this sum we add the bounties in land, 62,739,362 acres, and estimate that land at one dollar and twenty-five cents per acre, the total amount granted for bounties and pensions will be \$168,424,202.

It is not improper to a full understanding of the subject in this connexion, to review the operation of some of the pension laws, and to refer to the estimates on which others were based.

Take for illustration the law granting invalid pensions. During the ten years preceding the year 1815, the annual expenditure on account of invalid pensions averaged \$98,000. During the ten years succeeding 1815 the average was \$256,000 per annum. At the present time it is \$445,000 per annum. This constant increase can only be accounted for by the peculiar provisions of the laws under which the allowance is made. The disability may have wholly ceased, yet the department has no authority, under existing laws, to withhold the pension of an invalid once granted. The examinations are generally made by physicians unknown to the office, *exparte*, and most frequently long after the occurrences which originate the disability; yet, being undisputed, their certificates are received as good and sufficient testimony.

of deceased revolutionary soldiers and their widows, the pensions which they would have received had the proof been satisfactorily established during their lifetime, had been overruled by me as unauthorized by law. During the last fiscal year this decision has saved to the treasury \$118,000.

While I have the greatest confidence in the watchfulness and integrity of the officers who have heretofore had the direct management of the Pension Bureau, the development of the frauds which have been palmed off upon that office is astounding. During the last year fraudulent bounty land claims amounting in the aggregate to about 175,000 acres, have been detected and exposed. Previous investigations had brought to light a fraudulent issue of about 225,000 acres. Four of the perpetrators of these frauds have been convicted and sentenced during the last year; one, against whom the evidence was conclusive, escaped punishment under the statute limiting prosecutions to two years from the commission of the offence; and thirteen others have been regularly indicted and are awaiting their trials. The boldness and ingenuity with which these impostors have presented, pressed, and successfully prosecuted their cases, have equalled anything recorded in the annals of crime. In some cases they have even imposed upon their immediate Representatives in Congress, and made them the vehicles of conducting their correspondence for establishing their fraudulent claims. They are generally a class of men who have managed to maintain respectable names in the communities in which they live, so that nothing but the most convincing proof, furnished from the records of the office, can satisfy the juries of their guilt. Public justice and the fair reputation of the government alike demand that these offenders should be brought to condign punishment.

The recommendations made in my last annual report respecting the equalizing of army and navy pensions, the extension of the statute of limitations in cases of frauds attempted and perpetrated upon the pension office for the procurement of land warrants, and the passage of a statute to prevent and punish the forging of land warrants are respectfully renewed.

For the greater protection of the recipients of land warrants, a law should also be passed, making it penal to forge or counterfeit an assignment of the same.

DISTRICT OF COLUMBIA.

The report of the Commissioner of Public Buildings presents a view of the operations of this branch of the service during the last year, and of the expenditures made under the supervision of that officer.

The west wing of the building occupied by the Department of the Interior, and the improvements around it, have been completed in a handsome and acceptable manner. The construction of the north front is progressing satisfactorily, and when finished the entire structure will reflect much credit, not only upon the author of the general design, but also upon the skill of those employed in its execution. The estimated cost of this portion of the building was four hundred and fifty thousand dollars without a portico, or five hundred and

twenty-five thousand dollars with a portico. The aggregate amount of four hundred thousand dollars was appropriated by the thirty-fourth Congress for this purpose. It is now estimated that to complete the building without the portico, to grade and enclose the grounds, and to lay off and improve the interior court, an additional appropriation of fifty thousand dollars will be sufficient.

The constitution of the United States confers upon Congress exclusive legislative control over the District of Columbia, but does not allow its inhabitants any voice in its deliberations. This territory, in extent originally ten miles square, reduced to its present limits by a retrocession to the State of Virginia of so much as lies west of the Potomac, consists of three distinct divisions, each governed by its own peculiar laws and regulations: Georgetown, incorporated prior to the war of the revolution, but whose powers and limits have since been confirmed and enlarged by various acts of legislation; Washington city, set apart by the President "for the permanent seat of the government of the United States," under authority of the act of 16th July, 1790, and reported to Congress as such by Gen. Washington on the 13th December, 1791; and the country outside the boundaries of these cities but within the limits of the District. That Congress has not been unmindful of the obligations thus resting upon it, is evident from the very liberal appropriations which have, from time to time, been made for the embellishment of the national capital. More than twenty-four millions of dollars have already been expended from the treasury for public buildings and other purposes, and improvements are now in progress, to complete which, large additional amounts will be required. In addition to the public buildings, the United States still retains divers lots, squares and reservations in the city of Washington, which, at the assessed value, are worth \$13,412,293 36. Under such circumstances, the people of the whole country must ever feel a deep and abiding interest in the prosperity and progress of their metropolis.

With a view to the good government of the people of the District of Columbia, Congress, at an early day, re-enacted the laws of Maryland then in force, and it has since, as occasion seemed to require, passed others for their benefit, and provided the means necessary for their enforcement. As regards the cities of Georgetown and Washington, the inhabitants have also, by special enactments, been authorized to provide for all matters of local interest within their respective limits. The corporate authorities of each have been invested with full and unrestricted power to levy and collect taxes, and to expend the same in any manner which, in their judgment, may conduce to the health and improvement of their cities, and the general good and prosperity of the people thereof.

The past legislation of Congress has been examined with some care, to ascertain if possible, whether any fixed or determinate line of policy has ever been adopted in reference to objects of appropriation within the city of Washington; what class of improvements Congress has undertaken to make, and what has been left for the city. But the search has been in vain, or, rather, Congress has from time to time made appropriations for almost every conceivable object.

Public squares and open spaces have been enclosed and improved, streets and avenues have been graded and paved, lamps have been lighted along them and are still kept burning, shade trees throughout the city have been planted and protected, sewers and drains have been constructed and kept open, a police force has been maintained under the control of the Mayor of the city, the portion of the City Hall in which the circuit and district courts are held, has been paid for, the jail, the penitentiary, the infirmary, several engine houses, and the armory have been built, and the bridges across the Potomac and Eastern Branch have been erected and are still kept up by appropriations from the Treasury of the United States. With this record of past legislation, it is but natural that the people of the city should turn their eyes to Congress, and not to the city authorities, when any appropriation is needed or desired for additional improvements of a public character. Hence, petitions have been presented representing the various wants of the city, and concluding with the request, that in the regular annual estimates required to be laid before Congress, items may be included for enclosing and improving Franklin square, and the triangular spaces along Pennsylvania avenue, the opening of certain streets, the extension of the City Hall for the accommodation of the criminal court, the erection of a more secure and commodious jail, and various other objects. I have not, however, felt at liberty to comply with these requests, but have restricted the estimates for the next fiscal year to the actual requirements of existing laws, and to those usual and regular appropriations which have annually received the sanction and approval of Congress. Yet I am satisfied that if some definite understanding could be reached, by which the corporate authorities could know what expenditures they are expected to make, and what fairly and justly devolve upon the general government, the future prosperity and improvement of the city would be greatly promoted.

The subject is environed with difficulties ; but still, for all practical purposes, Congress could, if so disposed, adopt some intelligible line of policy, which would save the representatives of the people from those complaints which are so often made, of their neglect in respect to these matters. The squares and open spaces belong to the United States. The city authorities have never been empowered to enter upon and improve them without the consent of the President or Congress. As they are the property of the government, any improvements made upon them will, of course, inure to its benefit ; consequently, they should be paid for by it ; and, as soon as the condition of the treasury will admit of the expenditure, I recommend that they all be enclosed and handsomely improved. On the contrary, the opening of streets and avenues, grading, paving and lighting the same, the constructing of sewers and drains, the erection of markets, the support of a police, and whatever may be necessary for the health and cleanliness of the city, properly belong to the city authorities, and the expenses growing out of them should be raised by taxation in the usual manner. Whether the government, as a property holder, should contribute to these ends in proportion to its interest in the city, is a

question which addresses itself exclusively to the discretion of the national legislature.

The addition to the City Hall for the accommodation of the criminal court, and the erection of a new jail, are subjects which commend themselves to the attention of Congress. Such buildings are usually erected by the people of the locality for whose convenience they are required, and in the present instance, they are the best judges of the necessity for additional accommodations. There is, however, at present, no means by which the views of the people of the entire District can be taken in reference to these matters, nor, indeed, for raising by taxation the amount required for the improvements suggested, should Congress direct them to be made at their expense. Under these circumstances, therefore, the improvements, if made, should be made at the expense of the general government; or a law should be passed, creating a court or tribunal clothed with power to levy the necessary taxes on the whole District to meet the expense, as it would be manifestly unjust to require the people of Washington to defray the entire cost of objects equally used by and useful to the people of Georgetown and those living outside the limits of either city.

The third annual report of the board of visitors of the government hospital for the insane, and the report of the superintendent of that institution, who also acts as architectural superintendent and disbursing agent in the construction of the edifice, are herewith communicated. At the beginning of the last fiscal year, July 1, 1857, there remained in the hospital one hundred and ten patients. During that year forty-three were admitted, and thirty-six discharged, leaving, on the 1st of July, 1858, one hundred and seventeen inmates. Of the whole number remaining and admitted into the institution during that year, namely, one hundred and fifty-three, twenty-seven were from the army, thirteen from the navy, one hundred and eleven from civil life, and two from the Soldiers' Home. Of these, one hundred and thirty-two were white, and twenty-one colored. Twelve were independent or pay patients.

This institution was established by act of Congress, in 1855, and its objects were avowed to be "the most humane care and enlightened curative treatment of the insane of the army and navy of the United States, and of the District of Columbia." Plans for the buildings had previously been approved by the Executive, and Congress has recognized and sanctioned them; first, by an appropriation of one hundred and ten thousand seven hundred and twenty-one dollars for the erection of the first four sections of the building, and, afterwards, by an appropriation of one hundred and thirty-eight thousand six hundred and seventy-three dollars, for the erection of the centre and three sections of the wings. The first four sections have been completed; furnished, and occupied for nearly four years. The appropriation for the centre will be sufficient to complete that portion of the building; and an estimate is now submitted for furnishing it. The completion of the whole building, according to the design originally adopted and approved, will require a further appropriation of seventy-six thousand one hundred and eleven dollars. To arrest the work at this time would be followed by some sacrifices, if the plan is ever to

be carried out, and, for the present, prevent the necessary permanent improvement of the grounds around the establishment. Privacy and freedom from intrusion are important elements in the curative treatment of the unfortunate patients; and these can never be attained to any satisfactory extent while the erection of the building is in progress; and to secure the objects of the institution, as it is now absolutely necessary to occupy the portions already completed, the workmen should be excluded as soon as possible. The superintendent has shown in the past such energy, economy, and efficiency in pressing the work to completion, as well as in the discharge of all the duties of his position, as entitle him to your confidence. The edifice when completed, with all its conveniences and appliances, will be a model of its kind, and will reflect the highest credit upon the humane and liberal policy of the government.

It is gratifying to find, from the annual report of the president of the Columbia Institution for the instruction of the deaf and dumb and the blind, herewith transmitted, that its present condition is much more prosperous than it was one year ago. With the additional aid of three thousand dollars, granted by Congress at its last session, the debts which then burdened it have been paid, and the maintenance and tuition of its pupils fully secured. During the year ending the 30th of June last, there were in the institution eighteen pupils, twelve of whom were mute and six blind. The receipts for the same period amounted to \$6,513 25, of which \$5,125 75 were contributed by the government: \$2,125 75, under the act of February 16, 1857, for "maintenance and tuition therein," being at the rate of one hundred and fifty dollars per annum for each pupil admitted upon the order of this department; and \$3,000, under the act of May 29, 1858, "for the payment of salaries and incidental expenses of said institution." The disbursements amounted to \$6,193 88, leaving a balance on hand at the commencement of the present fiscal year.

The management and present condition of the penitentiary will be understood from the accompanying report of the Board of Inspectors, and those of the warden, clerk, physician, chaplain, and matron of the institution. The number of convicts at the close of the year ending September 30, 1857, was 75. On the 30th of September, 1858, the number was 108—66 white and 42 colored. The Inspectors are of opinion that they have at length succeeded in effecting an arrangement by which the labor of the convicts will be made to pay the cost of their maintenance, thus relieving the government of all charges for that purpose. If the system, adopted with that view, should accomplish this much, a great improvement upon the past will have been gained. A fair trial shall, at all events, be made, in order to test its practicability, and, under the guidance of our intelligent Board of Inspectors, I have every confidence in its success.

WAGON ROADS.

The wagon roads placed under the direction of this department, have all been located, and for the most part constructed. There is a material improvement of the new over the old routes. Complete reports from some of the superintendents have already been received

the others are in course of preparation. As soon as they are all completed and received they will be communicated to Congress. It is confidently expected that these reports will embody much interesting and useful information in regard to the respective routes, and the extensive regions of country through which they pass.

Under the act approved June 5, 1858, authorizing a survey of the boundary line between the State of Texas and the territories of the United States, an effective commission was organized and directed to co-operate with such agents as might be selected by the authorities of Texas. The joint commission was expected to leave San Antonio early in November, for the initial point of their operations on the Rio Grande.

PUBLIC DOCUMENTS.

By a resolution adopted on the 20th of March, 1858, Congress so far amended the joint resolution adopted January 28, 1857, "respecting the distribution of certain public documents," as to increase the number to be placed at the disposal of this department to three hundred and fifty copies of each document printed by order of either branch of Congress, and to direct the distribution thereof to be made to such colleges and other institutions named in the resolution referred to, as should be designated by "the representative in Congress from each Congressional district, and by the delegate from each territory in the United States."

This provision of law relieves the department from the responsibility of selecting the institutions to which the books are to be sent, and limits its duty to the very simple operations of receiving the documents, distributing so many as can be equally apportioned to the several congressional districts and institutions entitled to receive them, and retaining the remainder subject to such future disposition as Congress may direct to be made of them.

From the commencement of the present Congress there will remain, after supplying one institution in each congressional district, and such other public libraries as are entitled to receive the books under special acts of Congress, with one set of documents, a surplus of one hundred and seven sets; for the distribution of which further legislation will be required.

Under the resolution, as originally passed, there should have been placed at the disposal of this department two hundred and thirty-seven sets of books, as follows:

From the Department of State, 187 sets.

From the Library of Congress, 50 sets.

Those from the State Department have been supplied, and the Librarian has furnished those required from him to make up the number to which the department is entitled for the 34th Congress, with the exception of twenty copies of "Senate miscellaneous documents," and twenty copies of "Senate documents," vol. 18, of the 1st and 2d sessions. An effort is being made to secure these volumes from other sources, with fair prospects of success.

The number of institutions entitled to receive these documents is at present two hundred and forty-three, being six more than can be sup-

plied by this department under the resolution originally passed, even if the whole number therein provided for shall be placed at its disposal. These six, however, can each be supplied with a full and complete set of the House documents, numbering fifty-four volumes, and including nearly all of the more valuable publications made by order of the 34th Congress.

Up to the present time two hundred and ten complete sets (each containing one hundred and three volumes) of the documents of the 34th Congress have been distributed, and seven perfect sets remain on hand. In addition to this we have twenty sets complete, lacking two volumes each. All the demands thus far made upon the department for these books have been met; but it will be impossible, with the means now on hand, fully to execute the law so far as relates to the documents of the last Congress, unless the missing volumes above referred to be obtained.

The librarian of Congress was directed by the resolution of the 28th January, 1857, also to transfer to this department the fifty additional copies of the documents printed by order of either House, "for the purpose of exchange in foreign countries," under the resolution of July 20, 1840, and the fifty copies of "the public journals and documents of the House of Representatives," directed by resolution of April 30, 1844, "to be deposited in the Library of Congress," and a list of the books thus received is herewith submitted. These are in broken sets, and some of them in a damaged condition, owing, as I am informed by the librarian, to the fire which some years since destroyed the Congressional Library, and the insecure manner in which they have since been kept. They are consequently of but little value; yet it is recommended that some provision be made for their distribution, that the space occupied by them may be used for other and more useful purposes.

CENSUS.

The Constitution provides that the actual enumeration of the inhabitants of the United States shall be taken at periods of every ten years, in such manner as shall be directed by law. The near approach of the period for taking the eighth census, makes it incumbent upon Congress at this session to provide the means necessary for the commencement of the work.

The law approved May 23, 1850, providing for taking the seventh census, was drawn with great care, and it requires that if no other law shall be passed prior to the first day of January, 1860, superseding it, the Secretary of the Interior shall proceed to take the eighth census according to its provisions. The plan of the last census was devised by a census board of eminent men, and was the result of unusual preparation. It was reported to, and adopted by, Congress after the most searching scrutiny and careful amendment, and presented no feature which interposed any obstacle to its easy execution. Its schedules were full and comprehensive; by them we not only ascertained the number and character of our population, and the condition of agriculture, manufactures, and trade, but they also embraced within their scope the examination of many moral and social facts,

illustrative of the intelligence, prosperity, and happiness of the people; the duration of life, and the causes of death. The value of these developments will be greatly enhanced by such uniformity in future censuses as will enable us to institute comparisons and exactly determine our progress, without which the results lose most of their significance and interest. Although the greatest precautions may have been exercised, it was impossible to execute so great a work for the first time without some imperfections, which the experience of the past, it is hoped, will enable the department to prevent in the future. To change the schedules, or to enlarge or multiply them, will but tend to embarrass our officers, and throw suspicion upon the accuracy of the information obtained. With these views I cannot do otherwise than recommend adherence to the law of May 23, 1850, in the belief that a census taken in accordance with its provisions will afford the greatest amount of accurate information, and prove most satisfactory to the country.

The census of the Territory of Minnesota which Congress, by act of February 26, 1857, directed to be taken under the supervision of this department, was not finally returned until the 23d of July last. Many causes, inseparably incident to the prosecution of such a work in a new country, combined to produce this delay. The facts returned by the local officers have since been classified and arranged in this department. The most prominent of these may be briefly stated as follows:

Census of Minnesota, September 21, 1857.

White males.	White females.	Colored males.	Colored females.	Aggregate population.	Number of families.	Native voters.	Naturalized voters.
87,395	62,425	144	128	150,092	32,536	26,737	22,393

The digest of the statistics of manufactures, according to the returns of the seventh census, which Congress at the last session directed to be completed, is in a state of forwardness, and the same will be communicated to Congress at an early day. Care has been taken to employ upon it those who, from previous experience, were conversant with the subject, and accustomed to the duties which the peculiar character of the work required; and it is believed that the results shown will not only prove highly interesting in themselves, but will also tend to facilitate future investigations in reference to this branch of statistics. The results, thus far ascertained, are as follows:

Manufactures of the United States—1850.

Capital.	Cost of labor and raw material.	Value of products
\$500,000,000	\$773,000,000	\$1,000,000,000

JUDICIARY.

The experience of the past year leads me again to recommend the amendment of the laws regulating the compensation of the United States district attorneys, marshals, and clerks of courts, in order to render the important branch of the service, with which they are connected more harmonious and efficient.

Modifications in other respects could likewise be made with great advantage, but as they were so fully indicated in my last report, I deem it only necessary, on this occasion, to refer thereto.

Notwithstanding the steady growth of the country, and the consequent regular increase of business in the courts, the expenses of the judiciary for the last year, were somewhat less than they had previously been, and a considerable balance of the appropriation for this object remained unexpended on the 30th June last. Yet, owing to the contingent nature of many of the accounts chargeable to this fund, I have not deemed it wise to reduce the estimate for the next fiscal year. But if, by the practice of proper economy, the expenses of the present year should not exceed those of the last, and it is hoped they will not, it is respectfully suggested, that the department be authorized to apply so much of the unexpended balance as may remain on hand at the close of the year, as may be necessary to the purchase of the building leased by it, in the city of New York, for court purposes. At present, we are paying for the use of this building \$16,000, per annum, with the privilege of buying it, within three years, for the sum, of \$215,000.

For many years the United States courts for the southern district of New York, were held in the City Hall belonging to the city of New York, and rooms procured in different parts of the city for the use of the judges and other officers, at an aggregate annual rent of from \$12,600, to \$22,500. During the last year, the city authorities notified the Department that it must obtain other accommodations, and thereupon immediate steps were taken by it to that end. After the most careful examination of the various buildings offered for our use, that known as Burton's Theatre, on Chambers street, was selected as the most eligible; and with the advice of the judges, district attorney and marshal, it was leased for five years, with the privilege of retaining it ten years longer, if desired, at the rate already mentioned. Such changes have been made as were necessary to adapt the building to our purposes, involving an additional expense of about twenty-five thousand dollars, including cost of furniture.

In this great commercial metropolis a vast and constantly increasing amount of business must continue to be brought before the United States courts for adjudication, and if in any portion of the country it be expedient for the government to erect or purchase a building for the accommodation of its courts, it is eminently proper for it to do so at that point. The district court continues in session, with slight interruptions, during the entire year, and the circuit court quite one-third of it, and the cases in each involve varied and extensive interests. The building leased is of sufficient size to accommodate both, with all

their officers, and it is well located and of easy access to those having business therewith.

In this connexion it may be stated that the purchase, contemplated in the act of 4th May last, of the "Masonic Temple," in the city of Boston, for the use of the United States courts for the district of Massachusetts, has been completed, and the building thus secured, when properly fitted up, will, it is believed, afford ample accommodations of the most satisfactory character. The property is well located, and it has been procured at a fair price.

PATENT OFFICE.

The operations of the Patent Office furnish the most gratifying proofs of our progress as a people in all the useful arts of civilized life. The rewards which genius here secures, revive the hearts and strengthen the resolution of the inventors of our country, who have already accomplished so much for its reputation and prosperity. The ability, industry and efficiency with which the complicated duties of this office have been met and disposed of, deserve your favorable consideration. Although the business is exceedingly heavy, yet I have heard no complaint of delay in its despatch.

The commercial revulsion of 1857 was severely felt in the operations of this bureau, especially during the last quarter of that and the first quarter of the current year. A reaction, however, soon followed and the records now show a healthy and prosperous condition of affairs.

The income of the office for the three quarters ending September 30, 1858, was \$150,983 91. Its expenditures during the same period amounted to \$144,433 47, showing a surplus of revenue over expenditure of \$6,550 44 against an excess of expenditure over the receipts of \$2,526 07 for the corresponding quarters of 1857.

From the 1st of January to the 30th of September, 1858, four thousand and ninety-one applications for patents were received, and six hundred and ninety-six caveats filed, against four thousand and ninety-five applications for patents and eight hundred and twenty caveats for the corresponding quarters of last year. During the same period, two thousand eight hundred and sixteen patents were issued, fifteen extensions of old patents granted, and twelve hundred and fifty-six applications rejected.

Certain changes and modifications of the laws regulating the administration of this bureau were recommended to the favorable consideration of Congress in my last annual report. The experience of another year has strengthened the conviction then expressed, that the efficiency of the service requires that the modifications then suggested, or something equivalent thereto, should be adopted. Indeed, I am prepared to go further, and recommend the establishment of a board of appeal *in addition* to the present force of the office.

The establishment of such a board would restore to their respective classes the three examiners, now almost exclusively engaged in hearing appeals. At present, the overwhelming pressure of the business of the office compels the examiners to dispose of cases hurriedly and unsatisfactorily, if not superficially. With the proposed addition to

the examining corps, a thorough scrutiny of the claims to novelty which every application presents—a scrutiny demanded alike by the interests of the inventor and of the public—will be secured.

A very slight but just modification of the existing tariff of fees would enable the office to sustain itself, notwithstanding the increased expenditure which the proposed change in its personnel would involve. The policy of keeping the expenditures of the bureau within its revenues is approved, and has heretofore been rigidly maintained, and for this reason greater confidence is felt in an appeal to Congress for liberal and favorable legislation in its behalf.

The subject of agriculture appears to occupy an increased share of public attention, and every new fact in relation to the productions of the earth is received with favor by the country. The agricultural division of the Patent Office may justly claim that it has contributed more than any other agency in exciting the interest thus manifested. By means of the appropriations made from year to year "for the collection of agricultural statistics, investigations for promoting agricultural and rural economy, and the procurement and distribution of cuttings and seeds," great material advancement has already been effected; and, though much remains to be done, the advantage to the country from these expenditures cannot be too highly estimated. A few years ago science had done comparatively little for the farmer; the modes of cultivation were careless and without system; the component elements of the soil and of many valuable fertilizers were not understood, and costly manures were generally applied without knowledge, and often without benefit; and improvements by means of the introduction of superior seeds and cuttings were dependent upon the feeble and variable exertion of individual enterprise. It was then that the Patent Office, in obedience to the expressed wishes of the national legislature, entered upon the execution of its utilitarian plans, including investigations into the character of soils, the peculiarities of different climates, and the collection of accurate information in regard to the suitableness of the several divisions of the country for the propagation of desirable plants and animals. A great mass of facts has been collected, collated, published, and scattered broadcast among the people, together with improved seeds and new plants, and directions as to the best modes of cultivation. The public attention has thus been awakened and arrested; agricultural societies have sprung into existence in every State, and almost every county over the whole country; men of science have been induced to lecture upon agriculture and its kindred subjects, and thus shed a flood of light upon all the processes of nature in the vegetable productions of the earth and the economy of animal life; public fairs have been encouraged, and competition in every branch of agricultural industry fostered by awards of premiums to the most successful; newspapers and magazines devoted to agriculture in all its branches have been established, and seeds have become an article of merchandise in almost every village; and professorships in our colleges have been instituted with the view of impressing upon the young student the advantages of scientific knowledge in its application to production.

Among the primary advantages of this official agency may be enumerated uniformity of method, concurrence of action, and the communication of results to a common centre for comparison and elabora-

tion and subsequent judicious publication. Although it may be admitted that experiments have been made, and seeds distributed, which have proved of little profit, yet, in a country possessed of so great a variety of soil and climate, it was wise to essay the propagation of every plant affording any hope of usefulness, especially as each success would more than compensate for all the cost and trouble attending many instances of failure. A few examples of this character may with propriety be here cited. The apparently waning sugar culture of the United States has been re-invigorated by the introduction of rattoons of new varieties from Demarara and Caracas. The success attending the culture of the Chinese sugar cane in the southern, middle, and western States has been greatly augmented, fully equalling all that was anticipated from it. It is believed that not less than a hundred thousand acres have this year been devoted to its culture, for syrup-making and forage for stock, for both which purposes it is generally, if not universally, pronounced admirably adapted. Of the cereals, the different varieties of wheat and barley, introduced from regions adjacent to the Mediterranean, and from France, are highly appreciated by intelligent farmers. The chufa, which was obtained from Spain and extensively distributed, has been successfully cultivated, it is believed, in every State in the Union. From the recent analysis of this tuber, as well as from the testimony of many cultivators, the belief is warranted that it will prove of great value. The cork oak, also introduced from Spain, has found so much favor that a large supply of acorns has been ordered.

In conformity with plans for promoting the culture of the grape and the manufacture of wine, an effort is in progress to collect the indigenous vines, and, after a series of experiments, to induce the cultivation of the more approved varieties in their appropriate localities.

It is believed that the effort now making to obtain information in regard to the several varieties of the tea plant, the soils and climates best adapted to their growth, and the methods pursued in their culture and subsequent preparation for commerce and consumption, is the most earnest, and likely to prove the most decisive, that has ever been made in this country or in Europe; and it is hoped that, before the expiration of another year, a degree of progress will have been attained in this enterprise upon which to base an intelligent opinion respecting its ultimate success. In view of the facts, that the importation of the grape and its products, raisins, wine, and brandy, as shown in the average of four years, ending with 1857, involves an annual expenditure of \$6,718,235, and of tea, of \$6,602,984, and that the domestic production, by insuring unadulterated and cheaper commodities in commerce, will increase the consumption, it will not be thought that too much attention is given to these subjects.

The entomologist in this branch of the service has been stationed in the region of the St. John's river, Florida, where he is occupied in investigations relative to the insects infesting the orange tree and cotton plant, in the hope of devising means to destroy them or prevent the injuries they inflict; and in noting all the accidents and diseases to which this tree and plant are liable, and endeavoring to ascertain the causes thereof and the most efficient preventives and remedies.

The result of the researches of the chemists during the past year are recorded in the Report on Agriculture for 1857. These persons have been employed during the present year in analyzing the ash of the tobacco plants and their soils, as found in Massachusetts, Maryland, Kentucky, Florida, and the Island of Cuba. A chemical examination has also been ordered to ascertain the composition of the soils of East Florida, peculiarly adapted to the growth of sea island cotton.

In presenting these as a portion of the objects to which the liberal grants made by Congress for the advancement of agriculture have been appropriated, I would remark that, in view of the fact that ours is emphatically a country of cheap lands, where every citizen so inclined may easily become a landed proprietor, and that so large a proportion of the people are devoting themselves to the cultivation of the soil, it cannot be considered that the government has acted prodigally or unwisely in attempting in its legislation to elevate agriculture, so essential to our wealth and prosperity as a nation, at least to an equality with other pursuits.

In closing this report, I take pleasure in commending to your favorable notice the fidelity and promptness with which the officers connected with the Department of the Interior have discharged their respective duties.

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

J. THOMPSON,
Secretary of the Interior.

The PRESIDENT of the *United States.*