

REPORT OF THE SECRETARY OF THE INTERIOR.

DEPARTMENT OF THE INTERIOR,
 December 4, 1852.

Sir: In anticipation of the approaching session of Congress, I respectfully submit the following report of the operations of the Department of the Interior.

The general nature of the duties of this department has been fully explained in my former reports; and, without repeating what has been said, I will proceed to exhibit, under appropriate heads, a condensed view of its condition and wants.

ESTIMATES OF APPROPRIATION.

To enable you to make a comparison of the estimates for the next fiscal year with those for the present, I submit the following tabular statement:

	1853.	1854.
Department proper.....	\$35,827 50	\$35,230 00
Land service.....	1,284,916 47	1,077,060 55
Indian affairs.....	1,343,276 36	1,015,735 50
Pension Office.....	1,566,040 00	985,846 66
Expenses of United States courts..	672,053 00	672,900 00
Public buildings.....	418,504 71	1,107,663 00
Penitentiary of the District of Columbia.....	9,210 00	8,890 00
Agricultural statistics.....	5,500 00	7,700 00
Insane paupers.....	10,000 00	10,000 00
Census.....	150,000 00
Mexican boundary survey.....	200,000 00
	5,695,328 04	4,921,025 71

It will be seen from the foregoing table that the aggregate for the next year is less by \$774,302 33 than that for the present. It is proper to remark, however, that the estimates for the land and Indian service are incomplete, for want of precise information, at the time they were prepared, of the amounts which will be required for those objects in California, Oregon, and other remote parts of the country.

The variations in regard to the department proper and judicial expenses are too small to require detailed explanations.

Large balances of the appropriations for pensions will remain unexpended at the close of the present fiscal year. The amount estimated for that service during the next year is therefore less by \$580,193 34 than for the present.

The estimate for public buildings exceeds that of the present year \$689,158 29. This is caused by the introduction of an item of \$600,000 for the extension of the Capitol, for which object no estimate was made for the present year. The residue of the excess is for other new objects in the city of Washington, which will be fully explained in the report of the Commissioner of Public Buildings.

The expenses of the Penitentiary have been again reduced, under the judicious management of the present inspectors and warden.

The estimate for agricultural statistics has been increased \$2,200. This consists of two items, viz: for salary of a librarian, \$1,200; and for the purchase of additional books, \$1,000.

No estimates have been submitted for the census or Mexican boundary survey, because the sums which may be required will depend upon the action of Congress on the recommendations contained in other parts of this report.

PUBLIC LANDS.

The report of the Commissioner of the General Land Office exhibits much diligence and activity in that branch of the public service, and contains important recommendations, suggested by experience; to all of which I invite your attention.

The northern boundary of the State of Iowa has been run and marked with unprecedented despatch, and a full report of the survey will be submitted at an early period of the session of Congress.

The quantity of land sold during the last fiscal year is 1,553,071 acres, being 293,776 acres less than the preceding year. The quantity located with bounty-land warrants is 3,201,314 acres, being an increase over the previous year of 747,314 acres. The quantity reported under the swamp-land grants is 5,219,188; and that selected for railroads, &c., is 3,025,920 acres. The aggregate of all the public lands disposed of during the last fiscal year is 13,115,175 acres, being an increase over the previous year of 3,342,372 acres.

In consequence of the more advantageous terms upon which lands can be located with bounty-land warrants, the sales for cash have been diminished; the quantity sold during the first quarter of the present fiscal year being but little over one-half the quantity sold during the corresponding quarter of the previous year.

In the first quarter of the present fiscal year there	
were sold for cash.....	243,255 acres.
Located with bounty-land warrants.....	1,387,116 "
Located with other certificates.....	15,649 "
Reported under swamp-land grants.....	2,485,233 "
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Making the aggregate quantity disposed of during	
the quarter.....	<u>4,131,253</u> "

If the appropriations by means of sales, locations of bounty-land warrants, and selections of swamp lands, and for railroad purposes, &c., should continue in the same proportion during the remaining three quarters, the aggregate quantity of land disposed of during the present year will be *sixteen and a half millions of acres.*

The whole number of bounty-land warrants issued under the acts of February 11, 1847, September 28, 1850, and 22d of March, 1852, is 223,007, and the quantity of land called for by them is 22,428,400 acres. Of these warrants 121,026 have been located, covering 14,802,040 acres; and there are yet outstanding 101,981 warrants, which will cover the further quantity of 7,626,360 acres.

A table accompanying the Commissioner's report presents a comprehensive view of the condition of the public lands in the several States. It shows the entire area, in square miles, of each State; the quantity of land surveyed, and the quantity which remains yet to be surveyed; the number of acres which have been offered for sale; the number sold; the quantity embraced in donations, grants for schools, universities, asylums for the deaf and dumb; for internal improvements; to individuals and companies; for seats of government and public buildings; for military services; the quantity reserved for salines; for the benefit of Indians; for individuals, companies, and corporations; the area covered by confirmed private claims; the amount of swamp lands granted to each State; the quantity granted for railroad purposes; and the total area remaining unsold and unappropriated.

The report of Dr. D. D. Owen, on the geology of Wisconsin, Iowa, and Minnesota, is now in press, in accordance with the directions of Congress, and a large number of copies will be delivered early in the session. It is believed that the work itself, and the style of its publication, will be satisfactory to the public.

The final report of Messrs. Foster and Whitney, on the geology of the Lake Superior region, will probably be submitted to Congress during its session.

No progress has yet been made by the department in the execution of the act of Congress of the last session, providing for the redemption of Virginia land warrants with United States scrip, receivable in payment for the public lands, the State of Virginia not having yet executed the deed of relinquishment, &c., required by the law. Shortly after the passage of the act, I addressed the Governor of Virginia on the subject, and in reply was informed that it would be brought to the attention of the legislature, which is now in session. As soon as the department shall have been officially advised that the State of Virginia has complied with the terms of the law, prompt measures will be taken for its execution.

In consequence of the allegations made, in the year 1837, of errors and imperfections of the public surveys in the Greensburg district, in the State of Louisiana, the land office for that district has been virtually closed since that period. Many of the re-surveys authorized by the act of 29th August, 1842, having been completed, the necessary steps have recently been taken to bring those lands into market as early a day as practicable.

Sufficient progress having been made in the public surveys in California and Oregon, I respectfully recommend the extension of the present land system over the agricultural lands, and the establishment of land offices for their disposal. With regard to the mineral lands in California, I beg leave to repeat the recommendations contained in my last annual report, with the modification that the privilege of mining be

restricted to citizens of the United States, or those persons who may have declared their intention to become such.

PENSION OFFICE.

The report of the Commissioner of Pensions contains full and exact information in regard to the transactions of that office, with many valuable suggestions of amendments of the laws which deserve the serious consideration of the legislative department of the government.

This bureau has charge of the bounties conferred by Congress on those who have been engaged in the military service of the country, whether given in land or money.

Pensions or pecuniary bounties have been granted to six classes of persons:

First. To soldiers of the revolutionary war.

Second. To widows of revolutionary soldiers.

Third. To invalid soldiers.

Fourth. To widows and orphans of soldiers in the Mexican war.

Fifth. To certain classes of persons in the naval service.

Sixth. Virginia half-pay and commutation claimants.

The whole number of pensioners now on the rolls, exclusive of navy pensioners, is 18,868, being 743 less than the number reported in 1851.

The number added to the rolls since the last annual report is 2,011, of which a large proportion consists of invalid pensioners, and the widows and orphans of those who died of wounds or disease contracted in the Mexican war.

The deaths of 823 pensioners of various classes have been reported within the last year.

The expenditure on account of pensions since the last report, as far as it can be ascertained from the Treasury Department, is about \$1,500,000, embracing many claims allowed before the close of the last, but paid within the present year.

The expense of the system continues nearly the same as in former years; nor is it likely to be diminished until Congress shall, by further legislation, apply the corrective to many of its abuses.

In my last report I called your attention to the propriety of amending the law so as to confine the benefits of the pension laws to those who rendered the service, and to the widows and minor children of such as were dead; and also to the necessity of adopting more efficient measures to prevent frauds under the various pension laws. As nothing was done by Congress in reference to either of these subjects, I respectfully present them again to your notice. There certainly can be no sufficient reason for giving to adult children, or collateral relatives of a deceased soldier, a bounty for his military services. The policy of the law should be to assume, to some extent, the natural obligations of the deceased soldier to support his wife and minor children in the event of his death in the public service; but there can be no valid claim on the justice or bounty of the government to go further, and make provision for those whom he was under no obligation to support.

The enactment of more stringent laws to prevent the perpetration of frauds on the government, also demands the prompt and serious atten-

tion of Congress. Scarcely a month elapses without the detection and exposure of the basest attempts at imposition by fraud, perjury, and forgery. In some parts of the country the business has been reduced to a system, and bodies of men have confederated for the purpose of carrying into effect their nefarious schemes, by means so artful as to render detection almost impossible. No effort has been spared by the department and the Pension Office to discover and frustrate the purposes of these miscreants; but in consequence of the defects in the law, it is not always possible to bring them to justice.

Revolutionary pensioners.

In my last report I stated that the whole number of persons who had been pensioned under the act of the 15th of March, 1818, was 20,485, of whom 1,383 remained on the rolls. Since that date no new pensioners have been added under that law, and the number now remaining on the list is 1,046, showing a reduction of 337 within the year; and of those whose names still continue on it, only 339 have received pensions during the 1st and 2d quarters of the current fiscal year. Under the act of 15th of May, 1828, which was passed for the benefit of officers and soldiers of the continental army who served to the end of the war, only 1,168 were pensioned; of that number 128 are still on the rolls, but 42 only have been paid during the 1st and 2d quarters of the present year.

The system of revolutionary pensions was greatly extended by the act of 7th June, 1832. At the date of my last report 32,986 persons had received the benefits of that act, of whom 4,813 then continued on the rolls.

Since that date 80 new pensioners have been added, making the aggregate number of persons who have been pensioned under that law 33,066. Of these 4,328 remain on the rolls, but only 1,495 have received payment in the 1st and 2d quarters of the year; from which it may be fairly inferred that a large number have died within the year.

Widows of revolutionary soldiers.

Under the law of 4th July, 1836, 5,163 persons have been pensioned, of whom 978 remain on the rolls.

The act of 7th July, 1838, extended the pension laws to widows of revolutionary soldiers who were married prior to 1791. Under it 11,400 have from time to time been enrolled; but only 162 have been paid during the 1st and 2d quarters of the year.

The number pensioned under the act of 2d January, 1848, is 6,000; and under the act of 29th July, 1848, which extended the period of marriage to the year 1800, the number pensioned was 975. There are now on the rolls under both these acts 5,280 pensioners, of whom 4,209 were paid during the 1st and 2d quarters of the year.

At the date of my last report, the number on the rolls was 5,254. If, therefore, we assume the payments during the year as the basis for estimating the number who survive, it has been reduced to the extent of 1,045.

Mexican war pensions.

The whole number of pensions granted under the various acts for the benefit of the widows and orphans of soldiers who were killed in battle, or died from disease contracted in the Mexican war, is 1,890; and the number now on the rolls is 1,123, being 627 less than at the date of my last report.

Navy pensions.

A detailed statement of the navy pensioners accompanies the Commissioner's report, from which it will appear that there are now on the rolls 726 invalids, who receive annually \$45,049 96.

There are also 514 widows, who annually receive \$101,490: and 48 orphans, who receive \$6,138.

Virginia half-pay commutation claims.

The half-pay claims examined and allowed under the act of 5th July, 1832, since the date of the last report, amount to \$15,964 73. It is supposed that few valid claims of this character are now outstanding. Some, however, have been presented, which, for various causes, have been suspended.

All claims for commutation-pay continue suspended by my order until the further pleasure of Congress shall be made known on the subject. This order, by its terms, will remain in force until the close of the next session of Congress. If in the mean time no action shall be taken by Congress, it may become the duty of the department to make such disposition of them as justice may seem to require.

MILITARY LAND BOUNTIES.

During the year ending 25th October, 1852, land warrants have issued on account of revolutionary claims as follows, viz:

3 for lieutenants, of 200 acres each.....	600 acres.
12 for non-commissioned officers and soldiers, of 100 acres each.....	1,200 "
135 warrants of 160 acres each, issued under the acts of Congress of December 24, 1811, and January, 1812.....	21,600 "
And 7 warrants of 320 acres each, issued under act of Congress of December 10, 1814, equal to.....	2,240 "
There have been issued in the same period 39 new certificates of right to locate land warrants of 160 acres each, which issued under acts of 24th December, 1811, and 11th January, 1812, but for which no patents have been granted.....	6,240 "
Also, 2 new certificates of right to locate land warrants of 320 acres each, under act of December 10, 1814, upon which no patent had issued.....	640 "
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The aggregate of warrants thus issued for revolutionary service, and service in the war of 1812, is.....	<u>32,520 acres.</u>

MEXICAN WAR BOUNTY-LAND ACT.

The claims under the act of 11th February, 1847, known as the Mexican land-bounty law, which were filed prior to the 31st October last, amount to 89,377
 Filed for scrip, in lieu of land bounty..... 4,347

93,724

Number of land warrants issued..... 83,088
 Issued for money and scrip..... 3,234

86,322

Leaving suspended, for various reasons..... 7,402

The operations during the year, under the same act, are as follows, viz:

Applications for land..... 3,485
 For scrip or money..... 90

3,575

Warrants issued for land..... 2,307
 Do. for scrip or money..... 61

2,368

Suspended claims..... 1,207

The number of applications under the act of 11th February, 1847, has increased in consequence of the repeal of the last proviso of the ninth section, by the passage of the act of 22d March, 1852.

BOUNTY-LAND LAWS OF SEPTEMBER 28, 1850, AND MARCH 22, 1852.

The execution of these laws has been steadily progressing. Up to the present time the number of cases received and registered amounts to about 200,000; of which there have been admitted..... 140,058
 Now on the files for examination..... 4,531
 Suspended for further proof..... 55,111

199,700

Warrants are issued daily for all admitted cases. The number of new applications amounts to about 100 per day.

The quantity of land required to satisfy the warrants issued up to the 1st of November, 1852, amounts to 9,935,320 acres, which, at the minimum price of \$1 25 per acre, would be worth \$12,419,150.

Under the act of March 22, 1852, there have been received and registered..... 7,655 cases.
 Of which there have been admitted..... 2,341 "

Leaving still to be acted on..... 5,314 "

To satisfy the claims issued under this act, 143,600 acres of land will be required.

The report of the Commissioner contains some important suggestions in regard to proposed changes in the laws relating to pensions. In addition to those already alluded to, I would invite your particular attention to the propriety of re-enacting a provision requiring biennial examinations, by competent medical officers, of all invalid pensioners, and a report as to the condition of their health. The law of 1819 contained a provision of this kind, which was found to work well in practice; but it was incautiously repealed by the act of July 4, 1832. Some such measure is indispensable to protect the government against imposition.

No material reduction has been made in the clerical force of the Pension Office since the date of my last report; but, as the bounty-land cases will soon be disposed of, the services of many of the clerks can be dispensed with at an early day.

INDIAN AFFAIRS.

For detailed information in regard to the condition of our Indian relations, I respectfully refer to the report of the Commissioner of Indian Affairs.

In my last annual communication I explained, somewhat at large, my views of the policy which should regulate our intercourse with the Indian tribes. It was, in substance, that our efforts should be directed to their civilization and the amelioration of their condition, rather than to measures of coercion. It is not only more just and humane, but more economical, to win them by kindness, and to encourage them to engage in pastoral and agricultural pursuits, and relinquish their nomadic and predatory life, than to subdue and restrain them by military force. I still adhere to these opinions, and respectfully refer to my last report for a more detailed exposition of them.

The amendments to the treaties with the Sioux Indians, in Minnesota, which were proposed by the Senate, have been submitted to the proper authorities of the tribes, and acceded to by them, and their title to a valuable district of country has thereby been extinguished.

In consequence of the rejection of all the treaties which had been negotiated with the Indian tribes resident in California and Oregon, our relations with them are of a very unsettled and precarious character. It is believed that those treaties were rejected, not so much on account of objections to their details as to the leading principles embraced in them, which secured particular districts of country for the exclusive occupancy of the Indians. Until the Senate shall have announced some line of policy to be pursued on that subject, it would be worse than useless to attempt further negotiations. If the Indians are to be removed out of California and Oregon, it will be for Congress to say so, and to provide for them some place of refuge. Or if any particular districts of country within their limits, more remote from the settlements of the whites, are to be set apart for them, it is proper that Congress, which is alone invested with the power of disposing of the public domain, should make the necessary provisions on the subject.

The department has endeavored assiduously to conciliate the Indians by kindness, and to prevent those hostilities which we had just cause to apprehend. So far, these efforts have been in a great measure successful. There is reason to fear, however, that if measures are not speedily adopted to declare by law what is to be the extent of the rights of the Indians, and to protect them from aggression, collisions and bloodshed will ensue.

The removal of the remnant of the tribe of Seminole Indians has long been a cherished object of the government, and the department has spared no pains to accomplish it. Admonished, by experience, of the cost of blood and treasure which must attend the repetition of the attempt to expel them by military force, it was thought to be more consistent with humanity and sound policy to try the effect of peaceful measures. A special agent was therefore employed to go among them and endeavor to induce them to emigrate voluntarily. To give greater force to his representations of the benefits likely to ensue from such a measure, he took with him a delegation of Seminole Indians who had previously removed to the country west of the Mississippi. Their united persuasions have had the effect which was anticipated, and recently several of the principal chiefs of the Florida tribe visited Washington, and, while here, acknowledged in writing their obligation to remove. Late advices from the special agent assure us that they still adhere to their engagement—that a meeting of the tribe has been called to make the necessary preparations, and that their removal may be confidently expected at any early day.

Such a result will be a matter of much interest to the people of Florida, as it will not only relieve them from apprehension of danger to their persons and property, but will open an extensive district of country for settlement and cultivation.

CENSUS.

The report of the Superintendent of the Census will show that the greater part of the labor of compiling and classifying the returns has been completed; and the publication can now be commenced, as the residue can be finished and placed in the hands of the publisher from time to time as he may require.

It is estimated that an additional appropriation of \$50,000 will be necessary to prepare the entire work, consisting of two large volumes, for the press.

As some objections have been urged to that part of the plan which contemplates a condensed notice of the geographical features and history of each county, I beg leave to suggest one or two reasons which have led me to believe that it would be eminently useful. In the early settlement of our country, when the population was thinly scattered over a wide extent of territory, but few counties were established. As population increased, and the public convenience rendered it necessary, these counties were divided and subdivided, until at the present day many of them do not embrace one twentieth part of their original territory. This process must continue to go on for many years to come. When, therefore, an attempt is made to ascertain the progress

in wealth and population of any county thus situated, by reference to its condition at each successive decennial census, the inquirer is involved in confusion, and will naturally lose all confidence in the accuracy of the returns, unless he has the means of ascertaining the subdivisions which have taken place, and the counties or parts of counties which have been taken from those which were originally established, and the dates of the successive divisions.

Such a condensed history will also furnish great facilities in tracing the titles to lands. In the State of Virginia, for example, it would be easy to refer to counties which have been recently formed, whose land titles are to be found scattered through the records of ten or more different counties, of which they have, from time to time, constituted parts. The laws of most of the States require conveyances to be recorded in the county in which, for the time being, the land lies. In the various changes which have taken place by the formation of new counties, a tract of land may have been embraced, at different times, by ten or more different counties. Every successive conveyance of this land must consequently be recorded in the office of the county in which, at that date, the land was situated. In seeking, therefore, to investigate the title to a tract of land at the present day, it often becomes necessary not only to ascertain in what county the land was situated at the date of the patent, but to trace all its divisions and subdivisions through a long series of years, step by step, to the present time, in order to ascertain whether the intermediate conveyances have been properly executed and recorded. This information cannot readily be obtained, and the effort to procure it is sometimes attended with great labor and expense. The introductory notices of the counties which it is proposed to prefix to the census will furnish it at a glance; and I am persuaded that there is no portion of the work which will be more acceptable to the public at large. It will certainly rescue from oblivion, and perpetuate, in a convenient and useful form, much valuable information bearing on the history and progress of our country. Great pains have been taken to secure perfect accuracy in this branch of the work. It is proposed that, in every instance, the notice of each county shall be transmitted not only to the clerk of the county, with a view to a comparison with his official records, but also that it shall be carefully revised by the proper executive officers of the State.

Objections have also been taken to the publication of the census on the plan proposed, on the score of the large expense which it would involve. As great misapprehension seems to have prevailed on this subject, I have thought it expedient to institute inquiries to ascertain—1st, what would be the actual cost of publishing the entire work in the comprehensive form proposed by the superintendent, and in a style creditable to the government; and, 2d, what would be its cost as compared with the publication, in a greatly inferior style, of the meagre returns of the sixth census.

By reference to the Treasury Department, it has been ascertained that the cost of the publication of the sixth census was as follows :

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To amount paid Blair & Rives for publishing 10,000 copies of statistical returns of sixth census.....	\$137,316 64
To amount paid Blair & Rives, and Allen, &c., for 30,000 copies of compendium.....	24,773 86
Cost of binding.....	16,712 97
Aggregate cost of publication.....	<u>178,803 47</u>

Lippincott & Co. now propose to publish 10,000 copies of the statistics of the seventh census, in two folio volumes of 1,000 pages each, in fine type and paper, well bound, with Russia backs, for the aggregate sum of \$49,500—being less than one-third of the amount paid for the publication of the sixth census. The objection, therefore, on the score of expense, is proved to be unfounded.

THE PATENT OFFICE.

The report of the Commissioner of Patents, which is made directly to Congress, will contain full and detailed statements of the operations of that bureau.

The eastern wing of the noble structure erected, and ultimately to be used for purposes connected with the industrial pursuits of our country, will soon be completed and ready for occupation. Some progress has also been made upon the basement of the western wing, and a large quantity of material has been collected with a view to the vigorous prosecution of the work next spring. The basement of the principal building has been greatly improved by dressing the rough stone of which it was built, so as to make it conform, in its general appearance, to similar portions of the newly erected additions.

There is probably no bureau connected with the government in whose operations the public at large feel a deeper interest than those of the Patent Office. It is inseparably associated with every interest of our country. The mechanic, the merchant, the manufacturer, and the farmer, are all concerned in everything which diminishes the labor of production in any of the departments of industry. Our people are eminently practical and ingenious. They are constantly employed in the discovery of new means of accomplishing important results at a diminished cost of time, labor, and money. The steam-engine, the cotton gin, and the magnetic-telegraph, are striking and imperishable memorials of the success which has attended their efforts. In the early period of our history, when population was sparse, and the prices of agricultural productions high, the labor of the country was directed mainly to the cultivation of the soil. But as population progressively increases, more attention is devoted to mechanical pursuits and the invention of machinery, by which the work of many may be accomplished by a few. Not a day passes without furnishing some evidence of this fact, in the form of applications for patents for important inventions and discoveries. The mechanical interest has, therefore, become one of great magnitude, and it is justly entitled to all the protection and assistance which can be bestowed by Congress consistently with the provisions of the constitution.

The general principles of our patent system seem to have met with universal approbation, and to have been attended with beneficent results in practice. Since the organization of the office, in 1836, it has advanced with rapid strides. At that date, one "examining clerk" was enabled to make all the preliminary investigations which were required to ascertain whether the applicant was entitled to a patent. But such has been the increase of the business, that six principal examiners and as many assistants are not now able to keep pace with it. The number of models in the office on the 1st day of January, 1836, was 1,069. In the beginning of the year 1851 they had increased to 17,257, and at the close of the present year they will fall but little short of 23,000. If they should continue to increase in this proportion, making no allowance for the augmentation consequent on the increase of population, by the close of the present century they will amount to 150,000, and the whole of the present Patent Office edifice will not be sufficient for their convenient display.

To provide against this contingency, as well as to accomplish other important results, I respectfully propose that the Commissioner of Patents be required to have prepared for publication a careful analytical and descriptive index of all discoveries and inventions which have been patented, accompanied by accurate descriptions and drawings which will fully explain the principles and practical operation of the subject of the patent. The advantages of such a publication would be almost incalculable. It would not only perpetuate the invention or discovery by avoiding the casualties by fire and other causes, but it would multiply and diffuse among the people at large the specifications and descriptions, and substantially bring home to every neighborhood, to which a copy of the work might be sent, the benefits of the Patent Office. In much the larger number of cases, the necessity for preserving and displaying the models would be obviated. The pages of the published report would be a safer and more convenient depository for them than the cabinets of the Patent Office, and they would be accessible to everybody. Inventors in remote parts of the country would be placed on an equal footing with those residing near the seat of government. When their thoughts were turned to a particular class of machinery, instead of being compelled to make a journey to Washington to see what had already been done in that department of the arts, they could at once turn to the analytical index, and ascertain what progress had been made by others. Under the present system it not unfrequently happens that ingenious persons, having conceived what they believe to be a new idea, which, when carried into practice, will be of great value, employ much of their time, labor, and money in perfecting their invention; and, when it is finished, they come to Washington filled with the hope of those rewards which crown the labors of the successful inventor. Their application for a patent is presented, and submitted to an experienced and skillful examiner, who promptly refers the anxious applicant to a drawing or a model which shows him that his ideas had been anticipated by another, and reduced to practice many years before. None but those who have taken pains to inquire into the subject can form an adequate idea of the amount of time, money, and labor which is uselessly expended under circum-

stances like these—to say nothing of the anxiety of mind and heart-sickening disappointment; all of which might be saved if such a descriptive index as I propose were readily accessible to the public. The publication of it would also tend to stimulate the inventive genius of the country, and lead not only to the development of new agents and processes, but to valuable improvements upon those which have already been brought into practical operation. It is hardly necessary to add that such a work would be of great value in the investigation, by courts of justice, of legal controversies involving the rights of patentees.

When the index is completed up to the close of the present year, it will be easy, by an annual publication of an appendix to the ordinary report from the Patent Office, to furnish a complete record of the inventions and discoveries of each successive year.

To be of value, such an index should be prepared by a person fully competent to the task; and illustrated, and printed, and bound, in a style worthy of the subject and of the nation. It would doubtless be attended with a large expense, but it could readily be paid out of the Patent fund, without encroaching on the national treasury; and I can conceive of no purpose to which that fund could be applied, which would be more acceptable to inventors, and in all respects so appropriate, as in perpetuating and diffusing the knowledge of their labors, and presenting to the public a full description of the existing condition of the mechanic arts and the kindred branches of science in our country.

The report of Mr. Stansbury, on the London Industrial Exhibition of 1851, to which allusion was made in my last annual report, has been delayed by causes beyond his control. It will be ready to be laid before Congress in the course of a few weeks, and will doubtless be a valuable and interesting document.

MEXICAN BOUNDARY.

The latest advices from the commissioner contain the gratifying intelligence that the survey of the river Gila, from its confluence with the Colorado to the point where it strikes the western boundary of New Mexico, has been completed. Much progress has also been made in the survey of the Rio Grande. When last heard from, the parties under the immediate command of Major Emory had finished the work from the point agreed on by the commissioners as the beginning point on the river, to Eagle Pass; and it is presumed that by this time the survey has been completed at least two-thirds of the distance down the course of the river.

I am not aware that any further progress has been made in the survey of those portions of the line which lie between the Rio Grande and the Gila, and which constitute the southern and western boundaries of New Mexico. A party had been organized, however, for that purpose, and it is possible that it may have been employed on that service before the commissioner was advised of the action of Congress on the subject at its last session, and ordered to discontinue his operations. If such should prove to be the fact, I will avail myself of the earliest

opportunity to communicate to you all that has been done, to enable you to lay it before Congress.

Before proceeding to present more in detail the views of the department in reference to the various questions arising out of the survey of the boundary, I feel it to be due alike to myself and the public to correct an inaccuracy which accidentally occurred in my last report, in regard to the latitude of certain points referred to, which was occasioned by an error of the clerk, who was requested to fill two blanks in the original draught of the report. But, although the error was too palpable to mislead any one, and susceptible of ready correction by reference to the map, I avail myself of the earliest opportunity to put the matter right upon the record.

The mistake occurs in the following paragraph:

"Difficulties also existed in regard to the point where the Rio Grande strikes the southern line of New Mexico. By the map, it appears to be at latitude $31^{\circ} 45'$, whereas the true position is latitude $32^{\circ} 22'$."

The facts of the case are as follow: The southern line of New Mexico is laid down on the map of Disturnell, as nearly as can be ascertained by measurement, in latitude N. $32^{\circ} 22\frac{1}{2}'$; and the town of El Paso appears, by similar measurement, to be in latitude N. $32^{\circ} 15\frac{1}{2}'$, and longitude $27^{\circ} 35'$ west of Washington. This would make the line, according to the map, about seven minutes (or seven geographical miles) north of El Paso, or a fraction of a minute north of $32^{\circ} 22'$, as agreed upon by the commissioners.

By actual observation, however, it was ascertained that El Paso is erroneously placed on the map, both in respect to latitude and longitude; its true position being in latitude N. $31^{\circ} 45'$, or a fraction more than half a degree south of its position as marked by Disturnell; and in longitude $29^{\circ} 40'$, instead of $27^{\circ} 35'$ west of Washington, or two degrees and five minutes west of its position according to the map.

The law of the last session of Congress making the appropriation for the continuation of the survey, is in the following words:

"For running and marking the boundary line between the United States and Mexico, under the treaty of Guadalupe Hidalgo, one hundred and twenty thousand dollars: *Provided*, That no part of this appropriation shall be used or expended until it shall be made satisfactorily to appear to the President of the United States that the southern boundary of New Mexico is not established by the commissioner and surveyor of the United States further north of the town called Paso than the same is laid down in Disturnell's map, which is added to the treaty."

After mature deliberation, I came to the conclusion that, under the terms of the proviso to this appropriation, no part of the money appropriated could be used or expended; and on the 11th day of October, 1852, I made a report to you to that effect, in which conclusion you expressed your concurrence by an endorsement on the report, dated 13th October, 1852.

A copy of that report and endorsement are appended to this communication.

On the 15th of October I addressed a letter to the commissioner, enclosing a copy of the report and of your endorsement, and informed

him that it would not be proper for him to make any further drafts on the department, as the available funds had been exhausted. But as I knew that large amounts of provisions had been sent to Presidio del Norte, Eagle Pass, and Fort Brown, opposite Matamoras, for the use of the surveying parties along the course of the Rio Grande, and as the commissioner and Major Emory were in possession of funds raised upon drafts previously drawn upon the department, I left it to their discretion, whether it would be best to disband the commission at once, or to continue their operations on the river as long as the means at their disposal would enable them to maintain their respective parties in the field. On this point it was impossible for the department to form a satisfactory opinion, with the limited information in its possession. But as there could be no controversy in relation to that part of the line, I considered it very desirable not to arrest the survey of it. Peremptory instructions were, however, given to the commissioner to discontinue all further operations on the southern and western lines of New Mexico, which constitute the disputed portion of the boundary, until further action should be taken by Congress. A copy of that letter also accompanies this report.

As there has been some misunderstanding in regard to the course of the department on the subject of the initial point on the Rio Grande, and the line thence westward, which constitutes the southern boundary of New Mexico, I deem it proper to give a full history of all that has been done by the department in regard to it, and an explanation of the reasons which have controlled its action.

The treaty of Guadalupe Hidalgo provides that—

“The boundary line between the two republics shall commence in the Gulf of Mexico, three leagues from land, opposite the mouth of the Rio Grande, otherwise called Rio Bravo del Norte, or opposite the mouth of its deepest branch, if it should have more than one branch emptying directly into the sea; from thence up the middle of that river, following the deepest channel, where it has more than one, to the point where it strikes the southern boundary of New Mexico; thence westwardly along the whole southern boundary of New Mexico, (which runs north of the town called *Paso*,) to its western termination; thence northward along the western line of New Mexico, until it intersects the first branch of the river Gila; (or if it should not intersect any branch of that river, then to the point on the said line nearest to such branch, and thence in a direct line to the same;) then down the middle of the said branch and of the said river until it empties into the Rio Colorado; thence across the Rio Colorado, following the division-line between Upper and Lower California, to the Pacific ocean.

“The southern and western limits of New Mexico, mentioned in this article, are those laid down in the map entitled ‘Map of the United Mexican States, as organized and defined by various acts of the Congress of said republic, and constructed according to the best authorities: revised edition, published at New York in 1847, by J. Disturnell;’ of which map a copy is added to this treaty, bearing the signatures and seals of the undersigned plenipotentiaries. And, in order to preclude all difficulty in tracing upon the ground the limit separating Upper from Lower California, it is agreed that the said limit shall consist of a straight

line drawn from the middle of the Rio Gila, where it unites with the Colorado, to a point on the coast of the Pacific ocean distant one marine league due south of the southernmost point of the port of San Diego, according to the plan of said port made in the year 1782, by Don Juan Pantoja, second sailingmaster of the Spanish fleet, and published at Madrid in the year 1802, in the Atlas to the voyage of the schooners *Sutil* and *Mericana*, of which plan a copy is herewith added, signed and sealed by the respective plenipotentiaries.

"In order to designate the boundary line with due precision, upon authoritative maps, and to establish upon the ground landmarks which shall show the limits of both republics as described in the present article, the two governments shall each appoint a commissioner and a surveyor, who, before the expiration of one year from the date of the exchange of ratifications of this treaty, shall meet at the port of San Diego, and proceed to run and mark the said boundary in its whole course to the mouth of the Rio Bravo del Norte. They shall keep journals and make out plans of their operations; and the result agreed upon by them shall be deemed a part of this treaty, and shall have the same force as if it were inserted therein. The two governments will amicably agree regarding what may be necessary to these persons, and also as to their respective escorts, should such be necessary.

"The boundary line established by this article shall be religiously respected, by each of the two republics; and no change shall ever be made therein, except by the express and free consent of both nations, lawfully given by the general government of each, in conformity with its own constitution."

In pursuance of these stipulations, after having completed the survey of the line, from the Pacific coast to the junction of the Gila and the Colorado rivers, the joint commission re-assembled at El Paso in December, 1850.

So far as this department is advised, the southern boundary of New Mexico was, at the date of the treaty of Guadalupe Hidalgo, a mere imaginary geographical line, which had never been surveyed or marked under the authority of the Mexican government. The point where this line strikes the Rio Grande had never been designated with precision, and it could therefore be ascertained only by determining its relative position to other points which were known and determined. Much controversy arose on this subject, and serious apprehensions were at one time entertained whether the commissioners could come to any satisfactory agreement.

Finally, however, they agreed that it should be established in latitude N. $32^{\circ} 22'$, and on the twenty-fourth of April, 1851, the commissioners and other persons attached to the commission assembled on the ground, and it was publicly proclaimed that that should be the initial point of boundary on the Rio Grande, and a monument was erected to mark the spot.

A written convention to that effect was also drawn up and signed by the two commissioners, and by the surveyor on the part of Mexico, and by Lieutenant A. W. Whipple, the acting surveyor on the part of the United States. At the date of this convention Mr. A. B. Gray, who had been appointed surveyor on behalf of the United States, had not arrived

at El Paso; and to avoid the delay and inconvenience which would ensue from awaiting his arrival, it was agreed by the two commissioners that Lieutenant Whipple, who was the acting surveyor, should officiate in his place.

When Mr. Gray joined the commissioners, about the 19th of July, 1851, he was requested by Commissioner Bartlett, out of abundant caution, to attach his signature to the convention, so as to remove all possible objection which might be raised to the agreement, on the ground that it had not been authenticated in exact conformity with the words of the treaty. Mr. Gray, however, refused to sign the agreement, and that fact was communicated to this department by a despatch from the commissioner.

As I foresaw that any difficulty which might arise on this point would necessarily affect our relations with Mexico, I felt it to be my duty to bring the subject to the attention of the late Secretary of State, (Mr. Webster,) and to ask his advice as to what course it was proper for me to pursue. We examined the provisions of the treaty together, and concurred in the opinion that the commissioners alone were empowered to decide upon all disputes which might arise in regard to the boundary, and that the surveyors were mere ministerial agents to carry into effect the decisions of the commissioners, and to authenticate them by their signatures. We regarded the relative functions of the commissioners and surveyors as bearing a strong analogy to the duties of a commissioner and surveyor appointed, under an order of court, to make partition of a tract of land between two joint owners. It is the province of the commissioner to decide where the dividing line shall run, and of the surveyor to run and mark it in conformity with his decision. The signatures of both, however, are very properly required to authenticate the report, and to show that it correctly sets forth the action of both. In conformity with this view of the subject, the Secretary of State advised me to request Mr. Gray to sign the agreement fixing the initial point, and a letter to that effect was accordingly addressed by me to Mr. Gray on the 31st day of October, 1851.

As the object of this letter seems to have been misunderstood by many persons whose opinions are entitled to respect, I deem the present a suitable occasion to remove all doubts on the subject. In my judgment, neither the Department of the Interior nor the Executive, nor Congress, have any power to regulate or control the action of the officers designated by the treaty of Guadalupe Hidalgo to perform the duty of ascertaining and marking on the surface of the earth the line between the two countries. These officers derive their authority *from the treaty itself, which is the joint act of the two contracting parties*, and not from their respective governments. Their functions are those of arbitrators, and their decision is in the nature of an award, which neither party can set aside; and accordingly, by the terms of the treaty, it is expressly stipulated that "the result agreed on by them shall be deemed a part of this treaty, and shall have the same force as if it were inserted therein."

In view of this clear and distinct provision, for the observance of which the national faith has been solemnly pledged, the Department of the Interior has not claimed or exercised any right to interfere with the

action of the commissioners; it has expressed no official opinion as to the correctness or incorrectness of the point agreed upon by the commissioners as to the beginning point, on the Rio Grande, of the southern line of New Mexico; and if I had been satisfied that their decision was clearly erroneous, I did not conceive that it was competent for me to alter or modify in any particular what had been done by them. With the distinct declaration of the treaty before me that "the result agreed upon by them shall be deemed a part of this treaty, and shall have the same force as if it were inserted therein," it would have been strange if I had asserted any such right.

But it has been contended that the letter to Mr. Gray necessarily involves such a pretension. I certainly had no such purpose in writing that letter; on the contrary, my object was clearly to intimate to Mr. Gray that he had neither co-equal powers with the commissioners nor supervisory control over their action, and that, although his signature might be necessary for the formal authentication of the convention between the two commissioners, it was not essential to its validity—in like manner as the signature of the clerk of the Supreme Court of the United States may be necessary to a formal certificate of a judgment of the court to an inferior tribunal, and yet the absence of that signature does not in anywise affect the validity of the judgment itself.

The objection to the action of the department proceeds upon the idea that the commission contemplated by the treaty of Guadalupe Hidalgo consisted of four members, viz: two commissioners and two surveyors, all possessing equal powers. If such be the true construction of the treaty, then I acknowledge I have, in common with the late Secretary of State and his predecessor, (Mr. Buchanan,) misunderstood its provisions.

It will be recollected that the treaty of Guadalupe Hidalgo, which was proclaimed on the 4th day of July, 1848, was negotiated and concluded under instructions issued by Mr. Buchanan. The commission to run and mark the boundary line was organized under his immediate supervision, by the appointment of Mr. Weller as commissioner, and Mr. Gray as surveyor. That Mr. Buchanan did not regard the surveyor as possessing equal powers with the commissioner, or as being an associate commissioner, is obvious from the fact that all his instructions, as to the mode of performing that duty, were addressed to the commissioner alone, and not to the commissioner and surveyor jointly. The language of the instructions tends, also, strongly to repel such a presumption. In his letter to the commissioner, under date of February 13, 1849, he says:

"As you will be held responsible for the able and faithful execution of the important trust confided to you by this article of the treaty, the President deems it proper to leave to you the organization of the commission."

Again he says, in the same letter: "In organizing the commission you are referred, for any information which you may deem necessary, to Andrew B. Gray, esq., who has been appointed surveyor."

After the transfer of this service from the State Department to the Department of the Interior, my predecessor, Mr. Ewing, following the interpretation which had been given to the treaty by the Department

of State, directed all his instructions to the commissioner alone, and not to the commissioner and surveyor jointly, and I have continued to pursue the same course.

The records of the department contain nothing to show, that whilst Mr. Weller held the office of commissioner there was any claim set up by the surveyor to be an associate commissioner, or to have power to revise and annul the official acts of the commissioner, by withholding his signature from the record of them. The records show that the surveyors did not participate in the deliberations of the joint commission. They performed none of the functions of commissioners, and gave no votes upon any controverted questions. The commissioners alone decided upon every question involving the exercise of judgment, and the surveyors were the operative agents to run and mark the line, in conformity with the principles established by the commissioners. The surveyors did not even attend the sessions of the commission, except when their presence was required to give information to the commissioners, or to authenticate the necessary records, as required by the treaty.

In confirmation of this view of the relative duties of the commissioner and surveyor, it is proper to remark, that the clause in the treaty of *Guadalupe Hidalgo* which provides for a commission to run and mark the dividing line between the two countries is a literal transcript, except as to names, of the convention for marking the boundary between the United States and Texas, concluded on the 25th of April, 1838. The provisions of that treaty are as follows:

"Art. 1. Each of the contracting parties shall appoint a commissioner and surveyor, who shall meet before the termination of twelve months from the exchange of the ratifications of this convention, at New Orleans, and proceed to run and mark that portion of the said boundary which extends from the mouth of the Sabine, where that river enters the Gulf of Mexico, to the Red river. They shall make out plans and keep journals of their proceedings, and the result agreed upon by them shall be considered as part of this convention, and shall have the same force as if it were inserted therein. The two governments will amicably agree respecting the necessary articles to be furnished to those persons, and also as to their respective escorts, should such be deemed necessary."

Under this convention, John H. Overton was appointed commissioner, and John K. Conway surveyor, on the part of the United States; and Menzies Hunt commissioner, and G. W. Smyth (and, subsequently, Andrew B. Gray) surveyor, on the part of Texas.

The following extracts from the instructions given by Mr. Forsyth, then Secretary of State of the United States, to "John H. Overton, esq., commissioner for marking the boundary line between Texas and the United States," will show what the department then understood to be the nature and extent of the powers of the commissioner and surveyor:

"Upon yourself, jointly with the Texan commissioner, will devolve the duties of conducting the proceedings of the commission, of instructing the surveyors on both sides as to their actual operations in the field, and of assigning to the clerks the duties properly appertaining to

their offices. If any question should arise from conflicting views between yourself and the Texan commissioner, the duty will be yours carefully to investigate the grounds of your own opinions, and, when fully convinced of their correctness, and of the fairness of the claims which they will induce you to set up on the part of the United States, to advocate their adoption by every proper argument, drawn from the letter and spirit of the provisions of the treaties. As it would not be consistent with the established principles of the government to advance any pretensions on the part of the United States not founded in strict fairness and justice, it will be equally essential not to admit on the part of Texas any claim not founded in the same principle."

Again: "The President confidently relies upon your prudence and judgment, as upon the hearty coöperation of the United States surveyor—whom, in turn, you are expected personally to attend, direct, and assist in the performance of his duties—for the proper advocacy of the rights and interests of your country as secured by the treaties. He is obliged the more to confide in your discretion, scrutiny, and patriotic zeal, from the impossibility of foreseeing whether any, and, if any, what questions may arise, and from the consequent necessity of leaving you, in a great degree, to exercise your judgment in the discussion and solution of them."

From these quotations, it is obvious that the treaty of 1838 was construed by Mr. Forsyth precisely as its counterpart has been by Mr. Buchanan, Mr. Ewing, and myself.

That the Mexican government has also understood it in the same way is manifest, from the fact that it has devolved the duties of commissioner and surveyor upon the same individual—General Salazar. If Mexico had regarded the surveyor as an associate commissioner, it is hardly to be supposed that she would have been willing to dispense with his services, and to confide her interests to a single commissioner, while the United States had two on the ground.

Understanding the claim set up by Mr. Gray to invalidate the action of the commissioner, by withholding his signature from the agreement entered into between them, as necessarily involving a right on his part to exercise a supervisory and controlling power over the commissioner, I deemed it my duty, in conformity with what appeared to be the true interpretation of the treaty, and the unbroken chain of precedents under various administrations, to express my dissent from his pretensions.

With regard to the question, whether the point at which the Rio Grande "strikes the southern boundary of New Mexico" has been correctly established or not, I have not felt myself called on to express an opinion. The treaty has conferred upon me no jurisdiction over the subject. If an error has been committed, I have no power to correct it; or if, on the other hand, it has been correctly ascertained, no expression of opinion by me to that effect could add anything to its validity. Having done all that I conceived I had the power to do, officially, on the subject, it must be referred to other departments of the government to devise and adopt such further measures in regard to it as the interests of the country may require.

I deem it my duty, however, to request you to recommend to Congress a modification of the proviso to the last appropriation, at an early

day, so as to relieve the persons attached to the commission from the embarrassment to which they have been subjected by the want of money to pay them; and also to relieve the government from the discredit which has been brought upon it by the protest of the drafts of its accredited agents. Five months have elapsed since the close of the last fiscal year, during all which time the officers and employes of the commission have been diligently engaged in the discharge of their respective duties, in the full confidence that Congress would make the necessary appropriations to defray their expenses and compensate them for their services. This just expectation has been disappointed. No part of the appropriation for the current fiscal year can be applied to their payment. They are left in the wilderness, many of them two thousand miles from home, without any provision having been made by law for their support where they are now stationed, and with no means furnished to enable them to return to their families. They are now subsisting on funds borrowed on their individual credit, or raised on drafts drawn by the commissioner and surveyor before notice of the proviso to the appropriation, several of which have been presented to the department, and protested for non-payment. This is a case which calls for prompt action on the part of Congress; and I cannot permit myself to doubt that your recommendation to that effect will be responded to without delay.

It will also be necessary to make further provision by law for running and marking the residue of the line between the two countries, in accordance with the terms of the treaty of Guadalupe Hidalgo.

THE EXTENSION OF THE CAPITOL, AND RECONSTRUCTION OF THE LIBRARY.

The work upon the extension of the Capitol has advanced with as much rapidity as was consistent with its proper execution. The massive foundations have been completed, the arches between the inside walls of the sub-basement have all been turned, and the spandrels filled with cement and brick; and the whole overlaid by a pavement, upon which the tiling will rest. A large part of the granite work has also been done; and portions of the walls of the principal basement have been built, of the beautiful marble which was selected as the material for the exterior surface of the edifice.

The arrangements for the new library room are also nearly completed, with the exception of the painting and gilding. The galleries, piers, alcoves, columns, doors, stairways, shelving, ceiling, consoles, and, indeed, all of the new fixtures, are of iron. The trusses of the roof are also of iron, covered with copper; so that no combustible material is used in any part of it. The plan of this work was designed, and the drawings and specifications, in detail, were prepared, by Mr. Thomas U. Walter, the architect of the extension of the Capitol, and the execution of them was intrusted to Messrs. Beebe & Co., of New York. When completed, it will present the first specimen of a room constructed entirely of iron; and I think I may add, that for convenience and beauty of arrangement it will be without a rival. The workmanship is of the most admirable quality; and when we look at it as it now stands, and reflect that it consists of more than ten thousand separate pieces, of an aggre-

gate weight of four hundred tons, and that it was planned in Washington, and executed in New York, more than two hundred miles from the hall in which it was to be placed; and when we see that every part of it fits together with the precision of cabinet work, we are at a loss whether to ascribe most honor and praise to the genius and taste of the architect who conceived and marked out the design, or to the skill and fidelity of the contractors who performed the work.

The damage done to the outside of the western front of the Capitol by the fire of December, 1851, which was more extensive than was at first supposed, has been repaired, and the building rendered as permanent and free from blemish as before the accident occurred.

HOUSES FOR THE VICE PRESIDENT AND CABINET.

Before closing this, my last annual report, I feel impelled, by a sense of public duty, to invite your attention to another subject, to which, under different circumstances, I would not have alluded. I refer to the propriety of an appropriation by Congress of a sum sufficient to erect and furnish suitable houses for the accommodation of the Vice President of the United States and the members of the cabinet. At the time our government went into operation, and the salaries of those officers were fixed by law, they were adequate for their comfortable support; but, in consequence of the great increase of the supply of the precious metals, and the expansion of the currency by means of banks, the relative value of money has been so much reduced that six thousand dollars now is not worth much more than three thousand was at that time. The cost of house rent, provisions, fuel, and, indeed, of all the necessaries of life in Washington, has risen to such a degree as to require the most rigid economy to enable the members of the cabinet and the Vice President to live within their incomes. As far as my observation has extended, few, if any of them, have been able to do so. This evil is increasing every year; and if measures are not adopted to arrest it, the day is not far distant when men of moderate means, but in all respects fitted to serve the public in high and responsible places, will be deterred from accepting them by the heavy pecuniary loss to which they must inevitably be subjected. I am far from wishing to see extravagant salaries paid to public officers; but I think the laborer is worthy of his hire; and I am sure the American people would not desire to see the public functionaries impoverished in their service. They are willing that they shall receive such compensation as will enable them to live in a style becoming their position without invading their private resources. The high offices of the country should be open to the poor as well as to the rich; but the practical effect of the present rate of compensation will soon be to exclude from the executive councils all who have not ample resources independently of their official salaries.

After much reflection, I have come to the conclusion that the best means of remedying the evil will be to erect suitable houses for the Vice President and the members of the cabinet, and provide them with the necessary furniture, fuel, and lights.

There are many reasons which might be urged in favor of this

measure, but it will answer my purpose barely to allude to a few of them.

Upon every change of administration, or in cases of the death or resignation of members of the cabinet, their successors, often from remote parts of the country, find themselves embarrassed in obtaining—even at an exorbitant price—a suitable residence for themselves and their families. They are then compelled to expend at least one year's salary in furnishing their establishment, and are consequently obliged to draw upon their private resources for the means of subsistence. Much of their time and attention is occupied by these domestic concerns, which might be more profitably devoted to the public interests. At the close of their terms, they are forced to dispose of their household effects at a ruinous sacrifice, and return to their homes impoverished in fortune, and with the ungracious reflection that while they have devoted their time and talents to the public service, their country has refused them even the means of support.

It may be said, in reply, that there is no obligation on any one to accept these positions; and if they do so, they must abide by the consequences of their own acts. In one sense this is true. There is no legal obligation on any one to accept an official position. But there is a high moral and patriotic obligation on every citizen to contribute his service to his country when it may be required; and there is a reciprocal obligation on the country not to allow him to suffer in his private fortune by that service.

By furnishing the heads of department and Vice President with houses, their present salaries will be adequate for their support. They will be freed from the cares and cost of fitting up an establishment for a mere temporary use, and be enabled to devote their whole time to the duties of their offices. They will be placed in a condition of comparative independence, by being relieved from the prospect of a heavy sacrifice by the sale of their effects upon the termination of their official connexion with the government. The heads of department, instead of being scattered over the city, will be brought nearer to each other and to the President, and be enabled to confer together without inconvenience. And at the close of their terms they will leave the seat of government with the knowledge that if they have not added to, they have at least not been obliged to subtract from, their private resources.

From estimates which I have caused to be made, I am satisfied that lots could be bought, and eight substantial, plain, and tasteful houses erected, furnished, and fitted up for occupation, for the sum of \$300,000. And as the near approach of the close of my own official term relieves me from all suspicion of being influenced by personal or party considerations in presenting the subject to your notice, I earnestly recommend it to your favorable regard.

THE DISTRICT OF COLUMBIA.

In former reports I have earnestly invited your attention to the interests of the District of Columbia, and endeavored to explain the peculiar claims which it has to the fostering care of Congress. With-

out repeating the reasons heretofore urged, I beg leave again to present the subject to your favorable notice, and to specify some of the particular objects in regard to which legislation is required.

The introduction of an ample supply of pure water into the city of Washington and Georgetown is a measure of great public interest. At the last session of Congress an appropriation was made to defray the cost of the necessary surveys, &c., to determine the best mode of accomplishing this object. An officer of the engineer corps was detailed for this duty, and some progress has already been made in the work, but not enough to enable me to express an opinion as to the plan which should be adopted. A full report will, however, be made, and submitted to Congress in time for its action during the approaching session, and I hope the necessary appropriations will be made to commence the work without delay. If additional arguments to those heretofore submitted were deemed necessary, I might refer to the recent conflagration in the library of the Capitol as an emphatic admonition of the insecurity of the public buildings and archives in the absence of a copious supply of water.

I deem it my duty, also, to call your attention to the urgent necessity which exists for the erection of suitable bridges across the Potomac, to supply the place of those which were destroyed by the floods in the early part of the present year. The interruption of the travel and commercial intercourse with the opposite side of the river has proved a serious evil to the residents of the District and the public generally. And during the winter, when navigation may be obstructed by ice, the inconvenience will be greatly augmented. I therefore recommend that an appropriation be asked for, to make the necessary surveys, and prepare suitable plans and estimates for the construction of one or more permanent bridges, which may be adapted not only for the accommodation of the ordinary travel and trade, but also for the safe and convenient passage of railway trains. The rapid extension of the system of railways throughout the whole country, forbids the idea that the intercourse by mail between the North and the South should continue longer to be delayed and interrupted, as it has hitherto been, at particular seasons of the year, by the difficulty of crossing the Potomac.

The Commissioner of Public Lands, in his report, has suggested the propriety of a grant by Congress of a portion of the public lands in aid of public schools in the District of Columbia. This proposition commands my cordial approbation, and I would be happy to see it adopted, with an amendment extending its benefits to the charitable institutions of the District. The population of the District is composed of citizens of every State in the Union. This fact creates a general interest in its prosperity and welfare; and I know of no disposition of a portion of the public domain which would be more strictly in accordance with the spirit of the trusts reposed in Congress, or more useful in itself, than an appropriation of a reasonable portion to instruct the ignorant, reform the vicious, and relieve the distressed inhabitants of the metropolis of the nation.

In former reports I have brought to your notice many other subjects which I regarded as of public interest. Among these were the estab-

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lishment of an agricultural and statistical bureau; a revision of the laws relating to the fees of marshals, attorneys, and clerks of the circuit and district courts of the United States; an increase of the salaries of the judges of the district courts of the United States; the enlargement of the functions of the Attorney General so as to make him the head of the Department of Justice, and the transfer to that department of all matters connected with the administration of justice; the construction of a national highway through our own territory to the Pacific; the more precise definition of the duties of the several executive departments; and that provision be made for the appointment of a solicitor to the Department of the Interior.

On all these subjects my opinions remain unchanged; and without repeating the reasons by which they were sustained, I beg leave again to commend them to your favorable consideration.

I have the honor to be, very respectfully, your obedient servant,
ALEX. H. H. STUART,

Secretary.

To the PRESIDENT OF THE UNITED STATES.