

REPORT
OF THE
SECRETARY OF THE INTERIOR.

DEPARTMENT OF THE INTERIOR,
Washington, December 5, 1863.

SIR: I have the honor to inform you that manuscript copies of the several reports and accompanying documents from the bureau and other subordinate officers of this department for the current year, which it has hitherto been customary to communicate to the two houses of Congress with the annual message, have been placed in the hands of the Superintendent of the Public Printing, in obedience to the requirements of the joint resolution "to expedite the printing of the President's message and accompanying documents," approved the third of March, eighteen hundred and sixty-three.

For information in detail as to the operations of the public land system, reference is made and attention specially invited to the comprehensive and able report of the Commissioner of the General Land Office. It will be seen from it that the quantity of land disposed of during the last fiscal year, for cash, by the location of bounty land warrants, as swamp and overflowed land, for railroad purposes, and under the homestead law, was 2,966,698.43 acres, as against 1,377,922 acres disposed of during the previous fiscal year, and during the first quarter of the present fiscal year 874,850.66 acres, making the entire quantity thus disposed of during the period named 3,841,549.09 acres. The increase arises chiefly from the operation of the homestead law, under which alone 1,456,514.96 acres were taken up since the 1st of January, 1863, when it took effect.

The revenue derived from the sale of the public lands during the last fiscal year amounted to \$136,077 95, being an increase of \$11,029 65 over the previous fiscal year. During the quarter ending 30th September last the sales amounted to \$90,090 55, which is \$77,662 59 more than was realized during the quarter ending September 30, 1862. The rapid increase now observable in the sales of the public lands affords additional evidence of the entire confidence of the people in the stability of the government, and that the industrial resources of the nation have not been materially diminished, notwithstanding the immense armies it has placed in the field.

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No subject committed to the management of this department is of greater importance than that of the public lands, nor has any been more prolific of legislation. Congress, at an early period, recognized the expediency and importance of the speedy settlement of the public domain, and of a liberal policy towards the actual settler. The prudence and wisdom of the system thus early inaugurated, and which has finally culminated in the enactment of the homestead law, are attested by the vast extent of fertile country which has been reclaimed and formed into now populous and flourishing States, which contribute of the superabundance of their agricultural and mineral productions to the necessities of the earlier settled portions of the country and to foreign nations.

The progress being made in the gigantic experiment of a railway to unite still more closely the States on the Atlantic to those on the Pacific will soon attract settlements along its entire route, and the Commissioner of the General Land Office, with wise forecast, has, with the approbation of the department, slightly increased the usual surveying estimates, in order to meet the exigencies which will thus be created.

In order to obtain the benefits of the act of May 20, 1862, "to secure homesteads to actual settlers on the public domain," certain preliminary acts are required to be performed before the register or receiver for the district of lands in which the settlement is proposed to be made by the party applying *in person*. This requirement of the law is thought to operate invidiously towards persons who are engaged in the military and naval service of the United States, and, to remedy the evil, it is respectfully suggested that the law might, with propriety, be so far modified as to permit the wife or other proper representative of a person so employed in the public service to take the requisite preliminary steps for the legal inception of his claim. I also concur in the opinion expressed by the Commissioner of public lands, that it is expedient and proper to require persons claiming the benefits of this law to pay the full commissions of the register and receiver at the time the entry is made, instead of deferring the payment of one-half thereof until the final issue of the certificate, at the end of five years.

At the time of the discovery of the great mineral wealth of portions of the public domain the nation was in the enjoyment of domestic tranquility and unrivalled prosperity, and could well afford to throw open her rich mines of the precious metals to the unrestricted enterprise of the world; but having now been forced into a war for the preservation of our national existence, as unexampled in expense as in magnitude, the question whether we can, in justice to other branches of industry and enterprise, longer exempt this immense source of individual revenue from its equitable share of the public burden, becomes of much importance. A small tax upon the net profits of the gold mines of the United States would largely increase the means of the treasury; and as no good reason seems to exist why the nation should not, in its hour of need, derive some direct assistance from its extensive fields of gold and silver mines, I earnestly press the consideration of the subject with a view to that end.

The attention of Congress is also called to the necessity of providing by law for the appointment of a surveyor general, and the establishment of a district land office, in the Territory of Idaho.

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In view of the disturbing causes that have existed, our relations with the various Indian tribes are as favorable as could reasonably be expected. The experience of the past few years, however, clearly demonstrates the necessity of important changes in the policy hitherto pursued towards them.

While the regions of country occupied by the Indians remained uninhabited by the whites, the plan of setting apart separate reservations for different bands of the same tribe, or for small tribes possessing similar habits and customs, and privileged to roam over common hunting grounds in quest of the means of subsistence, as in Michigan, Wisconsin, Minnesota, Kansas, and Nebraska, seemed wise and to promise success; but as the country becomes settled, their dependence upon game and the spontaneous productions of the earth become more and more precarious, while the necessity for their keeping within the limits of their reservations increases. The Indians are thus left without their accustomed resources, and in the midst of a population with whose customs and arts of life they are wholly unfamiliar. They consequently become discouraged, and, looking solely to their scanty annuities from the government, or to begging and pilfering for the necessaries of life, fall an easy prey to the sharpers and whiskey traders who gather around their reservations for the purpose of obtaining their moneys. The smaller the reservation the greater are the facilities for the exercise of this pernicious influence, and hence the necessity of concentrating scattered bands and the smaller tribes of similar habits, language, and customs, into as large communities as possible, and their location upon the more remote portions of the public domain. They will soon become extinct unless they acquire the arts of civilized life, and to this end it is indispensably necessary to place them beyond the reach of any influence save that of their agents, teachers, and assistants. The vast emigration to the newly discovered gold-bearing regions of the interior has brought us into more immediate contact with large and powerful tribes, with whom no treaties other than those of amity have yet been negotiated, and all the energies which the department can possibly exert in that direction will scarcely be adequate to the pressing demands that will be made upon it during the next few years by the exigencies of the Indian service in those regions. Immediate steps should be taken to prevent collision between them and our own people, to provide suitable locations for the Indians, and to induce them to settle upon them and engage in the cultivation of the soil, and the rearing of domestic animals, and in the mean time to furnish them such supplies as may be absolutely necessary to prevent starvation. The number of Indians under the direct supervision of the department is thus rapidly becoming larger than at any former period, and the wisdom of anticipating this increased demand upon its resources by a corresponding increase in the appropriations for the Indian service, whether we are to be guided by the principles of justice and humanity, or economy, must be manifest to all.

Particular attention is also invited to the condition of Indian affairs in California. That State has hitherto been divided into two districts—the northern and the southern—each under the charge of a superintending agent. There is no good reason for continuing this arrangement, and on the score of economy

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alone it ought to be abolished, and our Indian relations throughout the State placed under the control of one superintendent.

The good of the service and the future welfare of the Indians also imperatively demand the establishment of two reservations in the northern part of the State—one near the coast, and the other in the interior—of sufficient extent for the accommodation of all the Indians in what is now designated as the northern district, and at least one suitable reservation for those in the southern portion of the State. The necessity for these different reservations arises from the great dissimilarity that exists in the habits and customs of the several tribes for whom they are intended.

The hostility of the powerful tribes of the Apaches and Navajoes, mainly located in New Mexico and Arizona, is such, that for the present their management must be left chiefly to the military branch of the government; but measures should be promptly taken for the establishment of suitable reservations for the other Indians in those Territories, and for those now in hostility to the United States, whenever they shall have been properly subdued.

The unfortunate result of the effort made last spring to return the refugee Cherokees to their homes has largely added to the number of refugees and greatly increased the expense of their subsistence. This, together with the advance in the prices of clothing and provisions, has so augmented the expense of providing for them as to exhaust the funds set apart for that purpose, and renders a further appropriation necessary. It is doubtful whether the supplies needed could, even now, be forwarded in time to prevent much suffering, and hence the importance of our early action by Congress in the premises as may be practicable.

The able report of the Commissioner of Indian Affairs will be found to be replete with interesting facts and judicious suggestions on the subjects to which it relates.

The number of revolutionary soldiers borne upon the pension rolls had dwindled down to eighteen on the 30th of June last, of whom only ten had made application for their stipends on the 4th of March. The number of widows of revolutionary soldiers on the rolls, at the same period, was 1,573. The whole number of army invalid pensioners on the rolls the 30th of June was 7,248, most of whom were pensioned on account of wounds received or disease contracted in the service during the present war. The widows, orphans, and dependent mothers of 3,573 deceased soldiers of the present war were inscribed upon the rolls during the last fiscal year, making the whole number of this class on the rolls at the close of the year, 4,820. The number of navy invalids on the rolls at the close of the year was 544, and the number of widows, orphans, and dependent mothers of deceased officers and seamen of the navy, 577. The whole number of army pensioners added to the rolls during the last fiscal year was 7,582, and of the navy, 316. The number of army pensioners, of all classes, on the rolls on the 30th June last, was 13,659, and of the navy, 1,132. The payment of the former requires the sum of \$1,227,641 88, and the latter, \$144,074 61 per annum.

The remittances to the agents for paying pensions have been so regulated according to law "as to prevent an undue accumulation of balances in their hands."

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During the year 602 bounty land warrants have been issued, calling in the aggregate, for 94,280 acres of land.

It appears from the Commissioner's report that the whole amount of money expended by the government for pensions to the close of the last fiscal year was \$91,693,660 97, and that the quantity of land granted for military and naval services was 65,896,142 acres, which, at \$1 25 per acre, would amount to \$82,370,177 50.

Congress at the last session provided for an increase of the clerical force of the Pension Office, and I am happy in being able to say that it has enabled the Commissioner to dispose of the greatly increased amount of business thrown upon it with satisfactory promptitude. During the first quarter of the present fiscal year 7,162 claims were admitted, and a much larger number examined and suspended for further evidence.

The Commissioner estimates the whole number of claims that will be admitted during the present fiscal year at about 30,000.

The appointment of surgeons, as authorized by the act of July 14, 1862, to make the biennial examinations of pensioners, and to examine applicants for invalid pensions, has been attended with marked advantage and saving to the government. For the information of the public and those more immediately interested, the Commissioner has embraced in his report the names of the surgeons thus appointed in the several States, with their post office address.

The act of 3d March, 1859, requiring the biennial examination of invalid pensioners, prescribes that the examinations shall be made by two surgeons or physicians. The Commissioner is of the opinion, in which I concur, that the examinations will be as satisfactorily made by a single surgeon regularly appointed by the office, and with less inconvenience to the parties interested, and a modification of the law in this respect is therefore recommended.

The increase of the navy pension fund from the sale of prizes amounts, at the present time, to probably one and a half million of dollars.

The old laws in relation to the navy pension fund seem to authorize and require the investment of this money; but as the question is not entirely free from doubt, I recommend the passage of a law authorizing the department to invest the amount, which has been and may hereafter be derived from the sale of prizes, in government bonds, and apply the interest thereon to the payment of navy pensions, or that the Secretary of the Treasury be authorized by law to credit this fund with the interest which would semi-annually accrue thereon, if so invested.

A decision has been given by the department in a case arising under the act of July 14, 1862; and as it will furnish a rule of action for the Pension bureau, in constantly recurring cases of a like character, I beg leave to refer to it specially.

The second, third, and fourth sections of that act make provision for the widow, children, dependent mother, or orphan sisters, as the case may be, of any officer or other person named in the first section, who has died since the fourth day of March, 1861, or who shall thereafter die, by reason of any wound

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received or disease contracted while in the service of the United States, and in the line of duty. An officer of the navy had contracted, under these circumstances, a disease of which he died. Some months previous to his death, he tendered his resignation, as his declining health, impaired by the disease, which ultimately proved fatal, incapacitated him for the efficient discharge of duty. His resignation was accepted. The claim of his widow for a pension was rejected in the Pension Office, solely upon the ground that he was not, at the time of his death, in the naval service of the United States. The case was, by appeal, brought before the department.

The action of the Pension bureau conformed to the construction which had been given to preceding acts of Congress, granting naval pensions. Some of these acts expressly confined the right of the claimant to cases where the death of the officer occurred during the period of his service. Other acts, such as that of 1813, and the second section of the act of 1814, secure to the beneficiaries, for a specific period, half of the monthly pay to which the deceased was entitled at the time of his death. The late Attorney General Butler decided that the death of an officer or seaman, before the expiration of his service, was not essential, under the latter acts, to the validity of his widow's claim to a pension. He subsequently withdrew that opinion, and, although considering such a claim within the general equity of the system, he came to a conclusion adverse to it under those acts, owing to their peculiar phraseology, and from the fact that Congress had given a construction to them by the continuing acts of May 23, 1828, and June 28, 1832.

The act of 1862 does not, in direct terms, exclude from its benefits the widow or other designated relatives of persons who, after their resignation or discharge, shall die of wounds received or disease contracted in the *naval* service, and in the line of duty, nor does it determine the amount of pension by the monthly pay of the deceased at the time of his death. The latter provision would seem to require that the connexion of the deceased with the service should subsist until his death. By the uniform practice of the Pension bureau, under the existing act, a *military pension* was granted to the relatives of the party, without regard to the time of his death, if the claim in other respects was free from objection. Uniformity in the administration of the act is desirable, and a settled interpretation of it should be adhered to, unless it be manifestly wrong. Although, in the former legislation of Congress, military and naval pensions were granted under separate and independent enactments, both classes of pensions are provided for and placed upon the same footing by the act under consideration. No distinction is made between the two branches of the service. I could not sanction a decision making such a distinction, and I was satisfied that the action of the Pension bureau, in regard to military pensions, was amply justified by the spirit, and was not in violation of the letter, of the statute.

The effects and consequences of the opposite construction are worthy of attention. According to it, no provision is made for the bereaved and often necessitous and helpless family of a deceased party, who has received a mortal

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wound or contracted a fatal disease in the line of duty, if his death occurred after the expiration of the period of his service. Had the wound or disease inflicted a disability, it is clear that, had he survived it, he would have been entitled to a pension proportionate to such disability. The pension would not commence in any event until after his discharge. Should the disabled and discharged soldier or seaman die after receiving his pension, or before establishing his claim to it, his relatives would be excluded from the bounty of Congress, although it could be shown by indisputable proofs that his death was the direct and inevitable result of a wound received on the field or the deck, from the enemies of his country.

It seemed to me to be more in accordance with the legislative intention to hold that the death of a party, after his resignation or discharge, would not be fatal to the claim of his widow or relatives to a pension.

Should I have erred in this view, Congress can apply the appropriate corrective in regard to future cases.

I would advise, however, that some limit should be fixed by law, within which the death should occur to entitle the beneficiaries named in the second and the following sections of the act to the benefit of its provisions.

During the year ending 30th September last 5,133 applications and 811 caveats were received at the Patent Office. 29 applications were filed for the extension of patents previously granted. During the same period 3,887 patents were issued and 40 extensions granted. Quite a diminution is observable in the number of claims on which patents have been allowed, but not issued because of the non-payment of the final fee within the time prescribed by law, the number being about 370.

The balance in the treasury to the credit of the patent fund on the 1st of October, 1862, was \$48,157 21. The receipts of the office to September 30, 1863, amounted to \$179,378 55, making its entire resources for the year \$227,535 76. The expenditures of the office during that period have been \$189,803 13, leaving a balance on hand on the 1st October, 1863, of \$37,732 63.

The work of classifying the results of the Eighth Census for publication has progressed satisfactorily, and the printing of the volume of population statistics is so far advanced as to insure its completion and delivery early in the coming session of Congress. The succeeding volumes will be supplied to the two houses as fast as the capabilities of the public printer will admit.

The marshals and assistant marshals in the loyal States have generally been paid in full for their services, and the accounts of those employed to take the territorial census of Nevada, Dakota, and Colorado, for which provision was made by the act of March 3, 1863, have been paid, in part, and the remainder are in process of adjustment. The final settlement of the accounts of 1,207 marshals and assistants in States affected by the rebellion has been precluded by the condition of public affairs and the refusal of some of these officers to take the oath prescribed by law as a condition precedent to payment.

The able reports from the Board of Visitors and the superintendent of construction of the Government Hospital for the Insane will be read by all with

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much interest. The advantages of this institution at the present time cannot be overestimated. Those who, while engaged in the land and naval service of the country, in this trying hour, for the preservation of our government, are overtaken by mental disorders, there find a refuge, and are treated with the highest skill which has yet been attained in the art of treating the insane. The success which has attended their treatment, and the numbers who have recovered, are the most flattering testimonials in behalf of those who have had charge of the institution. Their devotion to their calling is only to be fully appreciated when it is remembered that a larger number of patients have been admitted to this institution during the last year than have ever before been admitted into any similar hospital in this country in the same space of time. Although so large a number have been admitted, and the increase been chiefly derived from the army and navy, it is gratifying to be assured that neither the existence of the war, doubt as to the justice of our cause, nor distrust as to its final result, is to be imputed as the cause of the malady with which the patients have been afflicted, but that it is rather the result of overtasked efforts of constitutions previously impaired by sickness contracted in the line of duty.

Amongst other advantages which this institution affords, is that those who have suffered the loss of a limb in the service may here have it replaced by an artificial one, fabricated by persons of the highest skill, without cost, the patients being maintained at the hospital, free of expense, during the time the artificial limb is being prepared, made familiar with its mechanism and use, and thus enabled to adopt their new help with the greatest advantage and ease to themselves.

During the past year much difficulty and perplexity have been experienced by the department in the admission of patients to this institution under the present laws. Many applications have been made for admission of persons who have sought refuge in this District, but have not their permanent homes here, so as to be clearly entitled to admission into the hospital, as resident paupers at the time of becoming insane. These persons have, in many instances, been a serious charge upon the War Department, which has been compelled to take care of them in camps and other unsuitable places for such persons, and consequently at great expense and inconvenience.

It is recommended that existing laws on the subject be so modified as to permit the department, in the exercise of a proper discretion, to admit this class of persons into the asylum until they can be more properly disposed of.

I cannot conclude my notice of this institution without adding my testimony to that of all my predecessors to the marked devotion and distinguished ability and fitness of the gentleman who has occupied the position of superintendent from the foundation of the asylum.

He deserves the gratitude of the country for his zealous and persistent efforts to make the institution under his charge a model one in every respect in which it may be viewed.

The appropriations which are asked for the ensuing fiscal year are earnestly recommended. No application of public money has ever been more wisely

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economically, and satisfactorily made, than have the sums dedicated by Congress to this humane and benevolent institution.

The Columbia Institution for the instruction of the deaf and dumb and the blind has been managed with great ability and success. The buildings, however, are manifestly insufficient for the proper accommodation of the pupils admitted and the growing wants of this community.

The report of the president of the institution will be read with interest. It expresses an earnest desire for the acquisition of more adjacent land—to the extent of about thirteen acres—for the instruction of the pupils in horticulture and agriculture; the erection of more permanent and commodious mechanic shops and other necessary buildings, and for the introduction of the Potomac water, and asks for these purposes additional appropriations amounting to about \$60,000. If it be the intention of Congress to make this institution a receptacle of all who will probably apply for admission into it, the proposed enlargements are eminently proper, and should be made without delay, in order to secure the requisite lands before they shall have advanced in price or be otherwise appropriated. But if it be only designed to make provision for the unfortunates of this class inhabiting the District of Columbia, and the children of persons in the military and naval service, who are unable to provide for them elsewhere, then it is doubtful whether it will be proper to increase the extent of the grounds, or to construct the buildings, as proposed. In either case, however, the wooden structures now appurtenant to the buildings occupied are entirely unsafe for the purposes to which they are applied, and should be removed, and their places supplied by substantial brick buildings, and about two acres of land added, for the purpose of erecting thereon proper workshops.

I abstained from submitting the estimates proposed for the larger sums, because I was not prepared to say what the will of Congress might be on the subject; but I earnestly recommend that provision be made, if not to the full extent asked, at least to that required for the proper and safe accommodation of the children of the District, who are entitled to admission into the institution. It should also be supplied with water, and I recommend the appropriation of the amount asked for that purpose.

Satisfactory progress has been made on the work of the Capitol extension and new dome, notwithstanding the difficulties encountered in obtaining the marble for the former, and artisans of the requisite skill and experience for the peculiar character of the work to be done on the latter.

Since the last annual report from this department the eastern portico of the north wing has been constructed, and much work done on that of the south wing. The porticoes of the connecting corridors, and the granite platforms and steps between the old or central portions of the building and the new wings, as well as the approaches to both wings on the western front, have also been completed. It is expected that the eastern entrance to the north wing will also be finished the present season.

The group of statuary which was executed here in marble, from models made by the late Thomas Crawford, for the pediment of the eastern portico of the north wing, designed to represent "the progress of civilization," and the statues

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of "Justice" and "History," which were also designed by Crawford, and executed in Italy, have been put in their respective places, and attract much attention and merited admiration.

The expensive and elaborately wrought bronze door, designed by Randolph Rogers, and cast at the Bavarian foundry, in Munich, and the marble statues of Franklin and Jefferson, executed in Italy, by Hiram Powers, under a contract made by your immediate predecessor, under the authority of an act of Congress, have also been received and placed in appropriate positions in the building.

All these works of art, and a few others not yet completed, were exempted from the restrictions which were imposed upon the embellishment of the Capitol with statuary and paintings by the recent legislation of Congress.

The colossal figure of "Freedom," designed by Crawford and executed by Clark Mills, was, on the 2d instant, successfully raised to its elevated place on the new dome, and forms a grand and appropriate crowning to the Capitol of the nation.

With a view to economy, during the present year I abolished the office of architect of the Patent Office building, and added the duties of the same to those of the architect of the Capitol extension. Preparations have been made for finishing the saloon of the north front, and for furnishing the same with suitable cases for the reception and exhibition of models.

The work will be completed during the approaching season, and with the appropriation made at the last session of Congress for that purpose. The architect strongly urges the propriety and necessity of completing the exterior of the north front, and an appropriation for that purpose has been submitted in the annual estimates.

It became indispensably necessary, for the proper accommodation of the supreme court of the District of Columbia, and the officers connected therewith, to make certain changes and improvements in the eastern portion of the City Hall, which I have caused to be made, at the expense of the judiciary fund, upon which it has been usual to draw for such purposes, and the court is now enabled to despatch the business coming before it with much greater convenience and satisfaction to the public.

The report of the Commissioner of Public Buildings will indicate to Congress the alterations and repairs which have been made to the finished portions of the Capitol, and what additional improvements he deems it advisable to have provided for by further legislation. It also explains the manner in which the moneys appropriated for the public works under his charge have been expended during the past year, and recommends other improvements of the streets and public grounds, which recommendations will, no doubt, receive the consideration of the appropriate committees of Congress.

The duties properly appertaining to the office of Commissioner of the Public Buildings and Grounds have been greatly augmented within the past few years, and sometimes by the imposition upon him of duties not strictly belonging to his office. In justice to him, therefore, as well as to the public service, at the commencement of the present fiscal year I relieved him, to some extent, by the

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appointment of a general superintendent and special disbursing agent for the Capitol extension, the Patent Office building, and the Washington aqueduct. In making this arrangement, a saving to the government was effected, while I, at the same time, secured for these important works the services of a professional and practical architect.

The work on the Washington aqueduct has progressed, in pursuance of the act of Congress transferring the same to this department, with but slight exceptions, and the water of the Potomac river been this day introduced into the reservoirs. The walls and banks of the distributing reservoir were designed, by the engineer who projected the aqueduct, to be protected with broken stone, and a contract was made and the work commenced on that plan; but it appeared to me to be so unsubstantial and insufficient for the purpose that I caused an inquiry to be made as to the manner of protecting similar embankments in other localities, and found that, with but few if any exceptions, the walls were lined with solid stone masonry, laid in the best of cement. Influenced by the example and experience of others, and by the advice of eminent engineers, I directed a thin dressing of broken stone to be placed upon the interior walls for a foundation, and the whole to be faced with solid stone-work of about the same thickness as the contemplated riprap or broken stone wall. According to the original plan of the aqueduct, the water from the Potomac is conducted into a receiving reservoir formed by a dam across a stream called Powder Mill or Little Falls branch, about nine miles below the head of the conduit, whence it is conveyed about two miles further down to a distributing reservoir, divided into two equal sections, or basins, by an embankment designed chiefly for filtering purposes. It is thus always intermingled with the water from Powder Mill branch. The latter stream drains a considerable extent of country, and is subject to frequent and heavy freshets, which render its water unfit for immediate use. At times this stream is clear, while the water of the Potomac is rendered impure, by reason of heavy rains nearer its source. It is, therefore, important that the aqueduct should be so constructed as to afford an adequate supply of water from whichever of these sources may, for the time, be most free from impurities, and to exclude that which may be unfit for use. For this purpose, the engineer in charge proposes to connect the conduit above the receiving reservoir with that below it, so that the water from the Potomac may be brought directly into the distributing reservoir without being adulterated by that of Powder Mill branch. He also proposes to construct a gate-house in the dividing wall of the distributing reservoir, so as to admit of the use of the water from either section, as may become desirable. By means of these improvements, the requisite supply of water may be drawn from whichever of four distinct sources may be the purest and best, viz: the Potomac river, Powder Mill branch, or either section of the distributing reservoir; but without some such arrangement, "an unfailling and abundant supply of good and wholesome water" cannot at all times be obtained. Under these circumstances, I have deemed it necessary to order these changes in the original plan, and have made the estimates of appropriations for the completion of the work to conform thereto. For information in detail in reference to this subject I invite attention to the full and able report of the chief engineer.

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Certain parties having, from time to time, made claim to heavy damages for the diversion of the water from the Potomac river, my immediate predecessor, with a view to settle and end this claim, entered into an agreement of arbitration with the claimants. Pursuant to this agreement, the arbitrators met from time to time, and finally submitted their award, by which they adjudged in favor of the claimants upon each and all of the plans and modes submitted to them, being three in number, for the construction of the dam across the Potomac, and also \$12,000 for their own fees as arbitrators, and \$761 84 for the expenses of arbitration. The sums being so large, I did not feel justified in applying the existing appropriation for the completion of the aqueduct to the payment thereof, preferring to submit the whole matter to Congress for its determination. It appears from the report of the experienced engineer in charge of the work, as must be obvious to every observer, that an ample supply of water for the use of the cities of Washington and Georgetown, for many years to come, can be obtained from the Potomac by the erection of a tight dam, extending from the Maryland shore to Conn's island, to a height which will give a head of six feet of water in the aqueduct, and yield a daily supply of about 65,000,000 gallons, which is thirty-three and one-third per cent. more than was used in the city of New York in the year 1861, when its population was over 800,000. In view of this fact, I have instructed the engineer to construct a dam of cut stone, with a base sufficient to bear a superstructure of the required height for the full capacity of the aqueduct, whenever it may be called into requisition.

It is difficult to conceive how a dam of this character can work any injury to the proprietors of the water right claimed at the Great Falls. At the utmost, it could only raise the water to a level at the head of the island, while at ordinary stages and at low water (the only time when any value can properly be placed upon the right) it would not increase or diminish the flow of water in the main channel on the west side of the island; and it surely cannot be pretended that the parties claiming the water right can lawfully divert the ordinary flow of the water on the east side of the island. A dam of the east channel that would raise the water to a height sufficient to fill the aqueduct would be a great advantage to the claimants, for the reason that it would enable them to avail themselves of the power by the erection of but one dam, while one that would only back the water to the head of the island must be a matter of total indifference to them; because, in the very nature of things, it can work them no detriment whatever.

If this view shall be taken of the case by Congress, I recommend that a reasonable sum be appropriated to pay the expenses of the arbitration, and that the estimate of the cost of the dam across the main channel be diminished to the estimated cost of the dam over the east channel, thus leaving the greater expense of the dam to be provided for as the exigencies of the cities of Washington and Georgetown, by the increase of their population, may require.

The report of the engineer will not fail to arrest the attention of Congress in another important particular.

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The immense volume of water which the aqueduct will soon furnish, will afford an ample supply for fountains at all appropriate places, and for cleansing the streets and sewers of the city—keeping them at all times in a healthful and agreeable condition. But in order to the accomplishment of this most desirable object, the present system of expenditure for the repairing of streets and the construction of sewers must be abandoned, or modified to such an extent as to place it under one control. I can perceive no good reason why the government should take upon itself the exclusive management and repair of one or more of the streets and avenues of the city, while all are equally necessary to the convenience and comfort of the citizens of the United States visiting or residing in the city of Washington. The great width of its numerous streets and avenues quite discourages any attempt to completely pave them; nor is it desirable that it should be generally done, when we consider the increased amount of heat that would be radiated from their exposed surfaces, and the clouds of dust that would be constantly sweeping over them.

It is believed that this may be avoided to a great extent, by allowing in some instances the adjoining proprietors to extend the sidewalks into the streets, so as to reduce the latter to a proper width for pavement or concrete and to afford space for grass plots in front of their dwellings, and in other streets by making a park of proper width through the middle for the cultivation of trees and plants, and the erection of fountains. By the adoption of such a course, the streets and avenues of the city would be reduced to such width as to admit of their being thoroughly paved at a reasonable cost, and the beauty and comfort of the city immensely increased. But neither this nor any other great improvement can be expected under the present laws. They should be so modified as to require a uniform and perfect system of sewerage throughout the city and to superintend this, and to improve and repair the streets, commissioners should be provided, one to be appointed by the government, and one or more by the corporate authorities of the city—the money appropriated by Congress to be expended in such proportion to the sum provided by the city as should be prescribed by law, and the obligation imposed upon the city to raise by taxation, annually, such sum as might be deemed by the commissioners necessary for the objects to be accomplished.

An act of Congress to extend the charter of the Alexandria and Washington Railroad Company, and for other purposes, approved March 3, 1863, authorized the company to erect an additional structure or passage-way along either side of the Potomac bridge for the track of their road, but so as not to hinder the general use of said bridge for ordinary travel. The surveys, estimates, and plans for the construction of this bridge, together with a model of the proposed draw, were submitted to and approved by me as required by the act referred to; and the company immediately thereafter entered upon the work. The bridge is located on a centre line seventy-five feet below the centre line of the old bridge, and has progressed with such remarkable rapidity as to justify the belief that it will be fully completed during the early part of the approaching

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session of Congress, when it is expected that the railroad travel will be diverted to it, and the old bridge restored to the use of the public, for whom it was intended.

This bridge is in a dilapidated condition, and there is an urgent necessity for its immediate repair.

The report of the police commissioners will be found to be an elaborate and interesting account of their operations during the past year, and fully attests the usefulness and importance of their organization. It, however, contains many recommendations which, if fully adopted, will impose greatly increased expenditures upon the government. From the examination which I have been able to give to the subject, I am inclined to think an increase of the force, and of their compensation, is expedient and proper, but not to the extent indicated by the commissioners.

I have not been able to convince myself of the justice of imposing the entire support of this police system upon the federal government. It was shown by the census of 1860 that the District of Columbia then contained seventy-five thousand permanent inhabitants, since which time its population has evidently been largely increased. There is no city within the United States, it is believed, in which property of all kinds yields a larger income, in proportion to its value, and no good reason exists why it should not help to defray the expense of its own protection. I am the more justified in making this suggestion by the fact that the annual tax imposed upon property in this District is much less than that imposed on the property in any of the principal cities in the United States.

The suggestions of the commissioners of the police for the more economical and speedy punishment of crime are just and proper, and deserve the careful consideration of Congress.

A house of correction and for the detention of juvenile offenders should be provided, and a system adopted by which vagrants and petty offenders, on conviction upon summary trial before the police magistrates, should receive proper punishment, by being compelled to work upon the streets, to break stone in the quarries for their improvement, or to labor in some other useful way.

The want of a penitentiary has been particularly felt in the administration of justice in this District during the past year. The whole number of convicts now under sentence from this District is 179; of this number 143 have been convicted and sent to the penitentiary at Albany, New York, since the appropriation of the penitentiary of the United States for the District of Columbia by the War Department. The average cost of transporting convicts from this District to the penitentiary at Albany is about fifty dollars, and that of maintaining them there one dollar and twenty-five cents per week, or sixty-five dollars per annum. It is confidently believed that, with a penitentiary possessing the appliances necessary for the judicious application of the labor of the convicts, they could be much more economically maintained in this District, and the moral advantages secured to the community of having institutions of this character located in their midst.

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The government now owns a tract of land, containing two hundred and eighty-one acres, upon which the receiving reservoir of the Washington aqueduct is situated, which embraces several suitable sites for a penitentiary, and a house for the detention and reform of juvenile offenders. These lands are now lying vacant. There are excellent quarries immediately contiguous thereto, from which substantial buildings could be erected. They could be located in close proximity to the canal, whence fuel could be obtained at the cheapest rates. Sewerage could be easily constructed, and all the necessary water power for propelling the requisite machinery for the successful and profitable employment of the labor of the convicts could be procured from the surplus water of the reservoir at a very small cost. I think it would be good economy to provide for the erection of penitentiary buildings upon these lands, and that it would be well for Congress at its approaching session to make the necessary provision for the commencement of the work. In a very short time many of the convicts could be provided with secure and comfortable quarters upon the premises and employed in quarrying stone, and other labor pertaining to the construction of such works.

The act of March 3, 1863, making appropriations for sundry civil expenses of the government for the year ending June 30, 1864, and for the year ending June 30, 1863, and for other purposes, transferred from the appropriation made and placed under the control of the Secretary of the Treasury by the act of June 23, 1860, for the detection and arrest of counterfeiters of the coin of the United States, the sum of eleven hundred and eighty-four dollars, or so much thereof as might be necessary to enable the Secretary of the Interior "to pay detective police employed by a former head of the department, for expenses incurred and services rendered in the cities of Washington and Philadelphia in the detection and arrest of counterfeiters of United States coin." Having examined all the claims presented, and found them to have been liquidated and paid as per agreement made with the claimants prior to the rendition of the service, I recommend the passage of a law to repeal the provision alluded to in the act of March 3, 1863, and to restore the amount thereby transferred to the control of the Secretary of the Treasury for the purposes originally designed.

While the African slave trade is known to be still carried on from some foreign ports to a lamentable extent, it is gratifying to be able to state that so successful have been the efforts of this government to prevent citizens of the United States from engaging in it, that not a single vessel is known or believed to have been fitted out in our own waters for that purpose during the past year, and the wholesome examples which have resulted from the energy and vigilance which have been and are still being displayed by the officers immediately charged with the enforcement of the laws on this subject, together with the growing sense of justice among our people towards the African race, will, it is hoped, effectually deter persons from any future participation in so unrighteous a traffic.

The officers appointed pursuant to the requirements of the treaty of April 7,

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1862, with Great Britain, have repaired to their several stations, and the mixed courts of justice, to reside at the city of New York, Sierra Leone, and the Cape of Good Hope, have been duly organized and established.

The accounts of the American Colonization Society for the support of recaptured Africans in Liberia have not yet been finally settled, owing to the imperfect manner in which they have been kept by the resident agent of the United States in that republic, and by the Liberian authorities after the transfer of the captives to them. The information and facts required to be regularly reported not having been recorded and preserved by them, it is feared they cannot now be obtained with the accuracy of detail contemplated by the strict terms of the contracts, and hence it is respectfully recommended that the department be authorized by law to adjust and settle the accounts on equitable principles.

No further appropriation is asked for this object, the unexpended balances of former appropriations being sufficient to meet all the legal demands that can possibly be made during the present and the next ensuing fiscal year. The re-enactment of the joint resolution of the 3d of March last, "respecting the compensation of judges and so forth, under the treaty with Great Britain, and other persons employed in the suppression of the slave trade," will be necessary, however, to authorize the use of those funds for the service of the fiscal year ending the 30th of June, 1865.

I am unable to report any greater disposition, generally, among the colored persons, for whose colonization provision was made by certain recent acts of Congress, to emigrate, than had been exhibited at the time of your last annual message. Since that time, however, about four hundred and fifty have been deported to the Ile á Vache, adjacent and belonging to the republic of Hayti. The condition of this colony has been variously represented, and an agent has been deputed by the department to visit the island and report the real situation of affairs, and the future prospects of the emigrants there. They were emigrated under a contract entered into for that purpose, with persons who were represented as possessing every qualification and fitness for insuring the success of the experiment; but nothing has yet been paid them under it, nor will there be until the report of the agent shall have been received and found to justify it.

Independent of the seeming unwillingness of this class of persons to leave the United States, the experience the country has derived since the passage of the acts of Congress on the subject of colonization, and the action of the government towards them in adopting the able-bodied men into its armies, render it a question of great importance whether the effort to colonize them beyond the limits of the United States should be continued, unless the way should be opened for the establishment of a friendly colony in some one of the Central American states, at a favorable commercial point, for traversing that country by a new route to the Pacific.

Although much prejudice has been manifested throughout most of the free States in regard to the introduction of colored persons therein, there is a place where many of them can now be advantageously employed at remunerative

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prices, and where the objection to color does not exist. I refer to the line of the Pacific railroad. Upon this work there are already about three hundred free colored laborers, out of fifteen hundred employed, and I am assured they perform their duty faithfully and well. The department has been repeatedly urged to use its influence to cause as many colored laborers as can be procured to be employed on this work, and it is worthy of consideration, therefore, whether the money appropriated to remove those who are now a charge upon the government, to foreign countries, will not be more judiciously applied in transporting them to those fields of labor within the dominions of the United States where they are wanted, and where they will be welcomed. In this way the expense, to which the government is now subjected, will be greatly diminished, and we shall have the satisfaction of placing these people in a position of usefulness, security, and peace, where they will be instrumental in the construction of a work in which the nation has, of all others, save the putting down of this rebellion, the greatest interest.

The need at the seat of government of a Bureau of National Statistics has long been felt, and often been called to and engaged the attention of Congress, but so far without any practical result. The facts and information which a properly organized bureau of this character would collect and exhibit are often indispensable, as well to the enlightened legislator, as to the several departments of the government, and the people at large. It is confidently believed that it would contribute immensely to the advancement of the commercial, agricultural, financial, scientific, manufacturing, and other interests of our people, and, by the dissemination of correct information as to our national wealth, interests, and resources, lead to a more just appreciation of the value to all of the American Union, and contribute, in no small degree, to the more universal establishment and maintenance of friendly relations between ourselves and the other civilized nations of the earth.

Such a bureau could be established now with but little outlay, and if made to include the duty of enumerating the population of the United States, for which purpose a bureau is now required to be temporarily organized every ten years, at considerable expense and labor, would effect a positive saving to the treasury, while the work would be better performed, as the office would then be permanent, and the experience gained in the operations of one decade not wholly lost before the next was entered upon, as is now the case. Most enlightened nations have perceived the necessity and utility of organized effort for the attainment of accurate statistical knowledge, and to profit by their experience is the dictate of wisdom. Deeply impressed with the importance of the subject, I venture to refer to it again, and to invoke for it the favorable consideration of Congress.

On the 3d of March, 1863, a joint resolution was enacted authorizing and directing the Secretary of the Interior, and all other custodians thereof, to cause

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equal distribution to be forthwith made among the members of the two houses of the then expiring Congress, of all books and documents which had been printed or purchased at the cost of the government, and not actually belonging to any public library, or the library kept for use in any department of the government, excepting, however, all such books and documents as were embraced in any existing order for the distribution thereof among the members of either house of Congress. I found, on examination, that the number of volumes of the documents referred to, their incompleteness as sets or works, and the uncertainty as to their value, aggregately or separately, were such as to render it wholly impracticable to carry the provisions of the joint resolution into effect, and the subject is therefore respectfully submitted for the further consideration and action of Congress.

For years past, the department has had to encounter difficulties in providing suitable accommodations for the United States courts in the city of New York. Congress alone can apply the remedy, and it should not be longer deferred. For many years apartments in the City Hall were used for this purpose, but the increasing necessities of the city demanded them, and they had to be given up. Since then the department has been obliged to rent other buildings annually, or for a short term of years, and to alter and fit them up at considerable expense. The premises now used were leased by the department in the year 1858, for the sum of sixteen thousand dollars per annum. A large sum has been expended for alterations, occasional repairs, and furniture, amounting in six years, including rent, to upwards of one hundred and twenty-five thousand dollars. The present lease of the property will expire on the 1st of May next. The owner of it has died since the original lease was made, and the executors, though still willing to dispose of it at the price then fixed—two hundred and fifteen thousand dollars—are averse to extending the lease, so that the department will soon have to procure other temporary accommodations for the courts sitting at New York city, unless Congress shall provide the means to secure permanent ones.

The government has purchased or erected buildings at Philadelphia, Boston, and a number of less important cities, for the use of the federal courts and for other public purposes, and commenced the erection of one also at Baltimore. The propriety of extending this prudent policy to the city of New York seems too manifest to require argument. Economy alone demands it.

The department is not prepared to say that the purchase of the building now used, for the sum asked, would be the most advantageous arrangement that could be made; but it would, in the end, be the saving of considerable expense to the treasury. I therefore earnestly recommend that the department be empowered by Congress to provide suitable and permanent accommodations for the United States courts at New York, and that an adequate appropriation be made for that purpose.

The Union Pacific Railroad Company, chartered by the act of Congress entitled "An act to aid in the construction of a railroad and telegraph line from

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the Missouri river to the Pacific ocean, and to secure to the government the use of the same for postal, military, and other purposes," approved July 1, 1862, has been organized by the election of directors and other officers, and the subscription of the requisite amount of stock. The character and pecuniary ability of the stockholders afford the most ample guarantee that this great work will be prosecuted to a successful issue. The work upon the branch lately located by you has already been commenced with a determination to press it to a rapid completion, despite the inclemency of the season and other obstacles.

The southern branch of the road, having its eastern terminus at the mouth of the Kansas river, and now known as that of the "Pacific Railway Company, eastern division," is being constructed with unparalleled energy. Since the first of September last, about forty miles of this branch have been graded, the ties made ready, the iron and rolling stock purchased and delivered upon the ground or now in transitu. We have assurances, upon which a well-founded belief may be based, that early next month it will be completed, and during next summer extended to Fort Riley, a distance of about one hundred and thirty miles.

The principal obstacle to the rapid progress of the work is the scarcity of labor, which may be overcome by the employment of the freedmen, as before indicated in this report.

The California branch of the Pacific railroad is being constructed with all practicable despatch, and there is every reason to believe that the work will not be permitted to languish, but that, at an earlier day than could have been reasonably anticipated, the entire line will be completed.

The extent and unsurpassed richness of the gold fields recently discovered in Arizona, together with our previous knowledge of the vast mineral wealth of New Mexico, is well calculated to impress all who reflect upon the subject with the necessity of a branch road from the Union Pacific to Santa Fé, and such other points in the Territory of New Mexico as may be necessary to the development of the mineral wealth and trade of that country; and although Congress may be unwilling to lend pecuniary aid or credit to such an enterprise, it is believed that a liberal grant of land, both arable and mineral, of comparatively little present value to the government, to the companies now organized, or to one to be chartered by the territorial legislature of New Mexico, will insure its speedy construction. There are vast fields of iron ore, and coal suitable for its manufacture, convenient to the line of the proposed branch road, and though the enterprise may appear stupendous, the income to be derived from it would doubtless soon afford ample compensation to those who might accomplish it.

I have the honor to be, with great respect, your obedient servant,

J. P. USHER,

Secretary.

The PRESIDENT of the United States.