States generally. Under these circumstances, I am constrained to consider the attack upon her as unjustifiable, and as calling for satisfaction from the Paraguayan government.

Citizens of the United States, also, who were established in business in Paraguay, have had their property seized and taken from them, and have otherwise been treated by the authorities in an insulting and arbitrary manner, which requires redress.

A demand for these purposes will be made in a firm but conciliatory spirit. This will the more probably be granted if the Executive shall have authority to use other means in the event of a refusal. This is accordingly recommended.

It is unnecessary to state in detail the alarming condition of the Territory of Kansas at the time of my inauguration. The opposing parties then stood in hostile array against each other, and any incident might have relighted the flames of civil war. Besides, at this critical moment, Kansas was left without a Governor by the resignation of Gov. Geary.

On the 19th of February previous, the territorial legislature had passed a law providing for the election of delegates on the third Monday of June, to a convention to meet on the first Monday of September, for the purpose of framing a Constitution, preparatory to admission into the Union.—This law was in the main fair and just; and it is to be regretted that all the qualified electors had not registered themselves and voted under its provisions.

At the time of the election of delegates, an extensive organization existed in the Territory, whose avowed object was, if need be, to put down the lawful government by force, and to establish a government of their own under the so-called Topeka Constitution. The persons attached to this revolutionary organization abstained from taking any part in the election.

The act of the territorial legislature had omitted to provide for submitting to the people the constitution which might be framed by the convention; and in the excited state of public feeling throughout Kansas, an apprehension extensively prevailed that design existed to force upon them a constitution in relation to slavery against their will. In this emergency it became my duty, as it was my unquestionable right, having in view the union of all good citizens in support of the territorial laws, to express an opinion on the true construction of the provisions concerning slavery contained in the organic act of Congress of the 30th of May, 1854. Congress declared it to be "the true intent and meaning of this act not to legislate slavery into any Territory or State, nor to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way."

Under it Kansas, "when admitted as a state," was to "be received into the Union, with or without slavery, as their constitution may prescribe at the time of their admission."

Did Congress mean by this language that the delegates elected to frame a constitution should have authority finally to decide the question of slavery, or did they by a direct vote? On this question I had never entertained a serious doubt, and, therefore, in my instructions to Gov. Walker of the 28th March last, I merely said that when "a constitution shall be submitted to the people of the Territory, they must be protected in the exercise of their right of voting for or against that instrument, and the fair expression of the popular will must not be interrupted by fraud or violence."

In expressing this opinion it was far from my intention to interfere with the decision of the people of Kansas, either for or against slavery. From this I have always carefully abstained. Intrusted with the duty of taking "care that the laws be faithfully executed," my only desire was that the people of Kansas should furnish to Congress the evidence required by the organic act, whether for or against slavery; and in this manner smooth their passage into the Union. In emerging from the condition of territorial dependence into that of a sovereign State, it was their duty in my opinion, to make known their will by the votes of the majority, on the direct question whether this important domestic Institution should or should not continue to exist.—Indeed, this was the only possible mode in which their will could be authentically ascertained.

The election of delegates to a convention must necessarily take place in seperate districts. From this cause it may readily happen, as has often been the case, that a majority of the people of a State or Territory are on one side of a question, whilst a majority of the representatives from the several districts into which it is divided may be upon the other side. This arises from the fact that in some districts delegates may be elected by small majorities, whilst in others those of different sentiments may receive majorities sufficiently great not only to overcome the votes given for the former, but to leave a large majority of the whole people in direct opposition to a majority of the delegates. Besides, our history proves that influences may be brought to bear on the representative sufficiently powerful to induce him to disregard the will of his constituents.

The truth is, that no other authentic and satisfactory mode exists of ascertaining the will of a majority of the people of any State or Territory on an important and exciting question like that of slavery in Kansas, except by leaving it to a direct vote. How wise, then, was it for Congress to pass over all subordinate and intermediate agencies, and proceed directly to the source of all legitimate power under our institutions.

How vain would any other principle prove in practice! This may be illustrated by the case of Kansas. Should she be admitted into the Union with a Constitution either maintaining or abolishing slavery, against the sentiment of the people, this could have no other effect than to continue and to exasperate the existing agitation during the brief period required to make the Constitution conform to the irresistible will of the majority.

The friends and supporters of the Nebraska and Kansas act, when struggling on a recent occasion to sustain its wise provisions before the great tribunal of the American people, never differed about its true meaning on this subject. Everywhere throughout the Union they publicly pledged their faith and their honor, that they would cheerfully submit the question of slavery to the decision of the *bona fide* people of Kansas, without any restriction or qualification whatever. All were cordially united upon the great doctrine of popular sovereignty, which is the vital principle of our free institutions. Had it then been insinuated from any quarter that it would be a sufficient compliance with the requisitions for the organic law for the members of a convention, thereafter to be elected, to withhold the question of slavery from the people, and to substitute their own will for that of a legally ascertained majority of all their constituents, this would have been instantly rejected. Everywhere, they remained true to the resolutions adopted on a celebrated occasion recognizing "the right of the people of all Territories—including Kansas and Nebraska—acting through the legally and fairly expressed will of a majority of actual residents, and whenever the number of their inhabitants justifies it, to form a Constitution, with or without slavery, and be admitted into the Union upon terms of perfect equality with the other States."

The convention to frame a constitution for Kansas met on the first Monday of September last. They were called together by virtue of an act of the territorial legislature whose lawful existence had been recognized by Congress in different forms and by different enactments. A large proportion of the citizens of Kansas did not think proper to register their names and to vote at the election for delegates; but an opportunity to do this having been fairly afforded, their refusal to avail themselves of their right could in no manner affect the legality of the convention.

The convention proceeded to frame a constitution for Kansas, and finally adjourned on the 7th day of November. But little difficulty occurred in the convention, except on the subject of slavery. The truth is that the general provisions of our recent State constitutions are so similar—and I may add, so excellent—that the difference between them is not essential. Under the earlier practice of the Government, no constitution framed by the convention of a Territory preparatory to its admission into the Union as a State had been submitted to the people. I trust, however, the example set by the last Congress, requiring that the Constitution of Minnesota "should be subject to the approval and ratification of the people of the proposed State," may be followed on future occasions. I took it for granted that the convention of Kansas would act in accordance with this example founded, as it is, on correct principles; and hence my instructions to Governor Walker, in favor of submitting the constitution to the people, were expressed in general and unqualified terms.

In the Kansas-Nebraska act, however, this requirement, as applicable to the whole constitution, had not been inserted, and the convention were not bound by its terms to submit any other portion of the instrument to an election, except that which relates to the domestic institution of slavery. This will be rendered clear by a simple reference to its language. It was "not to legislate slavery into any Territory or State, nor to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way." According to the plain construction of the sentence, the words "domestic institutions" have a direct as they have an appropriate reference to slavery.

"Domestic institutions are limited to the family. The relation between master and slave and a few others are "domestic institutions," and are entirely distinct from institutions of a political character. Besides there was no question then before Congress, or indeed has there since been any serious question before the people of Kansas or the country, except that which relates to the "domestic institution" of slavery.

The convention, after an angry and excited debate, finally determined, by a majority of only two, to submit the question of slavery to the people, though at the last, forty-three of the fifty delegates present affixed their signatures to the constitution.

A large majority of the Convention were in favor of establishing slavery in Kansas. They accordingly inserted an article in the Constitution for this purpose, similar in form to those which had been adopted by the other Territorial Conventions. In the schedule, however, providing for the transition from a Territorial to a State government, the question has been fairly and explicitly referred to the people, whether they will have a constitution "with or without slavery." It declares that, before the constitution adopted by the convention "shall be sent to Congress for admission into the Union as a State," an election shall be held to decide this question, at which all the white male inhabitants of the Territory above the age of 21 are entitled to vote. They are to vote by ballot; and "the ballots cast at said election shall be endorsed 'constitution with slavery,' and 'constitution with no slavery.'" If there be a majority in favor of the "constitution with slavery," then it is to be transmitted to Congress by the President of the Convention in its original form. If, on the contrary, there shall be a majority in favor of the "constitution with no slavery," "then the article providing for slavery shall be stricken from the constitution by the President of this Convention;" and it is expressly declared that "no slavery shall exist in the State of Kansas, except that the right of property in slaves now in the Territory, shall in no manner be interfered with;" and in that event it is made his duty to have the constitution thus ratified transmitted to the Congress of the United States for the admission of the State into the Union.

At this election every citizen will have an opportunity of expressing his opinion by his vote "whether Kansas shall be received into the Union with or without slavery," and thus this exciting question may be peacefully settled in the very mode required by the organic law. The election will be held under legitimate authority, and if any portion of the inhabitants shall refuse to vote, a fair opportunity to do so having been presented, this will be their own voluntary act, and they alone will be responsible for the consequences.

Whether Kansas shall be a free or a slave State must eventually, under some authority, be decided by an election; and the question can never be more clearly or distinctly presented to the people than it is at the present moment. Should this opportunity be rejected, she may be involved for years in domestic discord, and possibly in civil war, before she can again make up the issue, now so fortunately tendered, and again reach the point she has already attained.

Kansas has for some years occupied too much of the public attention. It is high time this should be directed to far more important objects. When once admitted into the Union, whether with or without slavery, the excitement beyond our own limits will speedily pass away, and she will then for the first time be left, as she ought to have been long since, to manage her own affairs in her own way. If her constitution on the subject of slavery, or any other subject, be displeasing to a majority of the people, no human power can prevent them from changing it within a brief period.—Under these circumstances, it may well be questioned whether the peace and quiet of the whole country are not of greater importance than the mere temporary triumph of either of the political parties in Kansas.

Should the constitution without slavery be adopted by the votes of the majority, the rights of property in slaves now in the Territory are reserved. The number of these is very small; but if it were greater the provision would be equally just and reasonable. These slaves were brought into the Territory under the Constitution of the United States, and are now the property of their masters.

This point has at length been finally decided by the highest judicial tribunal of the country—and this upon the plain principle that when a confederacy of sovereign States acquire a new territory at their joint expense, both equality and justice demand that the citizens of one and of all of them shall have the right to take into it whatsoever is recognized as property by the common constitution. To have summarily confiscated the property in the slaves already in the Territory, would have been an act of gross injustice, and contrary to the practice of the older States of the Union which have abolished slavery.

A territorial government was established for Utah by act of Congress approved the 9th September, 1850, and the Constitution and laws of the United States were thereby extended over it so far as the same, or any provisions thereof, may be applicable." This act provided for the appointment by the President, by and with the advice and consent of the Senate, of a governor, who was to be ex-officio superintendent of Indian Affairs, a Secretary, three Judges of the Supreme Court, a Marshal, and a District Attorney. Subsequent acts provided for the appointment of the officers necessary to extend our land and our Indian system over the Territory. Brigham Young was appointed the first Governor, on the 20th of September, 1850, and has held the office ever since. Whilst Governor Young has been both Governor and Superintendent of Indian affairs, throughout this period, he has been at the same time the head of the church called the Latter Day Saints, and professes to govern its members and dispose of their property by direct inspiration and authority from the Almighty. His power has been, therefore, absolute over both Church and State.

The people of Utah almost exclusively [illegible] spirit that he is governor of the Territory by divine appointment, they obey his commands as if those were direct revelations from Heaven. If, therefore, he chooses that his government shall come in to collision with the government of the United States, the members of the Mormon church will yield implicit obedience to his will.

Unfortunately, existing facts leave but little doubt that such is his determination. Without entering upon a minute history of occurrences, it is sufficient to say that all the officers of the United States, judicial and executive, with the single exception of two Indian Agents, have found it necessary for their own personal safety to withdraw from the Territory, and there no longer remains any government in Utah but the despotism of Brigham Young. This being the condition of affairs in the Territory, I could not mistake the path of duty. As Chief Executive Magistrate I was bound to restore the supremacy of the constitution and laws within its limits. In order to effect this purpose, I appointed a new Governor and other federal officers for Utah, and sent with them a military force for their protection, and to aid as a *posse comitatus*, in case of need, in the execution of the laws.

With the religious opinions of the Mormons, as long as they remained mere opinions, however deplorable in themselves and revolting to the moral and religious sentiments of all Christendom, I had no right to interfere. Actions alone, when in violation of the constitution and laws of the United States, become the legitimate subject for the jurisdiction of the civil magistrate. My instructions to Governor Cumming have therefore been framed in strict accordance with these principles. At their date a hope was indulged that no necessity might exist for employing the military in restoring and maintaining the authority of the law; but this hope has now vanished. Gov. Young has by proclamation, declared his determination to maintain his power by force, and has already committed acts of hostility against the United States. Unless he should retrace his steps, the Territory of Utah will be in a state of open rebellion. He has committed these acts of open hostility, notwithstanding Major Van Vliet, an officer of the army, sent to Utah by the commanding general to purchase provisions for the troops, had given him the strongest assurance of the peaceful intentions of the government, and that the troops would only be employed as a *posse comitatus* when called on by the civil authority to aid in the execution of the laws.

There is reason to believe that Governor Young has long contemplated this result. He knows that the continuance of his despotic power depends upon the exclusion of all settlers from the Territory except those who will acknowledge his divine mission and implicitly obey his will; and that an enlightened public opinion there would soon prostrate institutions at war with the laws both of God and man. He has, therefore, for several years, in order to maintain his independence, been industriously employed in collecting and fabricating arms and munitions of war, and in disciplining the Mormons for military service. As Superintendent of Indian Affairs, he has had an opportunity of tampering with the Indian tribes, and exciting their hostile feelings against the United States. This, according to our information, he has accomplished in regard to some of these tribes, while others have remained true to their allegiance, and have communicated his intrigues to our Indian Agent. He has laid in a store of provisions for three years, which, in case of necessity, as he informed Major Van Vliet, he will conceal and then take to the mountains, and bid defiance to all the powers of the government.

A great part of all this may be idle boasting; but yet no wise government will lightly estimate the efforts which may be inspired by such phrenzied fanaticism as exists among the Mormons in Utah. This is the first rebellion which has existed in our Territories; and humanity itself requires that we should put it down in such a manner that it shall be the last. To trifle with it would be to encourage it and to render it formidable. We ought to go there with such an imposing force as to convince these deluded people that to resist would be vain, and thus spare the effusion of blood. We can in this manner best convince them that we are their friends, not their enemies. In order to accomplish this object, it will be necessary, according to the estimate of the War Department, to raise four additional regiments; and this I earnestly recommend to Congress. At the present moment of depression in the revenues of the country I am sorry to be obliged to recommend such a measure; but I feel confident of the support of Congress, cost what it may, in suppressing the insurrection, and in restoring the sovereignty of the constitution and laws over the Territory of Utah.

I recommend to Congress the establishment of a territorial government over Arizonia, incorporating with it such portions of New Mexico as they may deem expedient. I need scarcely adduce arguments in favor of this recommendation. We are bound to protect the lives and property of the citizens inhabiting Arizonia, and these are now without efficient protection. Their present number is already considerable, and is rapidly increasing, notwithstanding the disadvantages under which they labor. Besides, the proposed Territory is believed to be rich in mineral and agricultural resources, especially in silver and copper. The mails of the United States to California are now carried over it throughout its whole extent, and this route is known to be the nearest, and believed to be the best to the Pacific.

Long experience has deeply convinced me that a strict construction of the powers granted to Congress is the only true, as well as the only safe, theory of the constitution. Whilst this principle shall guide my public conduct, I consider it clear that under the war making power Congress may appropriate money for the construction of a military road through the Territories of the United States, when this is absolutely necessary for the defence of any of the States against foreign invasion. The constitution has conferred upon Congress power to "declare war," "to raise and support armies," "to provide and maintain a navy," and to "call forth the militia to repel invasions." These high foreign powers necessarily involve important and responsible public duties, and among them there is none so sacred and so imperative as that of preserving our soil from the invasion of a foreign enemy. The constitution has, therefore, left expressly requires that "the United States shall protect each of them [the States] against invasion." Now if a military road over our own territories be indispensably necessary to enable us to meet and repel the invader, it follows as a necessary consequence not only that we possess the power, but it is our imperative duty to construct such a road. It would be an absurdity to invest a government with the unlimited power to make and conduct war, and at the same time deny to it only the means of reaching and defeating the enemy at the frontier. Without such a road it is quite evident we cannot "protect" California and our Pacific possessions against invasion. We cannot by any other means transport men and munitions of war from the Atlantic States in sufficient time successfully to defend those remote and distant portions of the Republic.

Experience has proved that the routes across the Isthmus of Central America are at best a very uncertain and unreliable mode of communication. But even if this were not the case, they would at once be closed against us in the event of war with a naval power so much stronger than our own as to enable it to blockade the ports at their end of these routes. After all, therefore, we can only rely upon a military road through our own Territories; and ever since the origin of the government, Congress has been in the practice of appropriating money from the public treasury for the construction of such roads.

The difficulties and the expense of constructing a military railroad to connect our Atlantic and Pacific States, have been greatly exagerated. The distance on the Arizona route near the 32d parallel of north latitude, between the western boundary of Texas on the Rio Grande and the eastern boundary of California on the Colorado, from the best explorations now within our knowledge, does not exceed four hundred and seventy miles, and the face of the country is, in the main, favorable. For obvious reasons the government ought not to undertake the work itself by means of its own agents. This ought to be committed to other agencies, which Congress might assist either by grants of land or money, or by both, upon such terms and conditions as they may deem most beneficial to the country. Provisions might thus be made not only for the safe, rapid, and economical transportation of troops and munitions of war, but also of the public mails. The commercial interests of the whole country, both East and West, would be greatly promoted by such a road; and, above all, it would be a powerful additional bond of union. And altho' advantages of this kind, whether posial, commercial, or political, cannot confer constitutional power, yet they furnish auxiliary arguments in favor of expediting a work which, in my judgment, is clearly embraced within the war-making power.

For these reasons I commend to the friendly consideration of Congress the subject of the Pacific railroad, without finally committing myself to any particular route.

The report of the Secretary of the Treasury will furnish a detailed statement of the condition of the public finances and of the respective branches of the public service devolved upon that department of the government. By this report it appears that the amount of revenue received from all sources into the treasury during the fiscal year ending the 30th of June, 1857, was sixty-eight millions six hundred and thirty-one thousand five hundred and thirteen dollars and sixty-seven cents, ($68,631,513,67,) which amount with the balance of nineteen millions nine hundred and one thousand three hundred and twenty-five dollars and forty-five cents, ($19 901,325,45,) remaining in the treasury at the commencement of the year, made an aggregate for the service of the year of eighty-eight million five hundred and thirty-two thousand eight hundred and thirty-nine dollars and twelve cents, ($88,532,839. 12.)

The public expenditures for the fiscal year ending 30th June, 1857, amounted to seventy million eight hundred and twenty-two thousand seven hundred and twenty-four dollars and eighty-five cents, ($70,-822,724 85,) of which five millions nine hundred and forty-three thousand eight hundred and ninety-six dollars and ninety-one cents, ($5,943,896 91) were applied to the redemption of the public debt, including interest and premium, leaving in the treasury at the commencement of the present fiscal year on the 1st of July, 1857, seventeen million seven hundred and ten thousand one hundred and fourteen dollars and twenty-seven cents, ($17,710,114 27)

The receipts into the treasury for the first quarter of the present fiscal year commencing first July, 1857, were twenty million nine hundred and twenty-nine thousand eight hundred and nineteen dollars and eighty one cents, (20,929,816 81,) and the estimated receipts of the remaining three quarters to the 30th day of June, 1858, thirty-six million seven hundred and fifty thousand dollars (36,750,000,) making with the balance before stated an aggregate of seventy five million three hundred and eighty-nine thousand nine hundred and thirty four dollars and eight cents, ($75,-389,834 08,) for the service of the present fiscal year.

The actual expenditures during the first quarter of the present fiscal year were twenty-three millions seven hundred and fourteen thousand five hundred and twenty-eight dollars and thirty-seven cents, ($23,-714,528 37,) of which three million eight hundred and ninety-five thousand two hundred and thirty-two dollars and thirty-nine cents ($3,895,232 39,) were applied to the redemption of the public debt, including interest and premium. The probable expenditures of the remaining three-quarters to June 30th, 1858, are fifty-one million two hundred and forty-eight thousand five hundred and thirty dollars and four cents (51,248,530 04,) including interest on the public debt, making an aggregate of seventy four million nine hundred and sixty-three thousand fifty eight dollars and forty-one cents ($74,963,058 41,) leaving an estimated balance in the treasury at the close of the present fiscal year of four hundred and twenty-six thousand eight hundred and seventy five dollars and sixty-seven cents ($426,872 67.)

The amount of the public debt at the commencement of the present fiscal year was twenty-nine millions sixty thousand three hundred and eighty-six dollars and ninety cents (29,060,386 90.)

The amount redeemed since the 1st of July was three million eight hundred and ninety-five thousand two hundred and thirty-two thousand 39)—leaving a balance unredeemed at this time of twenty-five million one hundred and sixty-five thousand one hundred and fifty-four dollars and fifty-one cts. $25,165,154 51.)

The amount of estimated expenditures for the remaining three-quarters of the present fiscal year will, in all probability be increased from the causes set forth by the Secretary. His suggestion therefore that authority should be given to supply any temporary deficiency by the issue of a limited amount of treasury notes, is approved, and I accordingly recommend the passage of such a law.

As stated in the report of the Secretary, the tariff of March 3, 1857, has been in operation for so short a period of time, and under circumstances so unfavorable to a just development of its results as a revenue measure, that it should regard it as inexpedient, at least for the present, to undertake its revision.

I transmit herewith the reports made to me by the Secretaries of War, and of the Navy, of the Interior and of the Postmaster General. They all contain valuable and important information and suggestions which I commend to the favorable consideration of Congress.

I have already recommended the raising of four additional regiments, and the report of the Secretary of War, presents strong reasons, proving this increase of the army, under existing circumstances, to be indispensable.

I would call the special attention of Congress to the recommendation of the Secretary of the Navy in favor of the construction of ten small war steamers of light draught. For some years the government has been obliged on many occasions to hire such steamers from individuals to supply its pressing wants. At the present moment we have no armed vessel in the navy which can penetrate the rivers of China.—We have but few which can enter any of the harbors south of Norfolk, although many millions of foreign and domestic commerce annually pass in and out of these harbors. Some of our most valuable interests and most vulnerable points are thus left exposed. This class of vessels of light draught, great speed and heavy guns would be formidable in coast defence. The cost of their construction will not be great, and they will require but a comparatively small expenditure to keep them in commission. In time of peace they will prove as effective as much larger vessels, and often more useful. One of them should be at every station where we maintain a squadron, and three or four should be constantly on our Atlantic and Pacific coasts.—Economy, utility, and efficiency combine to recommend them as almost indispensable. Ten of these small vessels would be of incalculable advantage to the naval service, and the whole cost of their construction would not exceed two million three hundred thousand dollars, or $230,000 each.

The report of the Secretary of the Interior is worthy of grave consideration. It treats of the numerous, important, and diversified branches of domestic administration intrusted to him by law. Among these the most prominent are the public lands and our relations with the Indians.

Our system for the disposal of the public lands, originating with the fathers of the republic, has been improved as experience pointed the way, and gradually adapted to the growth and settlement of our western States and Territories. It has worked well in practice. Already thirteen States and seven Territories have been carved out of these lands, and still more than a thousand millions of acres remain unsold. What a boundless prospect this presents to our country of future prosperity and power.

We have heretofore disposed of 363,862,-464 acres of the public land.

Whilst the public lands as a source of revenue are of great importance, their importance is far greater as furnishing homes for a hardy and independent race of honest and industrious citizens, who desire to subdue and cultivate the soil. They ought to be administered mainly with a view of promoting this wise and benevolent policy. In appropriating them for any other purpose, we ought to use greater economy than if they had been converted into money and the proceeds were already in the public treasury. To squander away this richest and noblest inheritance which any people have ever enjoyed upon objects of doubtful constitutionality or expediency, would be to violate one of the most important trusts ever committed to any people. Whilst I do not deny to Congress the power, when acting *bona fide* as a proprietor, to give away portions of them for the purpose of increasing the value of the remainder, yet, considering the great temptation to abuse this power, we cannot be too cautious in its exercise.

Actual settlers under existing laws are protected against other purchasers at the public sales, in their right of pre-emption, to the extent of a quarter section, or 160 acres of land. The remainder may then be disposed of at public or entered at private sale in unlimited quantities.

Speculation has of late years prevailed to a great extent in the public lands. The consequence has been that large portions of them have become the property of individuals and companies, and thus the price greatly enhanced to those who desire to purchase for actual settlement. In order to limit the area of speculation as much as possible, the extinction of the Indian title and the extension of the public surveys ought only to keep pace with the wants of emigration.

If Congress should hereafter grant alternate sections to States or companies, as they have done heretofore, I recommend that the intermediate sections retained by the government should be subject to pre-emption by actual settlers.

It ought ever to be our cardinal policy to reserve the public lands as much as may be for actual settlers, and this at moderate prices. We shall thus only best promote the prosperity of the new States and Territories, and the power of the Union. But shall secure homes for our posterity for many generations.

The extension of our limits has brought within our jurisdiction many additional and populous tribes of Indians, a large proportion of which are wild, unreclaimed, and difficult to control. Predatory and warlike in their disposition and habits, it is impossible altogether to restrain them from committing agressions on each other, as well as upon our frontier citizens and those emigrating to our territories. Hence expensive military expeditions are frequently necessary to overawe and chastise the more lawless and hostile.

The present system of making them valuable presents, to influence them to remain at peace, has proved ineffectual. It is believed to be the better policy to colonize them in suitable localities, where they can receive the rudiments of education and be gradually induced to adopt habits of industry. So far as experiment has been tried it has worked well in practice, and it will doubtless prove to be less expensive than the present system.

The whole number of Indians within our territorial limits is believed to be, from the best data in the Interior department, about 325,000.

The tribes of Cherokees, Choctaws, Chickasaws, and Creeks, settled in the territory set apart for them west of Arkansas, are rapidly advancing in education and in all the arts of civilization and self-government, and we may indulge the agreeable anticipation that at no very distant day they will be incorporated into the Union as one of the sovereign States.

It will be seen from the report of the Postmaster General, that the Postoffice Department still continues to depend on the Treasury, as it has been compelled to do for several years past, for an important portion of the means of sustaining and extending its operations. Their rapid growth and expansion are shown by a decennial statement of the number of the postoffices and the length of mail routes, commencing with the year 1821. In that year there were 7000 postoffices; in 1837, 11,177; in 1847, 15,146, and in 1857, they number 28,586. In this year 1725 postoffices have been established and 704 discontinued, leaving a net increase of 1021. The postmasters of 368 offices are appointed by the President,

The length of the post roads in 1827 was 105,336 miles. In 1837, 143,242 miles; in 1847, 153,816 miles; and in the year 1857 there are 242,601 miles of post road, including 22,30 miles of railroad on which the mails are transported.

The expenditures of the department for the fiscal year ending on the 30th June, 1857, as adjusted by the Auditor amounted to $11,507,670. To defray these expenditures there was to the credit of the department on the 1st of July, 1856, the sum of $789,599, the gross revenue of the year, including the annual allowances for the transportation of free mail matter, produced $8,053,951; and the remainder was supplied by the appropriation from the treasury of $2,250,000, granted by the act of Congress approved August 18, 18,-56, and by the appropriation of $666,883 made by the act of March 3, 1857, leaving $252,763 to be carried to the credit of the department in the accounts of the current year. I commend to your consideration the report of the department in relation to the establishment of the overland mail route from the Mississippi river to San Francisco, California. The route was selected with my full concurrence, as the one, in my judgment, best calculated to attain the important objects contemplated by Congress.

The late disastrous monetary revulsion may have the good effect should it cause both the government and the people to return to the practice of a wise and judicious economy both in public and private expenditures.

An overflowing treasury has led to habits of prodigality and extravagance in our legislation. It has induced Congress to make large appropriations to objects for which they never would have provided had it been necessary to raise the amount of revenue required to meet them by increased taxation or by loans. We are now compelled to pause in our career, and to scrutinize our expenditures with the utmost vigilance; and in performing this duty, I pledge my co-operation to the extent of my constitutional competency.

It ought to be observed at the same time that true public economy does not consist in withholding the means necessary to accomplish important national objects intrusted to us by the constitution, and especially such as may be necessary for the common defence. In the present crisis of the country it is our duty to confine our appropriations to objects of this character unless in cases where justice to individuals may demand a different course. In all cases care ought to be taken that the money granted by Congress shall be faithfully and economically applied.

Under the Federal Constitution, "every bill which shall have passed the House of Representatives and the Senate shall, before it becomes a law," be approved and signed by the President; and if not approved, "he shall return it with his objections to that house in which it originated." In order to perform this high and responsible duty, sufficient time must be allowed the President to read and examine every bill presented to him for approval. Unless this be afforded, the Constitution becomes a dead letter in this particular; and even worse, it becomes a means of deception.—Our constituents, seeing the President's approval and signature attached to each act of Congress, are induced to believe that he has actually performed this duty when, in truth, nothing is, in many cases, more unfounded.

From the practice of Congress, such an examination of each bill as the constitution requires, has been rendered impossible.—The most important business of each session is generally crowded into its last hours, and the alternative presented to the President, is either to violate the constitutional duty which he owes to the people, and approve bills which, for want of time, it is impossible he should have examined, or by his refusal to do this, subject the country and individuals to great loss and inconvenience.

Besides, a practice has grown up of late years to legislate in appropriation bills, at the last hours of the session, on new and important subjects. This practice constrains the President either to suffer measures to become laws which he does not approve, or to incur the risk of stopping the wheels of the government by vetoing an appropriation bill. Formerly, such bills were confined to specific appropriations for carrying into effect existing laws and the well-established policy of the country, and little time was then required by the President for their examination.

For my own part, I have deliberately determined that I shall approve no bill which I have not examined, and it will be a case of extreme and most urgent necessity which shall ever induce me to depart from this rule. I therefore respectfully, but earnestly, recommend that the two houses will allow the President at least two days previous to the adjournment of each session within which no bills shall be presented to him for approval. Under the existing joint rule one day is allowed; but this rule has been hitherto so constantly suspended in practice, that important bills continue to be presented to him up till the very last moments of the session. In a large majority of cases no great public inconvenience can rise from the want of time to examine their provisions, because the constitution has declared that if a bill be presented to the President within the last ten days of the session he is not required to return it, either with an approval or with a veto, "in which case it shall not be a law." It may then be over, and be taken up and passed at the next session. Great inconvenience would only be experienced in regard to appropriation bills; but fortunately, under the late excellent law allowing a salary, instead of a per diem, to members of Congress, the expense and inconvenience of a called session will be greatly reduced.

I cannot conclude without commending to your favorable consideration the interest of the people of this District. Without a representative on the floor of Congress, they have for this very reason peculiar claims upon our just regard. To this I know from my long acquaintance with them they are eminently entitled.

JAMES BUCHANAN.

WASHINGTON, Dec. 8, 1857.