

PRESIDENT'S MESSAGE.
Fellow-Citizens of the Senate and of the House of Representatives:

The interest with which the people of the Republic anticipate the assembling of Congress, and the fulfillment, on that occasion, of the duty imposed upon a new President, is one of the best evidences of their capacity to realize the hopes of the founders of a political system, at once complex and symmetrical. While the different branches of the government are, to a certain extent, independent of each other, the duties of all, alike, have direct reference to the same source of power. Fortunately, under this system, no man is so high, and none so humble, in the scale of public station, as to escape from the scrutiny, or to be exempt from the responsibility which all official functions imply.

Upon the justice and intelligence of the masses, in a government thus organized, is the sole reliance of the confederacy, and the only security for earnest devotion to its interests against the usurpations and encroachments of power on one hand, and the assaults of personal ambition on the other.

The interest, of which I have spoken, is inseparable from an inquiring, self-governing community, but stimulated, doubtless, at the present time, by the unsettled condition of our relations with several foreign powers; by the new obligations resulting from a sudden extension of the field of enterprise; by the spirit with which the field has been entered, and the amazing energy with which its resources for meeting the demands of humanity have been developed.

Although disease, assuming at one time the characteristics of a wide-spread and devastating pestilence, has left its sad traces upon some portions of our country, we have still the most abundant cause for reverent thankfulness to God for an accumulation of signal mercies showered upon us as a nation. It is well that a consciousness of rapid advancement and increasing strength be habitually associated with an abiding sense of dependence upon Him who holds in his hands the destiny of men and of nations.

Recognizing the wisdom of the broad principle of absolute religious toleration proclaimed in our fundamental law, and rejoicing in the benign influence which it has exerted upon our social and political condition, I should shrink from a client duty, did I fail to express my deepest conviction, that we can place no sure reliance upon any apparent progress, if it be not sustained by national integrity, resting upon the great truths affirmed and illustrated by divine revelation. In the midst of our sorrow for the afflicted and suffering, it has been consoling to see how promptly disaster made true neighbors of districts and cities separated widely from each other, and cheering to watch the strength of that common bond of brotherhood, which unites all hearts, in all parts of the Union, when danger threatens from abroad, or calamity impends over us at home.

Our diplomatic relations with foreign powers have undergone no essential change since the adjournment of the last Congress. With some of them questions of a disturbing character are still pending, but there are good reasons to believe that these may all be amicably adjusted.

For some years past, Great Britain has so construed the first article of the convention of the 20th of April, 1818, in regard to the fisheries on the north-eastern coast, as to exclude our citizens from some of the fishing grounds, to which they freely resorted for nearly a quarter of a century subsequent to the date of that treaty. The United States have never acquiesced in this construction, but have vainly claimed for their fishermen all the rights which they had so long enjoyed without molestation. With a view to remove all difficulties on the subject, to extend the rights of our fishermen beyond the limits fixed by the convention of 1818, and to regulate trade between the United States and the British North American provinces, a negotiation has been opened, with a fair prospect of a favorable result. To protect our fishermen in the enjoyment of their rights, and prevent collision between them and British fishermen, I deemed it expedient to station a naval force in that quarter during the fishing season.

Embarrassing questions have also arisen between the two governments in regard to Central America. Great Britain has proposed to settle them by amicable arrangement, and our minister at London is instructed to enter into negotiations on that subject.

A commission for adjusting the claims of our citizens against Great Britain, and those of British subjects against the United States, organized under the convention of the 8th of February last, is now sitting in London for the transaction of business.

It is in many respects, desirable that the boundary line between the United States and the British provinces in the northwest, as designated in the convention of the 15th of June, 1846, and especially that part, which separates the Territory of Washington from the British possessions on the north, should be traced and marked. I therefore present the subject to your notice.

With France our relations continue on the most friendly footing. The extensive commerce between the United States and that country might, it is conceived, be released from some unnecessary restrictions, to the mutual advantage of both parties. With a view to this object, some progress has been made in negotiating a treaty of commerce and navigation.

Independently of our valuable trade with Spain, we have important political relations with her, growing out of our neighborhood to the island of Cuba and Porto Rico. I am happy to announce that since the last Congress no attempts have been made, by unauthorized expeditions within the U. S., against either of those colonies. Should any movement be manifest within our limits, all the means at my command will be vigorously exerted to repress it.

Several annoying occurrences have taken place at Havana, or in the vicinity of the island of Cuba, between our citizens and the Spanish authorities. Considering the proximity of that island to our shores, lying, as it does, in the track of trade, between some of our principal cities, and the suspicious vigilance with which foreign intercourse, particularly that with the United States, is there guarded, a repetition of such occurrences may well be apprehended. As no diplomatic intercourse is allowed between our Consul at Havana and the Captain-General at Cuba, ready explanations cannot be made, or prompt redress afforded, where injury has resulted. All complaint on the part of our citizens, under the present arrangement, must be, in the first place, presented to this government, and then referred to Spain. Spain again refers to her local authorities in Cuba for investigation, and postpones an answer till she has heard from those authorities.

To avoid these irritating and vexatious delays, a proposition has been made to provide for a direct appeal from the redress to the Captain-General, by our Consul, in behalf of our injured fellow-citizens. Hitherto, the government of Spain has declined to enter into any such arrangement. This course on her part is deeply regretted; for without some arrangement of this kind, the good understanding between the two countries may be exposed to occasional interruptions. Our Minister at Madrid is instructed to repeat the proposition, and to press it again upon the consideration of Her Catholic Majesty's Government.

For several years Spain has been calling the attention of this Government to a claim for losses, by some of her subjects, in the case of the schooner *Amistad*. This claim is believed to rest on the obligations imposed by our existing treaty with that country. Its justice was admitted, in our diplomatic correspondence with the Spanish Government, as early as March, 1847; and one of my predecessors, in his annual message of that year, recommended that provision should be made for its payment. In January last it was again submitted to Congress by the Executive. It has received a favorable consideration by committees of both branches, but as yet there has been no final action on it. I conceive that good faith requires its prompt adjustment, and I present it to your early and favorable consideration.

Martin Koszta, a Hungarian by birth, came to this country in 1850, and declared his intention in due form of law, to become a citizen of the United States. After remaining here nearly two years, he was forcibly seized, taken on board an Austrian brig of war, then lying in the harbor of that place, and then confined in irons, with the avowed design to take him into the dominions of Austria. Our Consul at Smyrna and Legation at Constantinople, interposed for his release, but their efforts were ineffectual. While thus imprisoned, Commodore Ingraham, with the U. S. ship-of-war *St. Louis*, arrived at Smyrna, and after inquiring into the circumstances of the case, came to the conclusion that Koszta was entitled to the protection of this Government, and took energetic and prompt measures for his release.

Under an arrangement between the agents of the United States and of Austria, he was transferred to the custody of the French consul-general at Smyrna, there to remain until he should be disposed of by the mutual agreement of the consuls of the respective governments at that place. Pursuant to that agreement he has been released, and is now on his way to the U. S. The Emperor of Austria has made the conduct of our officers who took part in this transaction a subject of grave complaint. Regarding Koszta as still his subject, and claiming a right to seize him within the limits of the Turkish empire, he has demanded of this government its consent to the surrender of the prisoner, a disavowal of the acts of its agents, and satisfaction for the alleged outrage. After a careful consideration of the case, I came to the conclusion that Koszta was seized, taken on board of the Austrian brig of war; that, at the time of his seizure, he was clothed with the nationality of the United States; and that the acts of our officers, under the circumstances of the case, were justifiable, and their conduct has been fully approved by me, and a compliance with the several demands of the Emperor of Austria has been declined.

For a more full account of this transaction and my views in regard to it, I refer to the correspondence between the Charge d'Affaires of Austria and the Secretary of State, which is herewith transmitted. The principles and policy therein maintained on the part of the United States, will, whenever a proper occasion occurs, be applied and enforced.

The condition of China, at this time, renders it probable that some important change will occur in that vast empire, which will lead to a more unrestricted intercourse with it. The commissioner to that country, who has been recently appointed, is instructed to avail himself of all occasions to open and extend our commercial relations, not only with the empire of China, but with other Asiatic nations.

In 1852, an expedition was sent to Japan, under the command of Commodore Perry, for the purpose of opening commercial intercourse with that island. Intelligence has been received of his arrival there, and of his having made known to the Emperor of Japan the object of his visit; but it is not yet ascertained how far the Emperor will be disposed to abandon his first restrictive policy and open that populous country to a commercial intercourse with the United States.

It has been my earnest desire to maintain friendly intercourse with the governments upon this continent, and to aid them in preserving good understanding among themselves. With Mexico, a dispute has arisen

as to the true boundary line between our territory of New Mexico and the Mexican State of Chihuahua. A former commissioner of the United States, employed in running that line pursuant to the treaty of Guadalupe Hidalgo, made a serious mistake in determining the initial point on the Rio Grande; but, inasmuch as his decision was clearly a departure from the direction for tracing the boundary contained in that treaty, it was not concurred in by the surveyor appointed on the part of the United States, whose concurrence was necessary to give validity to that decision, this government is not concluded thereby; but that of Mexico takes a different view of the subject.

There are also other questions of considerable magnitude pending between the two republics. Our Minister in Mexico has been instructed to adjust them. Negotiations have been opened, but sufficient progress has not been made therein to enable me to speak of the probable result. Impressed with the importance of maintaining amicable relations with that republic, and of yielding with liberality to all her just claims, it is reasonable to expect that an arrangement mutually satisfactory to both countries may be concluded, and a lasting friendship between them confirmed and perpetuated.

Congress having provided for a full mission to the States of Central America, a minister was sent thither in July last. As yet he has had time to visit only one of these States, (Nicaragua,) where he was received in the most friendly manner. It is hoped that his presence and good offices will have a benign effect in composing the dissensions which prevail among them, and in establishing still more intimate and friendly relations between them respectively, and between each of them and the United States.

Considering the vast regions of this continent, and the number of States which would be made accessible by the free navigation of the river Amazon, particular attention has been given to this subject. Brazil, through whose territories it passes into the ocean, has hitherto persisted in a policy so restrictive, in regard to the use of this river, as to obstruct, and nearly exclude, foreign commercial intercourse with the States which lie upon its tributaries and upper branches. Our minister to that country is instructed to obtain a relaxation of that policy, and to use his efforts to induce the Brazilian government to open to common use, under proper safeguards, this great natural highway for international trade. Several of the South American States are deeply interested in this attempt to secure the free navigation of the Amazon, and it is reasonable to expect their co-operation in the measure.

As the advantages of free commercial intercourse among nations are better understood, more liberal views are generally entertained as to the common rights of all to the free use of those means which nature has provided for international commerce. To these more liberal and enlightened views, it is hoped that Brazil will conform her policy, and remove all unnecessary restrictions upon the free use of a river, which traverses so many States and so large a part of the continent. I am happy to inform you that the republic of Paraguay and the Argentine Confederation have yielded to the liberal policy still resisted by Brazil, in regard to the navigation of their respective territories.

Treaties embracing this subject, June 30, 1852, there remained in treasury a balance of fourteen million six hundred and thirty-two thousand one hundred and thirty-six dollars. The public revenue for the fiscal year ending June 30, 1853, amounted to fifty-eight million nine hundred and thirty-one thousand eight hundred and sixty-five dollars from customs, and two million four hundred and fifty thousand seven hundred and eighty dollars from public lands and other miscellaneous sources, amounting together to sixty-one million three hundred and thirty-seven thousand five hundred and seventy-five dollars; while the public expenditures for the same period, exclusive of payments on account of the public debt, amounted to forty-three million five hundred and fifty-four thousand two hundred and sixty-two dollars; leaving a balance of thirty-two million four hundred and twenty-seven thousand four hundred and forty-seven dollars of receipts above expenditures.

This fact of increasing surplus in the treasury, became the subject of anxious consideration at a very early period of my administration, and the path of duty in regard to it seemed to me obvious and clear, namely: first, to apply the surplus revenue to the discharge of the public debt, so far as it could judiciously be done; and, secondly, to devise means for the gradual reduction of the revenue to the standard of the public exigencies.

Of these objects, the first has been in the course of accomplishment, in a manner and to a degree highly satisfactory. The amount of public debt, of all classes, was, on the 4th of March, 1853, sixty-nine million one hundred and ninety thousand and thirty-seven dollars; payments on account of which have been made, since that period, to the amount of twelve million seven hundred and three thousand three hundred and twenty-nine dollars, leaving unpaid, and in the course of liquidation, the sum of fifty-six million four hundred and eighty-six thousand seven hundred and eighty dollars. These payments, although made at the market price of the respective classes of stocks, have been effected readily, and to the general advantage of the treasury, and have at the same time provided a utility in the relief they have incidentally afforded to the money market and to the country.

The second of the above-mentioned objects, that of the reduction of the tariff, is of great importance, and the plan suggested by the Secretary of the Treasury, to reduce the duties on certain articles, and to add to the free list many

on the other to the distant realms of Asia. I am deeply sensible of the immense responsibility which the present magnitude of the republic, and the diversity and multiplicity of its interests devolves upon me: the alleviation of which, so far as relates to the immediate conduct of the public business, is, first, in my reliance on the wisdom and patriotism of the two Houses of Congress; and, secondly, in the directions afforded me by the principles of public policy, affirmed by our fathers of the epoch of 1798, sanctioned by long experience, and consecrated anew by the overwhelming voice of the people of the U. S.

Recurring to these principles, which constitute the organic basis of union, we perceive that, vast are the functions and the duties of the federal government, vested in, or entrusted to, its three great departments, the legislative, executive and judicial, yet the substantive power, the popular force, and the large capacities for social and material development, exists in the respective States, which all being of themselves well constituted republics, as they proceeded, so they alone are capable of maintaining, and perpetuating the American Union.

The federal government has its appropriate line of action in the specific and limited powers conferred on it by the constitution, chiefly as to those things in which the States have a common interest in their relations to one another, and to foreign governments; while the great mass of interests which belong to the cultivated mind, the ordinary business of life, the springs of industry, and all the diversified personal and domestic affairs of society, rest securely upon the general reserved powers of the people of the several States. There is the effective democracy of the nation, and there the vital essence of its being and its greatness.

Of the practical consequences which flow from the nature of the federal government, the primary one is the duty of administering with integrity and fidelity the high trust reposed in it by the constitution, especially in the application of the public funds as drawn by taxation from the people, and appropriated to specific objects by Congress. Happily I have no occasion to suggest any radical changes in the financial policy of the government. Ours is almost, if not absolutely, the solitary power of Christendom having a surplus revenue, drawn immediately from imposts on commerce, and therefore measured by the spontaneous enterprise and national prosperity of the country, with such indirect relation to agriculture, manufactures, and the products of the earth and sea, as to violate no constitutional doctrine, and yet vigorously promote the general welfare. Neither as to the sources of the public treasury, nor as to the manner of keeping and managing it, does any grave controversy now prevail, there being a general acquiescence in the wisdom of the present system.

The report of the Secretary of the Treasury will exhibit, in detail, the state of the public finances, and the condition of the various branches of the public service administered by that department of the government.

The revenue of the country, levied almost insensibly to the tax-payer, goes on from year to year increasing beyond either the interests or the prospective wants of the government.

At the close of the fiscal year ending June 30, 1852, there remained in treasury a balance of fourteen million six hundred and thirty-two thousand one hundred and thirty-six dollars. The public revenue for the fiscal year ending June 30, 1853, amounted to fifty-eight million nine hundred and thirty-one thousand eight hundred and sixty-five dollars from customs, and two million four hundred and fifty thousand seven hundred and eighty dollars from public lands and other miscellaneous sources, amounting together to sixty-one million three hundred and thirty-seven thousand five hundred and seventy-five dollars; while the public expenditures for the same period, exclusive of payments on account of the public debt, amounted to forty-three million five hundred and fifty-four thousand two hundred and sixty-two dollars; leaving a balance of thirty-two million four hundred and twenty-seven thousand four hundred and forty-seven dollars of receipts above expenditures.

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articles now taxed, and especially such as enter into manufactures, and are not largely, or at all, produced in the country, is commended to your candid and careful consideration.

You will find in the report of the Secretary of the Treasury, also, abundant proof of the entire adequacy of the present financial system to meet all the requirements of the public service, and that, while properly administered, it operates to the advantage of the community in ordinary business relations.

I respectfully ask your attention to sundry suggestions of improvements in the settlement of accounts, especially as regards the large sums of outstanding arrears due to the government; and of other reforms in the administrative action of his department, which are indicated by the Secretary; as also to the progress made in the construction of marine hospitals, custom-houses, and of a new mint in California and assay office in the city of New York, heretofore provided for by Congress; and also to the eminently successful progress of the Coast Survey, and of the Light-house Board.

Among the objects meriting your attention will be important recommendations from the Secretaries of War and Navy. I am fully satisfied that the Navy of the U. S. is not in a condition of strength and efficiency commensurate with the magnitude of our commercial and other interests; and commended to your special attention the suggestions on this subject made by the Secretary of the Navy. I respectfully submit that the army, which, under our system, must always be regarded with the highest interest, as a nucleus around which the volunteer forces of the nation gather in the hour of danger, requires augmentation or modification, to adapt it to the present extended limits and frontier relations of the country, and condition of the Indian tribes in the interior of the continent; the necessity of which will appear in the communications of the Secretaries of War and the Interior.

In the administration of the Post-office Department for the fiscal year ending June 30, 1853, the gross expenditure was seven million nine hundred and eighty-two thousand seven hundred and fifty-six dollars; and the gross receipts, during the same period, five million nine hundred and forty-two thousand seven hundred and thirty-four dollars; showing that the current revenue failed to meet the current expenses of the department by the sum of two million forty-two thousand and thirty-two dollars. The causes which, under the present postal system and laws, led inevitably to this result, are fully explained by the report of the Postmaster-General; one great cause being the enormous rates the department have been compelled to pay for mail service rendered by railroad companies.

The exhibit in the report of the Postmaster General of the income and expenditures by mail steamers will be found particularly interesting, and of a character to demand the immediate action of Congress.

Numerous and flagrant frauds upon the Pension Bureau have been brought to light within the last year, and, in some instances, merited punishments inflicted; but, unfortunately, in others, guilty parties have escaped, not through the want of sufficient evidence to warrant a conviction, but in consequence of the provisions of limitation in the existing laws.

From the nature of these claims, the remoteness of the tribunals to pass upon them, and the mode in which the proof is, of necessity, furnished, temptations to crime have been greatly stimulated by the obvious difficulties of detection. The defects in the law upon the subject are so apparent, and so fatal to the ends of justice, that your early action relating to it is most desirable.

During the last fiscal year, nine million eight hundred and nineteen thousand four hundred and eleven acres of the public lands have been surveyed, and ten million three hundred and sixty-three thousand eight hundred and ninety-one acres brought into market. Within the same period, sales by public purchase and private entry amounted to one million eighty-three thousand four hundred and ninety-five acres; located under military bounty land warrants, six million one hundred and forty-two thousand three hundred and sixty acres; located under other certificates, nine thousand four hundred and twenty-seven acres; ceded to the States as swamp lands, sixteen million six hundred and eighty-four thousand two hundred and fifty-three acres; selected for railroad and other objects, under act of Congress, one million four hundred and twenty-seven thousand four hundred and fifty-seven acres.

The total amount of land disposed of within the fiscal year, twenty-five million three hundred and ninety-two acres; which is an increase in quantity sold, and located under land warrants and grants, of twelve million two hundred and thirty-one thousand eight hundred and eighteen acres over the fiscal year immediately preceding. The quantity of land sold during the second and third quarters of 1852, were three hundred and thirty-four thousand four hundred and fifty-one acres. The amount received therefor, was six hundred and twenty-three thousand six hundred and eighty-seven dollars. The quantity sold the second and third quarters of the year 1853, was one million six hundred and nine thousand nine hundred and nineteen acres; and the amount received therefor, two million two hundred and twenty-six thousand eight hundred and seventy-six dollars.

The whole number of land warrants issued under existing laws, prior to the 30th of September last, was two hundred and sixty-six thousand and forty-two; of which there were outstanding at that date, sixty-three thousand nine hundred and forty-seven. The quantity of land required to satisfy these outstanding warrants, is four

million seven hundred and seventy-eight thousand one hundred and twenty acres. Warrants have been issued to 30th of September last, under the act of 11th February, 1847, calling for twelve million eight hundred and seventy-nine thousand two hundred and eighty acres; under act of September 28, 1850, and March 22, 1852, calling for twelve million five hundred and five thousand three hundred and sixty acres; making a total of twenty-five million three hundred and eighty-five thousand six hundred and forty acres.

It is believed that experience have verified the wisdom and justice of the present system, with regard to the public domain, in most essential particulars.

You will perceive, from the report of the Secretary of the Interior, that opinions, which have often been expressed in relation to the operation of the land system, as not being a source of revenue to the federal treasury, were erroneous. The net profits from the sale of the public lands to June 30, 1853, amounted to the sum of fifty-three million two hundred and eighty-nine thousand four hundred and sixty-five dollars.

I recommend the extension of the land system over the Territories of Utah and New Mexico, with such modifications as their peculiarities may require.

Regarding our public domain as chiefly valuable to provide homes for the industrious and enterprising, I am not prepared to recommend any essential change in the land system, except by modifications in favor of the actual settler, and an extension of the pre-emption principle in certain cases, for reasons, and on grounds, which will be fully developed in the reports to be laid before you.

Congress, representing the proprietors of the territorial domain, and charged especially with power to dispose of territory belonging to the United States, has, for a long course of years, beginning with the administration of Mr. Jefferson, exercised the power to construct roads within the territories; and there are so many and obvious distinctions between this exercise of power and that of making roads within the States, that the former has never been considered subject to such objections as apply to the latter, and such may now be considered the settled construction of the power of the federal government upon the subject.

Numerous applications have been made, and no doubt will continue to be, made for grants of land, in aid of the construction of railroads. It is not believed to be within the intent and meaning of the Constitution, that the power to dispose of the public domain should be used otherwise than might be expected from a prudent proprietor, and, therefore, that grants of land to aid in the construction of roads should be restricted, to cases where it would be for the interest of a proprietor, under like circumstances, thus to contribute to the construction of these works.

For the practical operation of such grants thus far, in advancing the interests of the States in which the works are located, and at the same time the substantial interests of all other States, by enhancing the value and promoting the rapid sale of the public domain, I refer you to the report of the Secretary of the Interior. A careful examination, however, will show that this experience is the result of a just discrimination, and will be far from affording encouragement to a reckless or indiscriminate extension of the principle.

The creation of an asylum for the insane of the District of Columbia, and of the army and navy of the United States, has been somewhat retarded, by the great demand for material and labor during the past summer; but full preparation for the reception of patients, before the return of another winter, is anticipated, and there is the best reason to believe, from the plan and contemplated arrangements which have been devised, with the large experience furnished within the last few years in relation to the nature and treatment of the disease, that it will prove an asylum indeed to this most helpless and afflicted class of sufferers, and stand as a noble monument of wisdom and mercy.

I commend to your favorable consideration the men of genius of our country, who, by their inventions and discoveries in science and art, have contributed largely to the improvements of the age, with out, in many instances, securing for themselves any thing like an adequate reward. For many interesting details upon this subject I refer you to the appropriate reports, and especially urge upon your early attention the apparently slight, but really important modifications of existing laws there suggested.

This liberal spirit which has so long marked the action of Congress in relation to the District of Columbia will, I have no doubt, continue to be manifested.

Under the act of Congress of August 31, 1852, and of March 3, 1853, designed to secure the cities of Washington and Georgetown an abundant supply of good and wholesome water, it became my duty to examine the report and plans of the engineer who had charge of the surveys under the act first named. The best, if not the only plan, calculated to secure permanently the object sought, was that which contemplates taking the water from the Great Falls of the Potomac, and consequently, I gave it my approval.

For the progress and present condition of this important work, and for its demands, so far as appropriations are concerned, I refer you to the report of the Secretary of War.

The present judicial system of the United States has now been in operation for so long a period of time, and has, in its general theory and much of its details, become so familiar to the country, and so required so entirely the public confidence, that if modified in any respect, it should only be in those particulars which may adapt it to the increased extent, population, and legal business of the United States. In this relation, the organization of the