

THE SUSQUEHANNA REGISTER.

"THE WILL OF THE PEOPLE IS THE LEGITIMATE SOURCE, AND THE HAPPINESS OF THE PEOPLE THE TRUE END OF GOVERNMENT."

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PRESIDENT'S MESSAGE.

Fellow Citizens of the Senate and 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 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 honest and 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 enquiring, 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 which that 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 rejecting in the benign influence which it has exerted upon our social and political condition, I should shrink from a clear duty, did I fail to express my deepest conviction, that we can place no secure 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 this 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 formerly 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 always 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 the fisheries beyond the limits fixed by the Convention of 1818, and 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 collisions 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 Governments in regard to Central America. Great Britain has proposed to settle them by an 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 north-west, as designated in the Convention of the 15th 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, which is so coveted, has been from some unnecessary restrictions to the mutual advantage of both nations. 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 Islands of Cuba and Porto Rico. I am happy to announce, that since the last Congress no attempt has been made by unauthorized expedition with the United States, against

either of these Colonies. Should any movement be manifested within our limits, all the means at my command will be vigorously asserted to prevent 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 of 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 it to her local authorities in Cuba for investigation, and postpones an answer till she has heard from her authorities. To avoid those retarding and vexatious delays, a proposition was made to provide for a direct appeal for redress to the Captain General by our Consul, in behalf of our injured fellow citizens. Hitherto the Government of Spain has declined any such arrangement. This course on her part is deeply regretted; for, without some arrangement of this kind, the good understanding between the countries may be exposed to occasional interruption. Our Minister at Madrid is instructed to renew 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 a Message of the year, recommended that provision should be made for its payment. In January last it was 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 upon 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 visited by Turkey. While at Smyrna, he was forcibly seized, taken on board an Austrian brig of war, then lying in the harbor of that place, and there confined in irons with the avowed design to take him into the dominions of Austria. Our Consul at Smyrna and Legation at Constantinople protested for his release, but their efforts were ineffectual. While thus imprisoned, Commander Ingraham of the United States 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 in the United States. 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 without legal authority at Smyrna; that he was wrongfully detained on board 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 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 changes 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 restricted 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 directions for tracing the boundary contained in that treaty, and was not concurred in by a surveyor or appointed on the part of the United States, whose concurrence was necessary for its validity to that decision, this Government was 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 ample instructions to adjust them. Negotiations have been opened, but sufficient progress has not been made thereto in order to speak of the probable result. Impressed with the importance of maintaining amicable relations with that Republic, and 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 no foreign communications received in the most friendly manner. It is hoped that his presence and good offices will have a happy 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 on 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 communication. To these moral, 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 navigable rivers within their respective territories. Treaties embracing this subject among others have been negotiated with these governments, which will be submitted to the Senate at the present session.

A new Branch of commerce, important to the agricultural interests of the United States, has, within a few years past, been opened with Peru. Notwithstanding the inexhaustible deposits of guano upon the Islands of that country, considerable difficulties are experienced in obtaining the requisite supply. Measures have been taken to remove these difficulties, and to secure a more abundant importation of the article. Unfortunately there has been a serious collision, between our citizens, who have resorted to the Chinese Islands for it, and Peruvian authorities stationed there. Redress for the outrage, committed by the latter, was promptly demanded by our Minister at Lima. This subject is now under consideration, and there is reason to believe that Peru is disposed to offer adequate indemnity to the aggrieved parties.

We are thus not only at peace with all foreign countries, but, in regard to political affairs, are exempt from any cause of serious disquietude in our domestic relations. The controversies, which have agitated the country heretofore, are passing away with the causes which produced them, and the passions which they had awakened; or if any trace of them remains, it may be reasonably hoped that it will only be perceived in the zealous rivalry of all good citizens to testify their respect for the rights of the States, their devotion to the Union, and their common determination that each one of the States, its institutions, its welfare, and its domestic peace shall be held alike secure under the sacredegis of the Constitution.

This new league of amity and of mutual confidence and support into which the people of the Republic have entered, happily affords inducement and opportunity for the adoption of a more comprehensive course of legislation, and in the course of the year, the great material interests of the country, whether regarded in themselves or in connection with the powers of the civilized world.

The United States have continued gradually and steadily to expand, through acquisition of territory, which, how much sooner some of them may have been ques-

tioned, are now universally seen and admitted to have been wisely acquired, in character, and a great element in the advancement of our country, and, with it, of the human race, in freedom, in prosperity, and in happiness. The thirteen States have grown to be thirty-one, with relations reaching to Europe on the one side, and on the other to the distant shores 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, devolve upon me; the alleviation of which, as 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 1788, sanctioned by long experience, and consecrated anew by the overwhelming voice of the people of the United States.

Returning to these principles, which constitute the organic basis of Union, we perceive that, vast as are the functions and duties of the Federal Government, vested in, or entrusted to, three great departments, the legislative, executive, and judicial, yet the substitutive power, the popular force, and the large capacities for social and material development, exist 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 each other, and to foreign governments; while the interests which belong to cultivated men, the ordinary business of life, the springs of industry, 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 is the vital existence 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 to 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 in commerce, and therefore unconnected with the property of the country, with 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 present, 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, and neither the interests or the prospective wants of the Government.

At the close of the fiscal year ending June 30, 1852 there remained in the 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, amounting to fifty-eight million nine hundred and sixty-five dollars from custom, and two million four hundred and five thousand seven hundred and eight dollars from public lands and other miscellaneous sources, amounting together to sixty-one million three hundred and thirty-seven thousand and five hundred and seventy-four 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 forty-seven thousand seven hundred and eighty-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 the Public Debt, of all classes, was on the 4th of March, 1853, sixty-nine million one hundred and ninety thousand and thirty seven dollars and payments on account of which have been made since that period, the amount of twelve million seven hundred and three thousand three hundred and twenty dollars, leaving unpaid, and in the course of liquidation, and in the sum of fifty-five million four hundred and eighty six thousand and 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, proved of signal utility to the relief they have incidentally afforded to the

money market and to the industrial and commercial pursuits of the country.

The second of the above mentioned objects, that of the Tariff, is of great importance and the plan suggested by the Secretary of the Treasury, which is to reduce the duties, on certain articles, and to add to the free list many articles now taxed, and especially such as enter in 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 the entire adequacy of the present fiscal 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 respects 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 objects meriting your attention will be important recommendations from the Secretary of War and Navy. I am fully satisfied that the Navy of the United States is not in a condition of strength and efficacy commensurate with the magnitude of our commercial and other interests; and I commend 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 of the country, and the condition of the Indian tribes in the interior of the continent; the necessity of which will appear in the communications of the Secretary 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 thirty-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, in my opinion, have produced this result, and which, as explained by the Report of the Post Master General; one great cause being the enormous rates the department has been compelled to pay for mail service rendered by Railroad Companies.

The exhibit in the Report of the Post Master General of the income and expenditures of the department, and the substantial interests of all the 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 expedient is the result of a just discrimination, and will be far from affording encouragement to a reckless or indiscriminate extension of the principle.

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, without, 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 careful attention the apparently slight, but really important modifications of existing laws therein suggested.

The 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.

The erection 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; 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.

Under the act of Congress of August 31st, 1851, and of March 3d, 1853, designed to secure for 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 give 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 acquired the public confidence, that it is 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 their relation to the organization of the Courts, is now confessedly inadequate; the duties to be performed by these, in consequence of which, the States of Texas, and California, and the States of Florida, are in fact excluded, from the full benefits of the general system, the functions of the Circuit Court, being devolved in the District Judges on all those States, or parts of States.

The spirit of the Constitution, and a due regard to justice require that all the States of the Union should be placed on the same footing in regard to the judicial tribunals. I therefore commend to your consideration this important subject, which, in my judgment, demands the speedy action of Congress. I will present to you, if deemed desirable, a plan, which I am prepared to recommend for the amendment and modification of the present judicial system.

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 the public domain as chiefly valuable to provide homes for the industrious and enterprising, I am prepared to recommend any essential change in the land system, and any modifications in favor of the actual settler, and an extension of the preemption principle in certain cases, to reasons and 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 the former 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 powers of the Federal Government.

Numerous applications have been, 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, in aid of the construction of railroads, should be restricted to cases where it would be for the interest of the 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 the 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 expedient is the result of a just discrimination, and will be far from affording encouragement to a reckless or indiscriminate extension of the principle.

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Under the act of Congress of August 31st, 1851, and of March 3d, 1853, designed to secure for 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 give 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 acquired the public confidence, that it is modified in any respect, it should only be in those particulars which may adapt it