

EXECUTIVE MANSION,
Washington, May 24, 1875.

SIR:* The President directs me to say that the several Departments of the Government will be closed on Saturday, the 29th instant, in order to enable the employees to participate in the decoration of the graves of the soldiers who fell during the rebellion.

I am, sir, your obedient servant,

O. E. BABCOCK, *Secretary.*

TREASURY DEPARTMENT,
Washington, D. C., July 3, 1875.

To Collectors of Customs:

The importation of breech-loading rifles, and fixed ammunition suitable therefor, into the Territory of Alaska, and the shipment of such rifles or ammunition to any port or place in the Territory of Alaska, are hereby forbidden, and collectors of customs are instructed to refuse clearance of any vessel having on board any such arms or ammunition destined for any port or place in said Territory.

If, however, any vessel intends to touch or trade at a port in Alaska Territory or to pass within the waters thereof, but shall be ultimately destined for some port or place not within the limits of said Territory, and shall have on board any such firearms or ammunition, the master or chief officer thereof will be required to execute and deliver to the collector of customs at the port of clearance a good and sufficient bond, with two sureties, in double the value of such merchandise, conditioned that such arms or ammunition, or any part thereof, shall not be landed or disposed of within the Territory of Alaska. Such bond shall be taken for such time as the collector shall deem proper, and may be satisfied upon proofs similar to those required to satisfy ordinary export bonds, showing that such arms have been landed at some foreign port; or, if such merchandise is landed at any port of the United States not within the limits of the Territory of Alaska, the bond may be satisfied upon production of a certificate to that effect from the collector of the port where it is so landed.

CHAS. F. CONANT, *Acting Secretary.*

Approved:

U. S. GRANT, *President.*

EXECUTIVE MANSION, July 27, 1875.

In conformity to provisions contained in the river and harbor act approved March 3, 1875, granting to James B. Eads and his associates authority to use, for the construction of jetties at the mouth of the Mississippi River, any materials on the public lands of the United States that shall be suitable for and may be needed in said works, under such

* Addressed to the heads of the Executive Departments, etc.

regulations as the Secretary of War shall prescribe, it is hereby ordered and directed—

1. That the general supervision of all matters properly appertaining to the grant therein made is placed in the officer of engineers, Major C. B. Comstock, detailed by the Secretary of War, under the provisions of the said act, to report to him "the depth of water and width of channel secured and maintained from time to time in said channel, together with such other information as the Secretary of War may direct."

2. *Protection of the interests of the United States so far as the taking of material is concerned.*—Said Eads and his associates shall, prior to taking material from any public lands, obtain authority to do so from the Secretary of War, their applications specifying the kinds and amounts of material they wish to take from each subdivision of the public lands; and they shall at once cease from such taking on being notified that the authority is withdrawn.

3. *Protection of the interests of the United States so far as structures are concerned.*—Said Eads and his associates and contractors are authorized to erect, at their own expense, such shops, dwellings, storehouses, and wharves on the military reservation at the mouth of the Mississippi as may be necessary for the prosecution of the work, and shall furnish a list and plan showing the location of the same to the Secretary of War; but these shall be erected in such a way and at such places as not unnecessarily to interfere with navigation or any other interest in which the United States is concerned, whereof the Secretary of War shall be the judge. At his direction any such structure shall be at once removed.

4. *Protection of James B. Eads's interests.*—No person save said Eads and his contractors shall erect any building, tent, or other habitation on the military reservation at the mouth of the Mississippi River. Any person so doing may be summarily ejected by the United States marshal or his deputy. But as authority has already been given to James B. Eads by the Secretary of War to collect the material aforesaid until he should be furnished with the regulations as now herein given, the said Eads is authorized to continue collecting materials under that authority until the 1st day of September, 1875, after which time these regulations will go into effect.

U. S. GRANT.

GENERAL ORDERS, No. 73.

WAR DEPARTMENT,
ADJUTANT-GENERAL'S OFFICE,
Washington, August 2, 1875.

I. The following order has been received from the President of the United States:

EXECUTIVE MANSION, Washington, July 31, 1875.

It becomes the painful duty of the President to announce to the people of the United States the death of Andrew Johnson, the last survivor of

his honored predecessors, which occurred in Carter County, East Tennessee, at an early hour this morning.

The solemnity of the occasion which called him to the Presidency, with the varied nature and length of his public services, will cause him to be long remembered and occasion mourning for the death of a distinguished public servant.

As a mark of respect for the memory of the deceased, it is ordered that the Executive Mansion and several Departments of the Government at Washington be draped in mourning until the close of the day designated for his funeral, and that all public business be suspended on that day.

It is further ordered that the War and Navy Departments cause suitable honors to be paid on the occasion to the memory of the illustrious dead.

U. S. GRANT.

By the President:

JOHN L. CADWALADER,
Acting Secretary of State.

II. In compliance with the President's instructions, the troops will be paraded at 10 o'clock a. m. on the day after the receipt of this order at each military post, when the order will be read to them, and the labors of that day will thereafter cease.

The national flag will be displayed at half-staff.

At dawn of day thirteen guns will be fired, and afterwards at intervals of thirty minutes between the rising and setting sun a single gun, and at the close of the day a national salute of thirty-seven guns.

The officers of the Army will wear crape on the left arm and on their swords and the colors of the several regiments will be put in mourning for the period of thirty days.

By order of the Secretary of War:

E. D. TOWNSEND,
Adjutant-General.

SPECIAL ORDER.

NAVY DEPARTMENT,
Washington, August 2, 1875.

The President of the United States announces the death of ex-President Andrew Johnson in the following order:

[For order see preceding page.]

In pursuance of the foregoing order, it is hereby directed that the ensign at each naval station and of each vessel of the United States Navy in commission be hoisted at half-mast from sunrise to sunset, and that a gun be fired at intervals of every half hour from sunrise to sunset at each naval station and on board of flagships and of vessels acting singly, on

Tuesday, the 3d instant, the day of the funeral, where this order may be received in time, otherwise on the day after its receipt.

The officers of the Navy and Marine Corps will wear the usual badge of mourning attached to the sword hilt and on the left arm for the period of thirty days.

DANIEL AMMEN,
Acting Secretary of the Navy.

GENERAL ORDERS, No. 97.

WAR DEPARTMENT,
ADJUTANT-GENERAL'S OFFICE,
Washington, November 22, 1875.

I. The following order announces the decease of Henry Wilson, Vice-President of the United States:

EXECUTIVE MANSION,
Washington, November 22, 1875.

It is with profound sorrow that the President has to announce to the people of the United States the death of the Vice-President, Henry Wilson, who died in the Capitol of the nation this morning.

The eminent station of the deceased, his high character, his long career in the service of his State and of the Union, his devotion to the cause of freedom, and the ability which he brought to the discharge of every duty stand conspicuous and are indelibly impressed on the hearts and affections of the American people.

In testimony of respect for this distinguished citizen and faithful public servant the various Departments of the Government will be closed on the day of the funeral, and the Executive Mansion and all the Executive Departments in Washington will be draped with badges of mourning for thirty days.

The Secretaries of War and of the Navy will issue orders that appropriate military and naval honors be rendered to the memory of one whose virtues and services will long be borne in recollection by a grateful nation.

U. S. GRANT.

By the President:

HAMILTON FISH,
Secretary of State.

II. On the day next succeeding the receipt of this order at each military post the troops will be paraded at 10 o'clock a. m. and this order read to them.

The national flag will be displayed at half-staff.

At dawn of day thirteen guns will be fired. Commencing at 12 o'clock noon seventeen minute guns will be fired, and at the close of the day the national salute of thirty-seven guns.

The usual badge of mourning will be worn by officers of the Army and the colors of the several regiments will be put in mourning for the period of three months.

By order of the Secretary of War:

E. D. TOWNSEND, *Adjutant-General.*

SPECIAL ORDER.

NAVY DEPARTMENT,
Washington, November 23, 1875.

The President of the United States announces the death of Vice-President Henry Wilson in the following order:

[For order see preceding page.]

In pursuance of the foregoing order, it is hereby directed that upon the day following the receipt of this the ensign at each United States naval station and of each United States naval vessel in commission be hoisted at half-mast from sunrise to sunset, and that thirteen guns be fired at sunrise, nineteen minute guns at meridian, and a national salute at sunset at each United States naval station and on board flagships and vessels acting singly, at home or abroad.

The officers of the Navy and Marine Corps will wear the usual badge of mourning for three months.

GEO. M. ROBESON,
Secretary of the Navy.

SEVENTH ANNUAL MESSAGE.

EXECUTIVE MANSION, *December 7, 1875.*

To the Senate and House of Representatives:

In submitting my seventh annual message to Congress, in this centennial year of our national existence as a free and independent people, it affords me great pleasure to recur to the advancement that has been made from the time of the colonies, one hundred years ago. We were then a people numbering only 3,000,000. Now we number more than 40,000,000. Then industries were confined almost exclusively to the tillage of the soil. Now manufactories absorb much of the labor of the country.

Our liberties remain unimpaired; the bondmen have been freed from slavery; we have become possessed of the respect, if not the friendship, of all civilized nations. Our progress has been great in all the arts—in science, agriculture, commerce, navigation, mining, mechanics, law, medicine, etc.; and in general education the progress is likewise encouraging.

Our thirteen States have become thirty-eight, including Colorado (which has taken the initiatory steps to become a State), and eight Territories, including the Indian Territory and Alaska, and excluding Colorado, making a territory extending from the Atlantic to the Pacific. On the south we have extended to the Gulf of Mexico, and in the west from the Mississippi to the Pacific.

One hundred years ago the cotton gin, the steamship, the railroad, the telegraph, the reaping, sewing, and modern printing machines, and numerous other inventions of scarcely less value to our business and happiness were entirely unknown.

In 1776 manufactories scarcely existed even in name in all this vast territory. In 1870 more than 2,000,000 persons were employed in manufactories, producing more than \$2,100,000,000 of products in amount annually, nearly equal to our national debt. From nearly the whole of the population of 1776 being engaged in the one occupation of agriculture, in 1870 so numerous and diversified had become the occupation of our people that less than 6,000,000 out of more than 40,000,000 were so engaged. The extraordinary effect produced in our country by a resort to diversified occupations has built a market for the products of fertile lands distant from the seaboard and the markets of the world.

The American system of locating various and extensive manufactories next to the plow and the pasture, and adding connecting railroads and steamboats, has produced in our distant interior country a result noticeable by the intelligent portions of all commercial nations. The ingenuity and skill of American mechanics have been demonstrated at home and abroad in a manner most flattering to their pride. But for the extraordinary genius and ability of our mechanics, the achievements of our agriculturists, manufacturers, and transporters throughout the country would have been impossible of attainment.

The progress of the miner has also been great. Of coal our production was small; now many millions of tons are mined annually. So with iron, which formed scarcely an appreciable part of our products half a century ago, we now produce more than the world consumed at the beginning of our national existence. Lead, zinc, and copper, from being articles of import, we may expect to be large exporters of in the near future. The development of gold and silver mines in the United States and Territories has not only been remarkable, but has had a large influence upon the business of all commercial nations. Our merchants in the last hundred years have had a success and have established a reputation for enterprise, sagacity, progress, and integrity unsurpassed by peoples of older nationalities. This "good name" is not confined to their homes, but goes out upon every sea and into every port where commerce enters. With equal pride we can point to our progress in all of the learned professions.

As we are now about to enter upon our second centennial—commencing our manhood as a nation—it is well to look back upon the past and

study what will be best to preserve and advance our future greatness. From the fall of Adam for his transgression to the present day no nation has ever been free from threatened danger to its prosperity and happiness. We should look to the dangers threatening us, and remedy them so far as lies in our power. We are a republic whereof one man is as good as another before the law. Under such a form of government it is of the greatest importance that all should be possessed of education and intelligence enough to cast a vote with a right understanding of its meaning. A large association of ignorant men can not for any considerable period oppose a successful resistance to tyranny and oppression from the educated few, but will inevitably sink into acquiescence to the will of intelligence, whether directed by the demagogue or by priestcraft. Hence the education of the masses becomes of the first necessity for the preservation of our institutions. They are worth preserving, because they have secured the greatest good to the greatest proportion of the population of any form of government yet devised. All other forms of government approach it just in proportion to the general diffusion of education and independence of thought and action. As the primary step, therefore, to our advancement in all that has marked our progress in the past century, I suggest for your earnest consideration, and most earnestly recommend it, that a constitutional amendment be submitted to the legislatures of the several States for ratification, making it the duty of each of the several States to establish and forever maintain free public schools adequate to the education of all the children in the rudimentary branches within their respective limits, irrespective of sex, color, birth-place, or religions; forbidding the teaching in said schools of religious, atheistic, or pagan tenets; and prohibiting the granting of any school funds or school taxes, or any part thereof, either by legislative, municipal, or other authority, for the benefit or in aid, directly or indirectly, of any religious sect or denomination, or in aid or for the benefit of any other object of any nature or kind whatever.

In connection with this important question I would also call your attention to the importance of correcting an evil that, if permitted to continue, will probably lead to great trouble in our land before the close of the nineteenth century. It is the accumulation of vast amounts of untaxed church property.

In 1850, I believe, the church property of the United States which paid no tax, municipal or State, amounted to about \$83,000,000. In 1860 the amount had doubled; in 1875 it is about \$1,000,000,000. By 1900, without check, it is safe to say this property will reach a sum exceeding \$3,000,000,000. So vast a sum, receiving all the protection and benefits of Government without bearing its proportion of the burdens and expenses of the same, will not be looked upon acquiescently by those who have to pay the taxes. In a growing country, where real estate enhances so rapidly with time, as in the United States, there is

scarcely a limit to the wealth that may be acquired by corporations, religious or otherwise, if allowed to retain real estate without taxation. The contemplation of so vast a property as here alluded to, without taxation, may lead to sequestration without constitutional authority and through blood.

I would suggest the taxation of all property equally, whether church or corporation, exempting only the last resting place of the dead and possibly, with proper restrictions, church edifices.

Our relations with most of the foreign powers continue on a satisfactory and friendly footing.

Increased intercourse, the extension of commerce, and the cultivation of mutual interests have steadily improved our relations with the large majority of the powers of the world, rendering practicable the peaceful solution of questions which from time to time necessarily arise, leaving few which demand extended or particular notice.

The correspondence of the Department of State with our diplomatic representatives abroad is transmitted herewith.

I am happy to announce the passage of an act by the General Cortes of Portugal, proclaimed since the adjournment of Congress, for the abolition of servitude in the Portuguese colonies. It is to be hoped that such legislation may be another step toward the great consummation to be reached, when no man shall be permitted, directly or indirectly, under any guise, excuse, or form of law, to hold his fellow-man in bondage. I am of opinion also that it is the duty of the United States, as contributing toward that end, and required by the spirit of the age in which we live, to provide by suitable legislation that no citizen of the United States shall hold slaves as property in any other country or be interested therein.

Chile has made reparation in the case of the whale ship *Good Return*, seized without sufficient cause upward of forty years ago. Though she had hitherto denied her accountability, the denial was never acquiesced in by this Government, and the justice of the claim has been so earnestly contended for that it has been gratifying that she should have at last acknowledged it.

The arbitrator in the case of the United States steamer *Montijo*, for the seizure and detention of which the Government of the United States of Colombia was held accountable, has decided in favor of the claim. This decision has settled a question which had been pending for several years, and which, while it continued open, might more or less disturb the good understanding which it is desirable should be maintained between the two Republics.

A reciprocity treaty with the King of the Hawaiian Islands was concluded some months since. As it contains a stipulation that it shall not take effect until Congress shall enact the proper legislation for that purpose, copies of the instrument are herewith submitted, in order that, if

such should be the pleasure of Congress, the necessary legislation upon the subject may be adopted.

In March last an arrangement was made, through Mr. Cushing, our minister in Madrid, with the Spanish Government for the payment by the latter to the United States of the sum of \$80,000 in coin, for the purpose of the relief of the families or persons of the ship's company and certain passengers of the *Virginus*. This sum was to have been paid in three installments at two months each. It is due to the Spanish Government that I should state that the payments were fully and spontaneously anticipated by that Government, and that the whole amount was paid within but a few days more than two months from the date of the agreement, a copy of which is herewith transmitted. In pursuance of the terms of the adjustment, I have directed the distribution of the amount among the parties entitled thereto, including the ship's company and such of the passengers as were American citizens. Payments are made accordingly, on the application by the parties entitled thereto.

The past year has furnished no evidence of an approaching termination of the ruinous conflict which has been raging for seven years in the neighboring island of Cuba. The same disregard of the laws of civilized warfare and of the just demands of humanity which has heretofore called forth expressions of condemnation from the nations of Christendom has continued to blacken the sad scene. Desolation, ruin, and pillage are pervading the rich fields of one of the most fertile and productive regions of the earth, and the incendiary's torch, firing plantations and valuable factories and buildings, is the agent marking the alternate advance or retreat of contending parties.

The protracted continuance of this strife seriously affects the interests of all commercial nations, but those of the United States more than others, by reason of close proximity, its larger trade and intercourse with Cuba, and the frequent and intimate personal and social relations which have grown up between its citizens and those of the island. Moreover, the property of our citizens in Cuba is large, and is rendered insecure and depreciated in value and in capacity of production by the continuance of the strife and the unnatural mode of its conduct. The same is true, differing only in degree, with respect to the interests and people of other nations; and the absence of any reasonable assurance of a near termination of the conflict must of necessity soon compel the States thus suffering to consider what the interests of their own people and their duty toward themselves may demand.

I have hoped that Spain would be enabled to establish peace in her colony, to afford security to the property and the interests of our citizens, and allow legitimate scope to trade and commerce and the natural productions of the island. Because of this hope, and from an extreme reluctance to interfere in the most remote manner in the affairs of another and a friendly nation, especially of one whose sympathy and

friendship in the struggling infancy of our own existence must ever be remembered with gratitude, I have patiently and anxiously waited the progress of events. Our own civil conflict is too recent for us not to consider the difficulties which surround a government distracted by a dynastic rebellion at home at the same time that it has to cope with a separate insurrection in a distant colony. But whatever causes may have produced the situation which so grievously affects our interests, it exists, with all its attendant evils operating directly upon this country and its people. Thus far all the efforts of Spain have proved abortive, and time has marked no improvement in the situation. The armed bands of either side now occupy nearly the same ground as in the past, with the difference, from time to time, of more lives sacrificed, more property destroyed, and wider extents of fertile and productive fields and more and more of valuable property constantly wantonly sacrificed to the incendiary's torch.

In contests of this nature, where a considerable body of people who have attempted to free themselves of the control of the superior government have reached such point in occupation of territory, in power, and in general organization as to constitute in fact a body politic; having a government in substance as well as in name; possessed of the elements of stability and equipped with the machinery for the administration of internal policy and the execution of its laws; prepared and able to administer justice at home, as well as in its dealings with other powers, it is within the province of those other powers to recognize its existence as a new and independent nation. In such cases other nations simply deal with an actually existing condition of things, and recognize as one of the powers of the earth that body politic which, possessing the necessary elements, has in fact become a new power. In a word, the creation of a new state is a fact.

To establish the condition of things essential to the recognition of this fact there must be a people occupying a known territory, united under some known and defined form of government, acknowledged by those subject thereto, in which the functions of government are administered by usual methods, competent to mete out justice to citizens and strangers, to afford remedies for public and for private wrongs, and able to assume the correlative international obligations and capable of performing the corresponding international duties resulting from its acquisition of the rights of sovereignty. A power should exist complete in its organization, ready to take and able to maintain its place among the nations of the earth.

While conscious that the insurrection in Cuba has shown a strength and endurance which make it at least doubtful whether it be in the power of Spain to subdue it, it seems unquestionable that no such civil organization exists which may be recognized as an independent government capable of performing its international obligations and entitled to be treated

as one of the powers of the earth. A recognition under such circumstances would be inconsistent with the facts, and would compel the power granting it soon to support by force the government to which it had really given its only claim of existence. In my judgment the United States should adhere to the policy and the principles which have heretofore been its sure and safe guides in like contests between revolted colonies and their mother country, and, acting only upon the clearest evidence, should avoid any possibility of suspicion or of imputation.

A recognition of the independence of Cuba being, in my opinion, impracticable and indefensible, the question which next presents itself is that of the recognition of belligerent rights in the parties to the contest.

In a former message to Congress I had occasion to consider this question, and reached the conclusion that the conflict in Cuba, dreadful and devastating as were its incidents, did not rise to the fearful dignity of war. Regarding it now, after this lapse of time, I am unable to see that any notable success or any marked or real advance on the part of the insurgents has essentially changed the character of the contest. It has acquired greater age, but not greater or more formidable proportions. It is possible that the acts of foreign powers, and even acts of Spain herself, of this very nature, might be pointed to in defense of such recognition. But now, as in its past history, the United States should carefully avoid the false lights which might lead it into the mazes of doubtful law and of questionable propriety, and adhere rigidly and sternly to the rule, which has been its guide, of doing only that which is right and honest and of good report. The question of according or of withholding rights of belligerency must be judged in every case in view of the particular attending facts. Unless justified by necessity, it is always, and justly, regarded as an unfriendly act and a gratuitous demonstration of moral support to the rebellion. It is necessary, and it is required, when the interests and rights of another government or of its people are so far affected by a pending civil conflict as to require a definition of its relations to the parties thereto. But this conflict must be one which will be recognized in the sense of international law as war. Belligerence, too, is a fact. The mere existence of contending armed bodies and their occasional conflicts do not constitute war in the sense referred to. Applying to the existing condition of affairs in Cuba the tests recognized by publicists and writers on international law, and which have been observed by nations of dignity, honesty, and power when free from sensitive or selfish and unworthy motives, I fail to find in the insurrection the existence of such a substantial political organization, real, palpable, and manifest to the world, having the forms and capable of the ordinary functions of government toward its own people and to other states, with courts for the administration of justice, with a local habitation, possessing such organization of force, such material, such occupation of territory, as to take the contest out of the category of a mere

rebellious insurrection or occasional skirmishes and place it on the terrible footing of war, to which a recognition of belligerency would aim to elevate it. The contest, moreover, is solely on land; the insurrection has not possessed itself of a single seaport whence it may send forth its flag, nor has it any means of communication with foreign powers except through the military lines of its adversaries. No apprehension of any of those sudden and difficult complications which a war upon the ocean is apt to precipitate upon the vessels, both commercial and national, and upon the consular officers of other powers calls for the definition of their relations to the parties to the contest. Considered as a question of expediency, I regard the accordance of belligerent rights still to be as unwise and premature as I regard it to be, at present, indefensible as a measure of right. Such recognition entails upon the country according the rights which flow from it difficult and complicated duties, and requires the exaction from the contending parties of the strict observance of their rights and obligations; it confers the right of search upon the high seas by vessels of both parties; it would subject the carrying of arms and munitions of war, which now may be transported freely and without interruption in the vessels of the United States, to detention and to possible seizure; it would give rise to countless vexatious questions, would release the parent Government from responsibility for acts done by the insurgents, and would invest Spain with the right to exercise the supervision recognized by our treaty of 1795 over our commerce on the high seas, a very large part of which, in its traffic between the Atlantic and the Gulf States and between all of them and the States on the Pacific, passes through the waters which wash the shores of Cuba. The exercise of this supervision could scarce fail to lead, if not to abuses, certainly to collisions perilous to the peaceful relations of the two States. There can be little doubt to what result such supervision would before long draw this nation. It would be unworthy of the United States to inaugurate the possibilities of such result by measures of questionable right or expediency or by any indirection. Apart from any question of theoretical right, I am satisfied that while the accordance of belligerent rights to the insurgents in Cuba might give them a hope and an inducement to protract the struggle, it would be but a delusive hope, and would not remove the evils which this Government and its people are experiencing, but would draw the United States into complications which it has waited long and already suffered much to avoid. The recognition of independence or of belligerency being thus, in my judgment, equally inadmissible, it remains to consider what course shall be adopted should the conflict not soon be brought to an end by acts of the parties themselves, and should the evils which result therefrom, affecting all nations, and particularly the United States, continue. In such event I am of opinion that other nations will be compelled to assume the responsibility which devolves upon them, and to seriously consider the only remaining measures possible—mediation and intervention.