

should be made was at the last session of Congress referred to a committee for inquiry and report. Without desiring to anticipate that report, I venture to express the hope that in the decision of so important a question the views expressed above may not be lost sight of, and that the decision, whatever it may be, will arrest further agitation of this subject, such agitation being apt to produce a disturbing effect upon the service, as well as on the Indians themselves.

In the enrollment of the bill making appropriations for sundry civil expenses, at the last session of Congress, that portion which provided for the continuation of the Hot Springs Commission was omitted. As the commission had completed the work of taking testimony on the many conflicting claims, the suspension of their labors, before determining the rights of claimants, threatened for a time to embarrass the interests, not only of the Government, but also of a large number of the citizens of Hot Springs, who were waiting for final action on their claims before beginning contemplated improvements. In order to prevent serious difficulties, which were apprehended, and at the solicitation of many leading citizens of Hot Springs and others interested in the welfare of the town, the Secretary of the Interior was authorized to request the late commissioners to take charge of the records of their proceedings and to perform such work as could properly be done by them under such circumstances to facilitate the future adjudication of the claims at an early day and to preserve the status of the claimants until their rights should be finally determined. The late commissioners complied with that request, and report that the testimony in all the cases has been written out, examined, briefed, and so arranged as to facilitate an early settlement when authorized by law. It is recommended that the requisite authority be given at as early a day in the session as possible, and that a fair compensation be allowed the late commissioners for the expense incurred and the labor performed by them since the 25th of June last.

I invite the attention of Congress to the recommendations made by the Secretary of the Interior with regard to the preservation of the timber on the public lands of the United States. The protection of the public property is one of the first duties of the Government. The Department of the Interior should therefore be enabled by sufficient appropriations to enforce the laws in that respect. But this matter appears still more important as a question of public economy. The rapid destruction of our forests is an evil fraught with the gravest consequences, especially in the mountainous districts, where the rocky slopes, once denuded of their trees, will remain so forever. There the injury, once done, can not be repaired. I fully concur with the Secretary of the Interior in the opinion that for this reason legislation touching the public timber in the mountainous States and Territories of the West should be especially well considered, and that existing laws in which the destruction of the

forests is not sufficiently guarded against should be speedily modified. A general law concerning this important subject appears to me to be a matter of urgent public necessity.

From the organization of the Government the importance of encouraging by all possible means the increase of our agricultural productions has been acknowledged and urged upon the attention of Congress and the people as the surest and readiest means of increasing our substantial and enduring prosperity.

The words of Washington are as applicable to-day as when, in his eighth annual message, he said:

It will not be doubted that, with reference either to individual or national welfare, agriculture is of primary importance. In proportion as nations advance in population and other circumstances of maturity this truth becomes more apparent, and renders the cultivation of the soil more and more an object of public patronage. Institutions for promoting it grow up, supported by the public purse; and to what object can it be dedicated with greater propriety? Among the means which have been employed to this end none have been attended with greater success than the establishment of boards (composed of proper characters) charged with collecting and diffusing information, and enabled by premiums and small pecuniary aids to encourage and assist a spirit of discovery and improvement. This species of establishment contributes doubly to the increase of improvement, by stimulating to enterprise and experiment, and by drawing to a common center the results everywhere of individual skill and observation and spreading them thence over the whole nation. Experience accordingly hath shewn that they are very cheap instruments of immense national benefits.

The preponderance of the agricultural over any other interest in the United States entitles it to all the consideration claimed for it by Washington. About one-half of the population of the United States is engaged in agriculture. The value of the agricultural products of the United States for the year 1878 is estimated at \$3,000,000,000. The exports of agricultural products for the year 1877, as appears from the report of the Bureau of Statistics, were \$524,000,000. The great extent of our country, with its diversity of soil and climate, enables us to produce within our own borders and by our own labor not only the necessities, but most of the luxuries, that are consumed in civilized countries. Yet, notwithstanding our advantages of soil, climate, and intercommunication, it appears from the statistical statements in the report of the Commissioner of Agriculture that we import annually from foreign lands many millions of dollars worth of agricultural products which could be raised in our own country.

Numerous questions arise in the practice of advanced agriculture which can only be answered by experiments, often costly and sometimes fruitless, which are beyond the means of private individuals and are a just and proper charge on the whole nation for the benefit of the nation. It is good policy, especially in times of depression and uncertainty in other business pursuits, with a vast area of uncultivated, and hence unproductive, territory, wisely opened to homestead settlement, to encourage by

every proper and legitimate means the occupation and tillage of the soil. The efforts of the Department of Agriculture to stimulate old and introduce new agricultural industries, to improve the quality and increase the quantity of our products, to determine the value of old or establish the importance of new methods of culture, are worthy of your careful and favorable consideration, and assistance by such appropriations of money and enlargement of facilities as may seem to be demanded by the present favorable conditions for the growth and rapid development of this important interest.

The abuse of animals in transit is widely attracting public attention. A national convention of societies specially interested in the subject has recently met at Baltimore, and the facts developed, both in regard to cruelties to animals and the effect of such cruelties upon the public health, would seem to demand the careful consideration of Congress and the enactment of more efficient laws for the prevention of these abuses.

The report of the Commissioner of the Bureau of Education shows very gratifying progress throughout the country in all the interests committed to the care of this important office. The report is especially encouraging with respect to the extension of the advantages of the common-school system in sections of the country where the general enjoyment of the privilege of free schools is not yet attained.

To education more than to any other agency we are to look as the resource for the advancement of the people in the requisite knowledge and appreciation of their rights and responsibilities as citizens, and I desire to repeat the suggestion contained in my former message in behalf of the enactment of appropriate measures by Congress for the purpose of supplementing with national aid the local systems of education in the several States.

Adequate accommodations for the great library, which is overgrowing the capacity of the rooms now occupied at the Capitol, should be provided without further delay. This invaluable collection of books, manuscripts, and illustrative art has grown to such proportions, in connection with the copyright system of the country, as to demand the prompt and careful attention of Congress to save it from injury in its present crowded and insufficient quarters. As this library is national in its character, and must from the nature of the case increase even more rapidly in the future than in the past, it can not be doubted that the people will sanction any wise expenditure to preserve it and to enlarge its usefulness.

The appeal of the Regents of the Smithsonian Institution for the means to organize, exhibit, and make available for the public benefit the articles now stored away belonging to the National Museum I heartily recommend to your favorable consideration.

The attention of Congress is again invited to the condition of the river front of the city of Washington. It is a matter of vital importance to the health of the residents of the national capital, both temporary and

permanent, that the lowlands in front of the city, now subject to tidal overflow, should be reclaimed. In their present condition these flats obstruct the drainage of the city and are a dangerous source of malarial poison. The reclamation will improve the navigation of the river by restricting, and consequently deepening, its channel, and is also of importance when considered in connection with the extension of the public ground and the enlargement of the park west and south of the Washington Monument. The report of the board of survey, heretofore ordered by act of Congress, on the improvement of the harbor of Washington and Georgetown, is respectfully commended to consideration.

The report of the Commissioners of the District of Columbia presents a detailed statement of the affairs of the District.

The relative expenditures by the United States and the District for local purposes is contrasted, showing that the expenditures by the people of the District greatly exceed those of the General Government. The exhibit is made in connection with estimates for the requisite repair of the defective pavements and sewers of the city, which is a work of immediate necessity; and in the same connection a plan is presented for the permanent funding of the outstanding securities of the District.

The benevolent, reformatory, and penal institutions of the District are all entitled to the favorable attention of Congress. The Reform School needs additional buildings and teachers. Appropriations which will place all of these institutions in a condition to become models of usefulness and beneficence will be regarded by the country as liberality wisely bestowed.

The Commissioners, with evident justice, request attention to the discrimination made by Congress against the District in the donation of land for the support of the public schools, and ask that the same liberality that has been shown to the inhabitants of the various States and Territories of the United States may be extended to the District of Columbia.

The Commissioners also invite attention to the damage inflicted upon public and private interests by the present location of the depots and switching tracks of the several railroads entering the city, and ask for legislation looking to their removal. The recommendations and suggestions contained in the report will, I trust, receive the careful consideration of Congress.

Sufficient time has, perhaps, not elapsed since the reorganization of the government of the District under the recent legislation of Congress for the expression of a confident opinion as to its successful operation, but the practical results already attained are so satisfactory that the friends of the new government may well urge upon Congress the wisdom of its continuance, without essential modification, until by actual experience its advantages and defects may be more fully ascertained.

R. B. HAYES.

SPECIAL MESSAGES.

WASHINGTON, December 4, 1878.

To the Senate of the United States:

I transmit, for the consideration of the Senate with a view to ratification, a declaration respecting trade-marks between the United States and Brazil, concluded and signed at Rio de Janeiro on the 24th day of September last.

R. B. HAYES.

WASHINGTON, December 4, 1878.

To the Senate of the United States:

I transmit, for the consideration of the Senate with a view to ratification, a convention revising certain portions of existing commercial treaties and further extending commercial intercourse between the United States and Japan, concluded and signed at Washington on the 25th day of July last.

R. B. HAYES.

WASHINGTON, December 9, 1878.

To the Senate of the United States:

I transmit herewith a report from the Secretary of State, together with the copies of papers* therein referred to, in compliance with the resolution of the Senate of the 27th of May last.

R. B. HAYES.

WASHINGTON, December 16, 1878.

To the House of Representatives:

In answer to the resolution of the House of Representatives of the 5th instant, I transmit herewith a report from the Secretary of State, with its accompanying papers.†

R. B. HAYES.

EXECUTIVE MANSION, December 17, 1878.

To the Senate of the United States:

In answer to the resolution of the Senate of the 5th instant, requesting the transmission to the Senate of "any information which may have been received by the Departments concerning postal and commercial intercourse between the United States and South American countries, together with any recommendations desirable to be submitted of measures to be adopted for facilitating and improving such intercourse," I

*Correspondence relative to claims of United States citizens against Nicaragua.

†Correspondence relative to the expulsion from the German Empire of Julius Baumer, a naturalized citizen of the United States.

transmit herewith reports from the Secretary of State and the Postmaster-General, with accompanying papers.

The external commerce of the United States has for many years been the subject of solicitude because of the outward drain of the precious metals it has caused. For fully twenty years previous to 1877 the shipment of gold was constant and heavy—so heavy during the entire period of the suspension of specie payments as to preclude the hope of resumption safely during its continuance. In 1876, however, vigorous efforts were made by enterprising citizens of the country, and have since been continued, to extend our general commerce with foreign lands, especially in manufactured articles, and these efforts have been attended with very marked success.

The importation of manufactured goods was at the same time reduced in an equal degree, and the result has been an extraordinary reversal of the conditions so long prevailing and a complete cessation of the outward drain of gold. The official statement of the values represented in foreign commerce will show the unprecedented magnitude to which the movement has attained, and the protection thus secured to the public interests at the time when commercial security has become indispensable.

The agencies through which this change has been effected must be maintained and strengthened if the future is to be made secure. A return to excessive imports or to a material decline in export trade would render possible a return to the former condition of adverse balances, with the inevitable outward drain of gold as a necessary consequence. Every element of aid to the introduction of the products of our soil and manufactures into new markets should be made available. At present such is the favor in which many of the products of the United States are held that they obtain a remunerative distribution, notwithstanding positive differences of cost resulting from our defective shipping and the imperfection of our arrangements in every respect, in comparison with those of our competitors, for conducting trade with foreign markets.

If we have equal commercial facilities, we need not fear competition anywhere.

The laws have now directed a resumption of financial equality with other nations, and have ordered a return to the basis of coin values. It is of the greatest importance that the commercial condition now fortunately attained shall be made permanent, and that our rapidly increasing export trade shall not be allowed to suffer for want of the ordinary means of communication with other countries.

The accompanying reports contain a valuable and instructive summary of information with respect to our commercial interests in South America, where an inviting field for the enterprise of our people is presented. They are transmitted with the assurance that any measures that may be enacted in furtherance of these important interests will meet with my cordial approval.

R. B. HAYES.

EXECUTIVE MANSION,
Washington, January 7, 1879.

To the House of Representatives:

In answer to the resolution of the House of Representatives of the 4th of December last, I transmit herewith a report from the Secretary of State, with its accompanying papers.*

R. B. HAYES.

WASHINGTON, January 13, 1879.

To the Senate of the United States:

In answer to a resolution of the Senate of the 3d of June last, requesting a copy of correspondence between this Government and that of Her Britannic Majesty in regard to inviting other maritime powers to accede to the three rules of neutrality laid down in Article VI of the treaty of May 8, 1871, I transmit herewith a report of the Secretary of State, together with its accompanying papers.

R. B. HAYES.

EXECUTIVE MANSION, January 13, 1879.

To the Senate of the United States:

In answer to a resolution of the Senate of the 17th of June last, requesting the Commissioner of Agriculture to send to the Senate certain reports on sheep husbandry, copies of the same, with accompanying papers, received from the Commissioner of Agriculture for this purpose, are herewith transmitted.

R. B. HAYES.

EXECUTIVE MANSION, January 20, 1879.

To the House of Representatives:

In answer to resolution of the House of Representatives of the 16th instant, requesting the Commissioner of Agriculture to forward to the House any facts or statistics in his office on the subject of forestry not heretofore reported, copies of the same, with accompanying papers, received from the Commissioner for this purpose, are herewith transmitted.

R. B. HAYES.

WASHINGTON, D. C., January 23, 1879.

To the House of Representatives:

In answer to a resolution of the 25th of May last, requesting information respecting the claim of Messrs. Carlos Butterfield & Co. against the Government of Denmark, I transmit herewith to the House of Representatives a report of the Secretary of State and its accompanying papers.

R. B. HAYES.

*Correspondence relative to commercial relations with Mexico.

WASHINGTON, January 24, 1879.

To the House of Representatives:

In answer to a resolution of the House of Representatives of the 7th instant, I transmit herewith a report* from the Secretary of State, with its accompanying papers.

R. B. HAYES.

EXECUTIVE MANSION, January 24, 1879.

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, copies of a report and accompanying papers received from the Secretary of the Interior, upon a communication addressed to the President of the United States in behalf of a certain claim of the Choctaw Nation arising under the provisions of the Choctaw and Chickasaw treaty of June 22, 1855.

R. B. HAYES.

EXECUTIVE MANSION, January 31, 1879.

To the Senate of the United States:

I transmit herewith a letter of the Secretary of the Treasury, in relation to the suspension of the late collector and naval officer of the port of New York, with accompanying documents.

In addition thereto I respectfully submit the following observations:

The custom-house in New York collects more than two-thirds of all the customs revenues of the Government. Its administration is a matter not of local interest merely, but is of great importance to the people of the whole country. For a long period of time it has been used to manage and control political affairs.

The officers suspended by me are and for several years have been engaged in the active personal management of the party politics of the city and State of New York. The duties of the offices held by them have been regarded as of subordinate importance to their partisan work. Their offices have been conducted as part of the political machinery under their control. They have made the custom-house a center of partisan political management. The custom-house should be a business office. It should be conducted on business principles. General James, the postmaster of New York City, writing on this subject, says:

The post-office is a business institution, and should be run as such. It is my deliberate judgment that I and my subordinates can do more for the party of our choice by giving the people of this city a good and efficient postal service than by controlling primaries or dictating nominations.

The New York custom-house should be placed on the same footing with the New York post-office. But under the suspended officers the custom-house would be one of the principal political agencies in the State

*Relating to the claim of John C. Landreau against the Government of Peru.

of New York. To change this, they profess to believe, would be, in the language of Mr. Cornell in his response, "to surrender their personal and political rights."

Convinced that the people of New York and of the country generally wish the New York custom-house to be administered solely with a view to the public interest, it is my purpose to do all in my power to introduce into this great office the reforms which the country desires.

With my information of the facts in the case, and with a deep sense of the responsible obligation imposed upon me by the Constitution "to take care that the laws be faithfully executed," I regard it as my plain duty to suspend the officers in question and to make the nominations now before the Senate, in order that this important office may be honestly and efficiently administered.

R. B. HAYES.

WASHINGTON, February 6, 1879.

To the Senate of the United States:

I transmit herewith, for the information of Congress, a report from the Secretary of State, with the accompanying papers therein referred to, in relation to the proceedings of the International Monetary Conference held at Paris in August, 1878.

R. B. HAYES.

EXECUTIVE MANSION, February 8, 1879.

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, the report of the commission appointed under the provisions of the act approved May 3, 1878, entitled "An act authorizing the President of the United States to make certain negotiations with the Ute Indians in the State of Colorado," with copies of letters from the Secretary of the Interior and the Commissioner of Indian Affairs, and accompanying documents.

R. B. HAYES.

WASHINGTON, D. C., February 15, 1879.

To the Senate and House of Representatives:

I transmit herewith report from the Secretary of State, and accompanying papers, in relation to proceedings of the International Prison Congress of Stockholm, held in August last.

R. B. HAYES.

WASHINGTON, D. C., February 18, 1879.

To the House of Representatives:

I transmit herewith a report from the Secretary of State, dated the 17th instant, in relation to the destruction of the bark *Forest Belle* in

Chinese waters in March last, submitted in compliance with the resolution of the House of Representatives of February 4, 1879.

R. B. HAYES.

EXECUTIVE MANSION,

February 21, 1879.

To the Senate and House of Representatives:

Referring to my communication to Congress under date of the 8th instant, transmitting the report of the commission appointed under the act entitled "An act authorizing the President of the United States to make certain negotiations with the Ute Indians in the State of Colorado," I submit herewith a copy of a letter from the Secretary of the Interior and additional papers upon the same subject.

R. B. HAYES.

WASHINGTON, February 28, 1879.

To the Senate of the United States:

I transmit herewith a report from the Secretary of State, with its accompanying papers, submitted in pursuance of a resolution of the Senate of the 20th instant, in relation to railroads in Mexico.

R. B. HAYES.

WASHINGTON, March 3, 1879.

To the Senate and House of Representatives:

I have received from the United States Centennial Commission their final report, presenting a full exhibit of the result of the United States Centennial Celebration and Exhibition of 1876, as required by the act of June 1, 1872.

In transmitting this report for the consideration of Congress, I express, I believe, the general judgment of the country, as well as my own, in assigning to this exhibition a measure of success gratifying to the pride and patriotism of our people and full of promise to the great industrial and commercial interests of the nation. The very ample and generous contributions which the foreign nations made to the splendor and usefulness of the exhibition and the cordiality with which their representatives took part in our national commemoration deserve our profound acknowledgments. At this close of the great services rendered by the United States Centennial Commission and the Centennial board of finance, it gives me great pleasure to commend to your attention and that of the people of the whole country the laborious, faithful, and prosperous performances of their duties which have marked the administration of their respective trusts.

R. B. HAYES.

VETO MESSAGE.

EXECUTIVE MANSION, *March 1, 1879.**To the House of Representatives:*

After a very careful consideration of House bill 2423, entitled "An act to restrict the immigration of Chinese to the United States," I herewith return it to the House of Representatives, in which it originated, with my objections to its passage.

The bill, as it was sent to the Senate from the House of Representatives, was confined in its provisions to the object named in its title, which is that of "An act to restrict the immigration of Chinese to the United States." The only means adopted to secure the proposed object was the limitation on the number of Chinese passengers which might be brought to this country by any one vessel to fifteen; and as this number was not fixed in any proportion to the size or tonnage of the vessel or by any consideration of the safety or accommodation of these passengers, the simple purpose and effect of the enactment were to repress this immigration to an extent falling but little short of its absolute exclusion.

The bill, as amended in the Senate and now presented to me, includes an independent and additional provision which aims at and in terms requires the abrogation by this Government of Articles V and VI of the treaty with China commonly called the Burlingame treaty, through the action of the Executive enjoined by this provision of the act.

The Burlingame treaty, of which the ratifications were exchanged at Peking November 23, 1869, recites as the occasion and motive of its negotiation by the two Governments that "since the conclusion of the treaty between the United States of America and the Ta Tsing Empire (China) of the 18th of June, 1858, circumstances have arisen showing the necessity of additional articles thereto," and proceeds to an agreement as to said additional articles. These negotiations, therefore, ending by the signature of the additional articles July 28, 1868, had for their object the completion of our treaty rights and obligations toward the Government of China by the incorporation of these new articles as thenceforth parts of the principal treaty to which they are made supplemental. Upon the settled rules of interpretation applicable to such supplemental negotiations the text of the principal treaty and of these "additional articles thereto" constitute one treaty from the conclusion of the new negotiations, in all parts of equal and concurrent force and obligation between the two Governments, and to all intents and purposes as if embraced in one instrument.

The principal treaty, of which the ratifications were exchanged August 16, 1859, recites that "the United States of America and the Ta Tsing Empire, desiring to maintain firm, lasting, and sincere friendship, have

resolved to renew, in a manner clear and positive, by means of a treaty or general convention of peace, amity, and commerce, the rules which shall in future be mutually observed in the intercourse of their respective countries," and proceeds in its thirty articles to lay out a careful and comprehensive system for the commercial relations of our people with China. The main substance of all the provisions of this treaty is to define and secure the rights of our people in respect of access to, residence and protection in, and trade with China. The actual provisions in our favor in these respects were framed to be, and have been found to be, adequate and appropriate to the interests of our commerce; and by the concluding article we receive the important guaranty that—

Should at any time the Ta Tsing Empire grant to any nation, or the merchants or citizens of any nation, any right, privilege, or favor, connected either with navigation, commerce, political or other intercourse, which is not conferred by this treaty, such right, privilege, and favor shall at once freely inure to the benefit of the United States, its public officers, merchants, and citizens.

Against this body of stipulations in our favor and this permanent engagement of equality in respect of all future concessions to foreign nations the general promise of permanent peace and good offices on our part seems to be the only equivalent. For this the first article undertakes as follows:

There shall be, as there have always been, peace and friendship between the United States of America and the Ta Tsing Empire, and between their people respectively. They shall not insult or oppress each other for any trifling cause, so as to produce an estrangement between them; and if any other nation should act unjustly or oppressively, the United States will exert their good offices, on being informed of the case, to bring about an amicable arrangement of the question, thus showing their friendly feelings.

At the date of the negotiation of this treaty our Pacific possessions had attracted a considerable Chinese emigration, and the advantages and the inconveniences felt or feared therefrom had become more or less manifest; but they dictated no stipulations on the subject to be incorporated in the treaty. The year 1868 was marked by the striking event of a spontaneous embassy from the Chinese Empire, headed by an American citizen, Anson Burlingame, who had relinquished his diplomatic representation of his own country in China to assume that of the Chinese Empire to the United States and the European nations. By this time the facts of the Chinese immigration and its nature and influences, present and prospective, had become more noticeable and were more observed by the population immediately affected and by this Government. The principal feature of the Burlingame treaty was its attention to and its treatment of the Chinese immigration and the Chinese as forming, or as they should form, a part of our population. Up to this time our uncourteous hospitality to immigration, our fearless liberality of citizenship, our equal and comprehensive justice to all inhabitants, whether they abjured their foreign nationality or not, our civil freedom, and our