

I expressed the hope that the decision of that question, then in prospect, would "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." Since then, the committee having reported, the question has been decided in the negative by a vote in the House of Representatives.

For the reasons here stated, and in view of the fact that further uncertainty on this point will be calculated to obstruct other much-needed legislation, to weaken the discipline of the service, and to unsettle salutary measures now in progress for the government and improvement of the Indians, I respectfully recommend that the decision arrived at by Congress at its last session be permitted to stand.

The efforts made by the Department of the Interior to arrest the depredations on the timber lands of the United States have been continued, and have met with considerable success. A large number of cases of trespass have been prosecuted in the courts of the United States; others have been settled, the trespassers offering to make payment to the Government for the value of the timber taken by them. The proceeds of these prosecutions and settlements turned into the Treasury far exceed in amount the sums appropriated by Congress for this purpose. A more important result, however, consists in the fact that the destruction of our public forests by depredation, although such cases still occur, has been greatly reduced in extent, and it is probable that if the present policy is vigorously pursued and sufficient provision to that end is made by Congress such trespasses, at least those on a large scale, can be entirely suppressed, except in the Territories, where timber for the daily requirements of the population can not, under the present state of the law, be otherwise obtained. I therefore earnestly invite the attention of Congress to the recommendation made by the Secretary of the Interior, that a law be enacted enabling the Government to sell timber from the public lands without conveying the fee, where such lands are principally valuable for the timber thereon, such sales to be so regulated as to conform to domestic wants and business requirements, while at the same time guarding against a sweeping destruction of the forests. The enactment of such a law appears to become a more pressing necessity every day.

My recommendations in former messages are renewed in favor of enlarging the facilities of the Department of Agriculture. Agriculture is the leading interest and the permanent industry of our people. It is to the abundance of agricultural production, as compared with our home consumption, and the largely increased and highly profitable market abroad which we have enjoyed in recent years, that we are mainly indebted for our present prosperity as a people. We must look for its continued maintenance to the same substantial resource. There is no branch of industry in which labor, directed by scientific knowledge, yields such increased production in comparison with unskilled labor, and no branch of the public service to which the encouragement of liberal

appropriations can be more appropriately extended. The omission to render such aid is not a wise economy, but, on the contrary, undoubtedly results in losses of immense sums annually that might be saved through well-directed efforts by the Government to promote this vital interest.

The results already accomplished with the very limited means heretofore placed at the command of the Department of Agriculture is an earnest of what may be expected with increased appropriations for the several purposes indicated in the report of the Commissioner, with a view to placing the Department upon a footing which will enable it to prosecute more effectively the objects for which it is established.

Appropriations are needed for a more complete laboratory, for the establishment of a veterinary division and a division of forestry, and for an increase of force.

The requirements for these and other purposes, indicated in the report of the Commissioner under the head of the immediate necessities of the Department, will not involve any expenditure of money that the country can not with propriety now undertake in the interests of agriculture.

It is gratifying to learn from the Bureau of Education the extent to which educational privileges throughout the United States have been advanced during the year. No more fundamental responsibility rests upon Congress than that of devising appropriate measures of financial aid to education, supplemental to local action in the States and Territories and in the District of Columbia. The wise forethought of the founders of our Government has not only furnished the basis for the support of the common-school systems of the newer States, but laid the foundations for the maintenance of their universities and colleges of agriculture and the mechanic arts. Measures in accordance with this traditional policy, for the further benefit of all these interests and the extension of the same advantages to every portion of the country, it is hoped will receive your favorable consideration.

To preserve and perpetuate the national literature should be among the foremost cares of the National Legislature. The library gathered at the Capitol still remains unprovided with any suitable accommodations for its rapidly increasing stores. The magnitude and importance of the collection, increased as it is by the deposits made under the law of copyright, by domestic and foreign exchanges, and by the scientific library of the Smithsonian Institution, call for building accommodations which shall be at once adequate and fireproof. The location of such a public building, which should provide for the pressing necessities of the present and for the vast increase of the nation's books in the future, is a matter which addresses itself to the discretion of Congress. It is earnestly recommended as a measure which should unite all suffrages and which should no longer be delayed.

The joint commission created by the act of Congress of August 2, 1876, for the purpose of supervising and directing the completion of the

Washington National Monument, of which commission the President is a member, has given careful attention to this subject, and already the strengthening of the foundation has so far progressed as to insure the entire success of this part of the work. A massive layer of masonry has been introduced below the original foundation, widening the base, increasing the stability of the structure, and rendering it possible to carry the shaft to completion. It is earnestly recommended that such further appropriations be made for the continued prosecution of the work as may be necessary for the completion of this national monument at an early day.

In former messages, impressed with the importance of the subject, I have taken occasion to commend to Congress the adoption of a generous policy toward the District of Columbia. The report of the Commissioners of the District, herewith transmitted, contains suggestions and recommendations, to all of which I earnestly invite your careful attention. I ask your early and favorable consideration of the views which they express as to the urgent need of legislation for the reclamation of the marshes of the Potomac and its Eastern Branch within the limits of the city, and for the repair of the streets of the capital, heretofore laid with wooden blocks and now by decay rendered almost impassable and a source of imminent danger to the health of its citizens. The means at the disposal of the Commissioners are wholly inadequate for the accomplishment of these important works, and should be supplemented by timely appropriations from the Federal Treasury.

The filling of the flats in front of the city will add to the adjacent lands and parks now owned by the United States a large and valuable domain, sufficient, it is thought, to reimburse its entire cost, and will also, as an incidental result, secure the permanent improvement of the river for the purposes of navigation.

The Constitution having invested Congress with supreme and exclusive jurisdiction over the District of Columbia, its citizens must of necessity look to Congress alone for all needful legislation affecting their interests; and as the territory of this District is the common property of the people of the United States, who equally with its resident citizens are interested in the prosperity of their capital, I can not doubt that you will be amply sustained by the general voice of the country in any measures you may adopt for this purpose.

I also invite the favorable consideration of Congress to the wants of the public schools of this District, as exhibited in the report of the Commissioners. While the number of pupils is rapidly increasing, no adequate provision exists for a corresponding increase of school accommodation, and the Commissioners are without the means to meet this urgent need. A number of the buildings now used for school purposes are rented, and are in important particulars unsuited for the purpose. The cause of popular education in the District of Columbia is surely

entitled to the same consideration at the hands of the National Government as in the several States and Territories, to which munificent grants of the public lands have been made for the endowment of schools and universities.

RUTHERFORD B. HAYES.

SPECIAL MESSAGES.

EXECUTIVE MANSION, *December 19, 1879.*

To the Senate and House of Representatives:

I have the honor to transmit herewith a draft of a bill submitted by the Board of Commissioners of the District of Columbia, entitled "A bill to provide for the reclamation of the marshes in the harbors of the cities of Washington and Georgetown, and for other purposes," together with the accompanying letter of the president of the board requesting its transmission to Congress.

The bill embraces a plan for the reclamation of the marshes of the Potomac River and its Eastern Branch within the limits of the city of Washington, and is carefully framed with a view to economy in the prosecution of the work. The attention of Congress is again invited to the urgent need of legislation for this important work, which has been so long delayed.

The improvement contemplated is essential to the health of those who reside, whether permanently or temporarily, at the capital, and to the safe and convenient navigation of the waters in its vicinity by vessels employed in the service of the Government and for the purposes of commerce. It is a measure of more than local benefit. The capital of the nation should be relieved from every disadvantage which it is practicable to remove, and should possess every attraction with which it can be invested by the intelligent and fostering care of those who are intrusted with its immediate supervision. The people of the country will sustain and approve the efforts of their representatives in the discharge of this responsibility.

R. B. HAYES.

EXECUTIVE MANSION, *January 7, 1880.*

To the Senate of the United States:

In reply to a resolution of the Senate of December 3, 1879, requesting the President of the United States to inform the Senate whether payments have been made to the Ute Indians in accordance with the fourth article of an agreement made with said Indians September 3, 1873, I transmit herewith a letter from the Secretary of the Interior and accompanying papers.

R. B. HAYES.

WASHINGTON, *January 12, 1880.**To the House of Representatives:*

In answer to resolution of the House of Representatives of the 3d of December, 1879, relative to the consulate at Hongkong, I transmit herewith a report from the Secretary of State, with its accompanying papers.

R. B. HAYES.

EXECUTIVE MANSION, *January 14, 1880.**To the House of Representatives:*

I have the honor herewith to transmit the final report of the board for testing iron, steel, and other metals, with the accompanying papers. These papers constitute the remainder of the reports made by the board, which were transmitted by me to the House of Representatives on the 15th of June, 1878 (House Ex. Doc. No. 98, Forty-fifth Congress, second session).

The United States testing machine at Watertown Arsenal, constructed for the board, is reported as being of great value in the determination of data and the solution of problems of interest to the people of the whole country, and the special attention of Congress is called to the necessity of an appropriation to enable the War Department to make use of it. An estimate of \$20,000 for the purpose was submitted to Congress in the last Book of Estimates (see p. 82), and an appropriation of that sum is respectfully recommended.

The act of July 31, 1876 (19 U. S. Statutes at Large, ch. 246, p. 119), made an appropriation for completing the experiments in testing iron, steel, and other metals, and provided that the board should be discontinued from and after the expenditure of the amount appropriated. In accordance with this legislation, the board ceased to exist on the 30th of June, 1879.

R. B. HAYES.

EXECUTIVE MANSION,
*Washington, January 21, 1880.**To the Senate of the United States:*

I transmit, for the consideration of the Senate with a view to ratification, a convention between the United States of America and the French Republic for the settlement of certain claims of the citizens of either country against the other.

R. B. HAYES.

EXECUTIVE MANSION, *January 26, 1880.**To the House of Representatives:*

In reply to the resolution of the House of Representatives of the 21st instant, requesting the Commissioner of Agriculture to furnish all information which he may have in his possession bearing upon the culture

of the sugar beet, etc., the accompanying letter and report, received from the Acting Commissioner of Agriculture for this purpose, are herewith transmitted.

R. B. HAYES.

EXECUTIVE MANSION, *February 5, 1880.**To the House of Representatives:*

In reply to a resolution of the House of Representatives of the 3d instant, requesting the Commissioner of Agriculture to forward any facts or statistics in his office on the subject of forestry not heretofore published from his Department, the following report, received from the Commissioner, upon this subject is hereby transmitted.

R. B. HAYES.

WASHINGTON, *February 16, 1880.**To the House of Representatives of the United States:*

In compliance with the resolution of the House of Representatives of the 5th instant, calling for any information which I may have received of the proceedings of the International Polar Congress convened in Hamburg, Germany, October 1, 1879, I transmit herewith a report from the Secretary of State on the subject.

R. B. HAYES.

WASHINGTON, *February 16, 1880.**To the Senate of the United States:*

In compliance with the resolution of the Senate of the 19th of January, 1880, calling for information in relation to claims before the American-Spanish Claims Commission and the proceedings of the commission, I transmit herewith a report from the Secretary of State upon the subject.

R. B. HAYES.

EXECUTIVE MANSION, *February 24, 1880.**To the House of Representatives:*

I herewith transmit a communication from the Attorney-General, with reference to the requisite appropriation for the current fiscal year for the compensation of the marshals of the United States, including their reimbursement for necessary expenditures in the discharge of their official duties.

R. B. HAYES.

EXECUTIVE MANSION, *February 25, 1880.**To the Senate and House of Representatives:*

I have the honor to transmit herewith a preliminary report and a draft of a bill submitted by the Public Lands Commission authorized by the act of Congress approved March 3, 1879.

The object of the report and of the bill accompanying it is of such importance that I respectfully commend it to the prompt and earnest consideration of Congress.

R. B. HAYES.

WASHINGTON, *February 27, 1880.*

To the Senate of the United States:

In answer to the resolution of the Senate of the 27th ultimo, I transmit herewith a report from the Secretary of State, with its papers, relating to the claim of Max. Bromberger against the Government of Mexico.

R. B. HAYES.

WASHINGTON, *February 27, 1880.*

To the Senate of the United States:

I transmit herewith to the Senate, for its consideration with a view to ratification, a treaty between the Government of the United States and His Highness Sultan Abdallah, King of Johanna, concerning commercial intercourse with that independent East African island, concluded at Johanna Town on the 4th day of October, 1879.

For your better understanding of the subject, I transmit also the correspondence of Commodore Shufeldt with the Navy Department, which accompanied the treaty, describing the condition and resources of the island of Johanna and narrating the progress of the negotiation, which was undertaken under the general instructions of the Department of State.

R. B. HAYES.

WASHINGTON, *March 1, 1880.*

To the Senate and House of Representatives:

I deem it proper to invite the attention of Congress to the subject of the unsettled claims of Spanish inhabitants of East Florida during the years of 1812 and 1813, generally known as the "East Florida claims," the settlement of which is provided for by a stipulation found in Article IX of the treaty of February, 1819, between the United States and Spain. The provision of the treaty in question which relates to the subject is the following:

The United States will cause satisfaction to be made for the injuries, if any, which by process of law shall be established to have been suffered by the Spanish officers and individual Spanish inhabitants by the late operations of the American army in Florida.

The act of Congress of the 3d of March, 1823 (3 U. S. Statutes at Large, p. 768), to carry into effect the ninth article of the treaty in question, provided for the examination and judicial ascertainment of the claims by the judges of the superior courts established at St. Augustine and Pensacola, and also made provision for the payment by the

Secretary of the Treasury of such claims as might be reported to him by the said judges, upon his being satisfied that such claims were just and equitable; and a subsequent act, approved the 26th of June, 1834 (6 U. S. Statutes at Large, p. 569), gave further directions for the payment, and also provided for the hearing and determination by the judge of the superior court of St. Augustine of such claims as had not then been already heard and determined. Under these acts of Congress I understand that all claims presented to the judges in Florida were passed upon and the result of the proceedings thus had reported to the Secretary of the Treasury. It also appears that in the computation of damages the judges adopted a rule of 5 per cent per annum on the ascertained actual loss from the date of that loss to the time of the rendition of their finding, and that the Secretary of the Treasury in 1836, when the first reports were presented to him, not deeming this portion of the claims covered by the 5 per cent rule just and equitable within the meaning of the treaty and the acts of Congress, refused to pay it, but did continue to pay the ascertained amounts of actual loss. The demand for payment of this rejected item has been pressed at various times and in various ways up to the present time, but Mr. Woodbury's successors in the Treasury Department have not felt at liberty to review that ruling.

Under these circumstances I have thought it proper to lay the subject before Congress for its consideration and such action as may be deemed necessary. The history of the proceedings already had in regard to the matter is of record in the Treasury Department, and will be furnished by the Secretary of the Treasury should Congress desire it.

R. B. HAYES.

EXECUTIVE MANSION, *March 8, 1880.*

To the Senate:

I transmit herewith the report of the Secretary of State and the accompanying papers, in response to the resolution adopted by the Senate on the 11th day of February last, requesting copies of all correspondence between this Government and any foreign government since February, 1869, respecting a ship canal across the isthmus between North America and South America, together with copies of any *projet* of treaties respecting the same which the Department of State may have proposed or submitted since that date to any foreign power or its diplomatic representative.

In further compliance with the resolution of the Senate, I deem it proper to state briefly my opinion as to the policy of the United States with respect to the construction of an interoceanic canal by any route across the American Isthmus.

The policy of this country is a canal under American control. The United States can not consent to the surrender of this control to any

European power or to any combination of European powers. If existing treaties between the United States and other nations or if the rights of sovereignty or property of other nations stand in the way of this policy—a contingency which is not apprehended—suitable steps should be taken by just and liberal negotiations to promote and establish the American policy on this subject consistently with the rights of the nations to be affected by it.

The capital invested by corporations or citizens of other countries in such an enterprise must in a great degree look for protection to one or more of the great powers of the world. No European power can intervene for such protection without adopting measures on this continent which the United States would deem wholly inadmissible. If the protection of the United States is relied upon, the United States must exercise such control as will enable this country to protect its national interests and maintain the rights of those whose private capital is embarked in the work.

An interoceanic canal across the American Isthmus will essentially change the geographical relations between the Atlantic and Pacific coasts of the United States and between the United States and the rest of the world. It would be the great ocean thoroughfare between our Atlantic and our Pacific shores, and virtually a part of the coast line of the United States. Our merely commercial interest in it is greater than that of all other countries, while its relations to our power and prosperity as a nation, to our means of defense, our unity, peace, and safety, are matters of paramount concern to the people of the United States. No other great power would under similar circumstances fail to assert a rightful control over a work so closely and vitally affecting its interest and welfare.

Without urging further the grounds of my opinion, I repeat, in conclusion, that it is the right and the duty of the United States to assert and maintain such supervision and authority over any interoceanic canal across the isthmus that connects North and South America as will protect our national interests. This, I am quite sure, will be found not only compatible with but promotive of the widest and most permanent advantage to commerce and civilization.

RUTHERFORD B. HAYES.

[A similar message was sent to the House of Representatives, in answer to a resolution of that body of February 10.]

EXECUTIVE MANSION, *March 9, 1880.*

To the Senate and House of Representatives:

I have the honor to transmit herewith a report from the Secretary of the Interior, containing an agreement signed by the chiefs and headmen

of the Ute Indians now present at the seat of Government. The stipulations of this agreement appear to me so reasonable and just and the object to be accomplished by its execution so eminently desirable to both the white people of the United States and the Indians that it has my cordial approval, and I earnestly commend it to Congress for favorable consideration and appropriate legislative action.

RUTHERFORD B. HAYES.

WASHINGTON, *March 9, 1880.*

To the Senate of the United States:

I transmit herewith to the Senate, for its consideration with a view to ratification, a convention between the United States and His Majesty the King of the Belgians, defining the rights, immunities, and privileges of consular officers, concluded this day at Washington.

R. B. HAYES.

EXECUTIVE MANSION, *March 11, 1880.*

To the House of Representatives:

I transmit herewith a report, dated on the 9th instant, from the Secretary of State, with the accompanying papers, in answer to a resolution of the House of Representatives of the 25th ultimo, requesting the President to transmit to that body, if not deemed incompatible with the public interest, copies of such dispatches as have recently been received by the Secretary of State from the consul-general at Shanghai upon the subject of slavery in China and those portions of the penal code of China which forbid expatriation.

R. B. HAYES.

WASHINGTON, *March 12, 1880.*

To the House of Representatives:

In answer to a resolution of the House of Representatives of March 2, 1880, requesting the Secretary of State to communicate to the House certain information in relation to the publication and circulation of commercial reports, I transmit herewith a report from the Secretary of State, with its accompanying papers.

R. B. HAYES.

WASHINGTON, *March 29, 1880.*

To the Senate of the United States:

In compliance with the resolution of the Senate of the 29th of January, 1880, calling for information in relation to the awards of the mixed commission organized under the provisions of the treaty of April 25, 1866, between the United States and Venezuela, I transmit herewith a report from the Secretary of State upon the subject.

R. B. HAYES.

WASHINGTON, April 12, 1880.

To the House of Representatives:

In response to the resolution of the House of Representatives of the 12th of February last, on the subject of negotiations concerning the immigration of Chinese to the United States, I transmit a report of the Secretary of State, to whom the matter was referred.

R. B. HAYES.

WASHINGTON, April 15, 1880.

To the Senate of the United States:

In response to the resolution of the Senate of the 27th of February last, concerning the action had by the Executive with respect to the investigation of certain cases in which awards were made by the late United States and Mexican Commission, I transmit herewith a report of the Secretary of State, to whom the matter was referred.

R. B. HAYES.

EXECUTIVE MANSION,

*Washington, D. C., April 16, 1880.**To the House of Representatives:*

The board for testing iron, steel, and other metals, appointed under the authority of "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1876, and for other purposes," contracted with Mr. A. H. Emery, of New York, for a testing machine, to be paid out of the appropriation made for the purpose. That machine has been completed and accepted, and is now in position at the Watertown Arsenal, Mass. It is spoken of by the members composing the late board as the most perfect and reliable machine in the world, embodying new mechanical principles and combinations not heretofore used in any other constructions.

In designing, perfecting, and making this machine the contractor has expended large sums of money over and above the contract price, besides giving years of labor, for which he has received no compensation. He now appeals to Congress for relief, and the papers herewith exhibit a case that calls for Congressional action. It is respectfully submitted to the House of Representatives, recommending speedy and favorable consideration.

R. B. HAYES.

EXECUTIVE MANSION, April 22, 1880.

To the Senate and House of Representatives:

I have the honor to inform Congress that Mr. J. Randolph Coolidge, Dr. Algernon Coolidge, Mr. Thomas Jefferson Coolidge, and Mrs. Ellen Dwight, of Massachusetts, the heirs of the late Joseph Coolidge, jr.,

desire to present to the United States the desk on which the Declaration of Independence was written. It bears the following inscription in the handwriting of Thomas Jefferson:

Thomas Jefferson gives this writing desk to Joseph Coolidge, jr., as a memorial of his affection. It was made from a drawing of his own, by Ben. Randall, cabinet-maker of Philadelphia, with whom he first lodged on his arrival in that city in May, 1776, and is the identical one on which he wrote the Declaration of Independence.

Politics, as well as religion, has its superstitions. These, gaining strength with time, may one day give imaginary value to this relic for its association with the birth of the great charter of our independence.

MONTICELLO, November 18, 1825.

The desk was placed in my possession by Hon. Robert C. Winthrop, and is herewith transmitted to Congress with the letter of Mr. Winthrop expressing the wish of the donors "to offer it to the United States, so that it may henceforth have a place in the Department of State in connection with the immortal instrument which was written upon it in 1776."

I respectfully recommend that such action be taken by Congress as may be deemed appropriate with reference to a gift to the nation so precious in its history and for the memorable associations which belong to it.

RUTHERFORD B. HAYES.

WASHINGTON, D. C., April 14, 1880.

His Excellency RUTHERFORD B. HAYES,

President of the United States.

MY DEAR SIR: I have been privileged to bring with me from Boston, as a present to the United States, a very precious historical relic. It is the little desk on which Mr. Jefferson wrote the original draft of the Declaration of Independence.

This desk was given by Mr. Jefferson himself to my friend, the late Joseph Coolidge, of Boston, at the time of his marriage to Jefferson's granddaughter, Miss Randolph, and it bears an autograph inscription of singular interest, written by the illustrious author of the Declaration in the very last year of his life.

On the recent death of Mr. Coolidge, whose wife had died a year or two previously, the desk became the property of their children, Mr. J. Randolph Coolidge, Dr. Algernon Coolidge, Mr. Thomas Jefferson Coolidge, and Mrs. Ellen Dwight, who now desire to offer it to the United States, so that it may henceforth have a place in the Department of State in connection with the immortal instrument which was written upon it in 1776.

They have done me the honor to make me the medium of this distinguished gift, and I ask permission to place it in the hands of the Chief Magistrate of the nation in their name and at their request.

Believe me, dear Mr. President, with the highest respect, very faithfully, your obedient servant,

ROBT. C. WINTHROP.

WASHINGTON, May 13, 1880.

To the Senate of the United States:

I transmit herewith to the Senate, in response to their resolution of the 24th of March last, in relation to the fulfillment of the ninth article of the treaty of 1819 between the United States and Spain, a report of