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BALTIMORE Price Current.

Table of market prices for various goods including bread, beef, bacon, butter, cheese, candles, cordage, fish, flour, grain, hemp, hops, leather, molasses, meal, naval stores, ocher, pork, plaster, soap, snake root, salt, sugar, wax, and whiskey.

Table of stock prices for various companies and bonds, including U.S. Bank Stock, Maryland Bank Stock, and others.

Congress.

HOUSE OF REPRESENTATIVES OF THE UNITED STATES.

TUESDAY, December 31, 1865. MESSAGE.

From the President of the United States, transmitting a report from the governor and presiding judge of the territory of Michigan, relative to the state of that territory.

To the Senate and House of Representatives of the United States.

The governor and presiding judge of the territory of Michigan, have made a report to me of the state of that territory, several matters in which being within the reach of the legislative authority only, I lay the report before Congress.

TH: JEFFERSON.

December 24, 1865.

(COPY.)

DETOIT, October 10, 1865.

The governor of the territory of Michigan and the presiding judge thereof, in compliance with the wishes of the government and the people of the territory, have the honor to make the following report relative to the affairs of the territory.

By the act of the Congress of the United States establishing the territory, the government thereof was to commence from and after the 20th day of June, 1865. The presiding judge arrived at Detroit, the seat of the government, on Saturday the 29th day of June, and the governor on Monday the first day of July. The associate judge, who was previously a resident of the territory, was already there. On Tuesday the 2d July, the governor, in pursuance of the ordinance of Congress, administered to the several officers their respective oaths of office, and on the same day the operations of the government commenced.

It was the unfortunate fate of the new government to commence its operation in a scene of the deepest public and private calamity. By the conflagration of Detroit, which took place on the morning of the 11th of June, all the buildings of that place, both public and private, were entirely consumed; and the most valuable part of the personal property of the inhabitants was lost. On the arrival of the new government, a part of the people were found encamped on the public grounds, in the vicinity of the town, and the remainder were dispersed through the neighboring settlements of the country; both on the British and American side of the boundary.

The place which bore the appellation of the town of Detroit, was a spot of about 2 acres of ground, completely covered with buildings and combustible materials, the narrow intervals of 14 or 15 feet, used as streets or lanes, only excepted; and the whole was surrounded with a very strong and secure defence of fall and solid picquets. The circumference of the bank of the river along the city was a wide commons; and though assessments are made respecting the existence, amount, the records of Quebec, of a charter from the king of France, confirming this commons as an appurtenance to the town, it was either the property of the United States, or at least such an individual claim did not attempt to cover. The folly of attempting to rebuild the town in the original mode was obvious to every mind; yet there existed no authority, either in the country or in the officers of the new government, to dispose of the adjacent ground. Hence had already arisen a state of dissension which urgently required the interposition of some authority to quiet. Some of the inhabitants, destitute of shelter, and hopeless of any prompt arrangements of government, had reoccupied their former ground, and a few buildings had already been erected in the midst of the old ruins. Another portion of the inhabitants had determined to take possession of the adjacent public ground, and to throw themselves on the liberality of the government of the United States, either to make them a donation of the ground as a compensation for their sufferings, or to accept of a very moderate price for it. If they could have made any arrangement of the various pretensions of individuals, or could have agreed on any plan of a town, they would soon have begun to build. But the want of a civil authority to decide interfering claims, or to compel the refractory to submit to the wishes of a majority, had yet prevented them from carrying any particular measure into execution. On the morning of Monday, the first day of July, the inhabitants had assembled for the purpose of resolving on some definitive mode of procedure. The judges prevailed on them to defer their intentions for a short time, giving them assurances that the governor of the territory would shortly arrive, and that every arrangement, in the power of their domestic government, would be made for their relief. On these representations, they consented to defer their measures one fortnight. In the evening of the same day the governor arrived. It was his first measure to prevent any encroachments from being made on the public land. The situation of the distressed inhabitants then occupied the attention of the members of the government for 2 or 3 days. The result of these discussions was, to proceed to lay out a new town, embracing the whole of the old

town and the public lands adjacent, to state to the people that nothing in the nature of a title could be given, under any authority then possessed by the government; and that they could not be justified in holding out any charitable donations whatever, as a compensation for their sufferings; but that every personal exertion would be used to obtain a confirmation of the arrangements about to be made, and to obtain in the liberal attention of the government of the United States to their distresses.

A town was accordingly surveyed and laid out, and the want of authority to impart any regular title without the subsequent sanction of congress, being first impressed, and clearly understood, the lots were exposed to sale under that reservation. Where the purchaser of a lot was a proprietor in the old town, he was at liberty to extinguish his former property in his new acquisition, foot for foot, and was expected to pay only for the surplus, at the rate expressed in his bid. A considerable part of the inhabitants were only tenants in the old town, there being no means of acquiring any new title. The sale of course could not be confined merely to former proprietors, but as far as possible, was confined to former inhabitants. After the sale of a considerable part, by auction, the remainder was disposed of by private contract, deducting from the previous sales the basis of the terms. As soon as the necessities of the immediate inhabitants were accommodated, the sales were entirely stopped until the pleasure of government could be consulted. As no title could be made, or was pretended to be made, no payments were required, or any monies permitted to be received until the expiration of one year, to afford time for congress to interpose. The remaining part was stipulated to be paid in four successive annual installments. The highest sum remaining from the sales was seven cents for a square foot, and the whole averaged at least four cents. In this way the inhabitants were fully satisfied to commence their buildings, and the interfering pretensions of all individuals were eventually reconciled. The validity of any of the titles was not taken into view. The possession under the titles, such as they were, was alone regarded, and the variety of title left to await the issue of such measures as congress might adopt relative to landed titles in the territory of Michigan generally. It therefore now remains for the congress of the United States either to refuse a sanction of the arrangement made, or by impugning a regular authority to make it, or in some other mode in their wisdom deemed proper, to relieve the inhabitants from one of the most immediate distresses, occasioned by the calamitous conflagration.

Strongly impressed with a sense of the wrong of the people, and deeply commiserating their sufferings, of a great part of which they were eye witnesses, the officers of their local government cannot refrain from adding their warmest degree of recommendation to forward the liberality of the congress of the United States will unquestionably be inclined to exercise towards them; and the disposition which will doubtless prevail towards attending their afflictions, promoting their interests, and relieving their distresses. Whether a donation of the acquisitions, which have been made, or of lands more remote, or the application of the proceeds to public purposes, pertain the country will not be a subject of discussion, the undersigned pretends not to say; but whatever relief may be extended to them on the part of the general government, they hesitate not to assert, will be of the most essential utility to them and rendered to objects of real merit.

The organization of the courts of justice next demanded consideration. A judicial system was established on principles of convenience, economy and simplicity. Courts were held under it, and all the existing business settled. Every subject requiring to be legislated upon was acted on, as far as the government was competent to act. At the close of the other arrangements, the militia of the territory were completely organized and brought into the field.

The various acts, both of a legislative and executive description, will appear at large in the semi-annual report of them, which the laws of the United States require, and it will therefore be unnecessary to exhibit the details of them.

The grand juries constantly presented addresses to the courts on the subject of their titles; and earnestly requested the personal attendance of the governor and one of the judges during a part of the session of Congress. Indeed the confused situation of land titles, during the nine or ten years the United States have had possession of the country, has been such, and is so increasing by lapse of time, as now loudly to call for a definitive adjustment.

It is now nearly a century and a half since the first settlements were made in this country, under the French government; and in the reign of Louis the fourteenth, whose name it then bore, in common with what has since exclusively been termed Louisiana. In 1673, an officer, commissioned by the French government, explored the waters of the west, taking his departure from lake Michigan, he penetrated to the Wisconsin river, and afterwards to the Mississippi, and returned through the Illinois country, after having sailed down the Mississippi within one degree of latitude of the Southern boundary of the United States, previous to the late treaty of Paris, of April, 1803, and that anterior to the discovery of the mouth of the Mississippi by La Salle. Prior to this era the settlements of the straight had commenced, and Detroit claims an antiquity of fifteen years superior to the city of Philadelphia. The few titles granted by the government of France were of three French acres in front, on the banks of the river, by forty in depth, subject to the feudal and seignioral conditions, which usually accompanied titles in France. The ancient French code called la coutume de Paris, was the established law of the country; and the rights of land were made strictly conformable to it. All these grants, however, required the grantee, in a limited period, to obtain a confirmation from the king; and with the exception of a very few, this confirmation has never been made. On the conquest of the French possessions by Great Britain, in the war which terminated by the treaty of Paris in the year 1763, as well in the original articles of capitulation in 1759 and in 1760, as in the subsequent treaty itself, the property of the inhabitants of the country is confirmed to them. The expression in the original is *leurs biens, nobles et ignobles et immeubles*. It is therefore conveyed to comprehend these lands. On the acquisition by the United States of America of that portion of Canada which is now comprehended within the limits of the territory of Michigan, by the definitive treaty of peace at Paris, in 1783, the subjects of his Britannic majesty are secured from loss or damage in person, liberty or property, and in the treaty of London negotiated under Mr. Jay and Lord Grenville, in November, 1794, they are still more particularly confirmed in their property of every kind, land, houses or effects. However defective, therefore, the class of original proprietors may be with respect to the evidence of title according to the American forms, it is conceded their rights are extremely strong. The British government granted few titles, and these were generally mere permissions of military officers to use or occupy certain pieces of land, often unaccompanied with any written evidences, but assuming, from long continued possession, an appearance of right. Under the American government no titles of any kind have been granted.

From this state of things some consequences have resulted, which are not indeed difficult to foresee, but which it is difficult to remedy. One of these consequences, and perhaps not the least important, is the effect it had on the destiny and moral character of the progeny of the original colonists. When it is remembered, that the troops of Louis the fourteenth, came without women, the description of persons constituting the second generation will not be difficult to conceive. When it is considered at the same time, that defective titles to land, they were precluded from the means of acquiring them, it will be obvious that an entrance into the savage social system, or at most, employments in the commerce carried on with them, were their only resources.

While, therefore, the American colonies, of the same age, and of subsequent date, have grown into regular, acculturated, and solvent states, in so countries have been degraded to anarchy, to ignorance, to poverty. The emigrant, whom curiosity, or gullibility at any time brought into the colony, was either attracted to the British side of it, or disappeared in some mode less easy to account for. Accession by foreign population, and by natural increase, being thus, at once cut off, the fate of this fine region has necessarily been that insignificance which still belongs to it. The British government, in recent periods, have confirmed original proprietors, made a donation of a quantity equal to the original grant, termed a continuation; and have granted lands to settlers without any other price than common fees of office attending the acquisition of the grant. Such, however, is the estimable value of liberty to man, that notwithstanding these, and, if possible, greater inducements to the settlers, the undersigned venture to predict a marked superiority to the American side, even at the present time, or at a slight variation of them, if the old claims are at once adjusted, and the country laid open to the acquisition of new title.

From the state of the country which has been represented, another consequence has resulted. Encroachments, in some instances, grafted on original title, and in others without a semblance of title, have been made on lands which are or ought to be, the property of the United States. Individuals have proceeded to extinguish the native right, contrary to the regulations of all the governments; and in some instances extensive settlements have been made on titles thus acquired. What arrangements the United States will make on this head it belongs not to us to anticipate; we shall only recommend a liberal and merciful disposition to the people of this country; of whom it may be safely asserted they are less to be charged with depravity of character, than their governments have been with cruel neglect and indifference.

The claims of the present inhabitants require to be considered under one more aspect, novel indeed, but not the less

founded in truth. When the American comes into contact with the aboriginal, he is not considered as an enemy, he is at least regarded as a character with whom they are to struggle, and if in no other, certainly in a pecuniary view. But the Canadian, allied by blood, by long established intercourse, by a countless reciprocity of services, their native claims having long, as to time, been extinguished, and their honor and good faith having been repeatedly pledged for his protection, is uniformly regarded as their brother, and with him they are disposed to make a common cause. Hence justice, and liberal justice, to the Canadian inhabitant is an important point of policy in the conduct of the American government towards the aboriginal inhabitants.

The extent of the Canadian extinguishment of the Indian title, though in itself indefinite, appears first to have received limits in the treaty of Fort McIntosh, in 1785. We there first find a written declaration of Indian claim for a breadth of six miles from La Riviere aux Raisins, now called Rosine, on Lake Erie, to the Lake St. Clair. In the subsequent treaty of Fort Harmar, in 1799, the same declaration is confirmed. In the inferior treaty of Greenville, in 1795, the confirmation is repeated, and still more made.

The treaty with Great Britain, of 1783, and the subsequent one of 1794, were made for the accomplishment of great national objects, having very little connection with Canadian and Indian claims. The treaties of Fort Mac Intosh, Fort Harmar, and of Greeceville, were all formed on other far more important points; and the quantity of extinguished Indian title in Michigan recognized by them is less, to be considered as an acquisition of new title than a definition of the old. The expense of these negotiations therefore can scarcely be said, in any sense to attach to this country; and perhaps it may be truly said that all the Indian title at present extinguished within the territory of Michigan has not cost the United States a single dollar; but is entirely a recognition of a previous, but indefinite title, extinguished by the Canadian. Hence a question will arise whether it is more than barely justice to the inhabitants to allow them the whole of this part, or otherwise to permit the proceeds of it to be applied to their benefit in the education of their youth, in the erection of public buildings, such as court houses and jails, which the late conflagration has entirely deprived them of, and in laying out roads, and other improvements in their country. Next to the adjustment of the old titles comes the acquisition of new; it is believed that at this period, and in a particular mode, a very large portion of Indian title may be shortly extinguished; but as this part of the subject may hereafter be deemed confidential, it is made the subject of a distinct report.

On an occasion like the present it may not be undesirable to review some of the regulations relative to the territory.

On all the subjects requiring legislation the present government act with difficulty, and on many cannot act at all. All laws will be found to operate on particular places, times and persons; and in no state which enters into the composition of the American union, will an abstract code of principles be discovered free from a connection, and that a very close one, with the places, times & persons affected by them. Hence the strict adoption of any code, or even of any one law, becomes impossible: to make it applicable it must be adapted to the geography of the country, to its temporary circumstances and exigencies, and to the particular character of the persons over whom it is to operate. Hitherto it has been religiously the object to follow what has been deemed the substance of the law, whatever modifications the form of it was obliged to undergo: but different minds will not always correspond in sentiment on what is substance and what is form; and in all the litigations which arise under laws, those affecting the validity of the law itself are the most intricate and difficult. Hence in a country whose administration ought to be marked with simplicity, intricacy, procrastination, and uncertainty in affairs, result. To adopt laws from all the original states, the laws of all the original states ought to be furnished: and waving the difficulty and expense of procuring them, what body of men under the pressure of immediate business, can acquire a complete acquaintance with them? The possession of all the codes, if it were possible, and a complete acquaintance with their contents, would still prove an abortive cure; for in many very simple cases, a strict precedent will be searched for in vain. Is the object to establish a ferry, to regulate the affairs of any district, to erect a court house, or to institute a school, however urgent the call, however obvious the means, it must often be abandoned for want of a precedent that will apply;